



ORDINARY MEETING

AGENDA

26 SEPTEMBER 2017

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 26 September 2017 commencing at 9.00 am for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be the initials "CR" followed by a long horizontal stroke.

CHIEF EXECUTIVE OFFICER
22 September 2017

Next Meeting Date: 10.10.17

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Cherie Rutherford - Leave of Absence from 23 September 2017 to 29 September 2017

Councillor Neil Fisher - Leave of Absence from 23 September 2017 to 29 September 2017

4 CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting held 12 September 2017

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

8.1 PETITION - ROAD MAINTENANCE AT INTERSECTION OF MAIN & TWIGG STREETS

File No: 8054
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Peter Kofod - General Manager Regional Services

SUMMARY

Council has received a petition from 18 petitioners with regards to the condition of the road at the intersection of Main & Twigg Streets, Park Avenue.

OFFICER'S RECOMMENDATION

THAT the petition be received.

COMMENTARY

Council has received a petition from 18 residents regarding a request to repair the intersection of Main & Twigg Streets which sends vibrations throughout the area when trucks pass over it.

9 COMMITTEE REPORTS

9.1 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 25 AUGUST 2017

RECOMMENDATION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 25 August 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

Recommendation of the Audit and Business Improvement Committee, 25 August 2017**9.1.1 ANNUAL FINANCIAL STATEMENTS 30 JUNE 2017****File No:** 9509**Attachments:**

1. 2016/17 Draft Financial Statements
2. 2016/17 Financial Statements - Analytical Review

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

SUMMARY

Chief Financial Officer presenting the Annual Financial Statements with a description of the major movements for the Committee to review and ask questions prior to External Audit.

COMMITTEE RECOMMENDATION

THAT the Financial Statements 2016/17 report be received.

Recommendation of the Audit and Business Improvement Committee, 25 August 2017**9.1.2 REPORT FROM EXTERNAL AUDITORS**

File No: 8151

Attachments:

1. **Audit and Business Improvement Committee Briefing Note**
2. **RRC Interim Management Report**

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer

Author: Alicia Cutler - Chief Financial Officer

SUMMARY

Council's auditors, Thomas Noble and Russell (TNR) have provided an additional Interim Management Report for the 2016/2017 audit.

COMMITTEE RECOMMENDATION

THAT the Interim Management Report prepared by TNR for the 2016/2017 audit be received.

Recommendation of the Audit and Business Improvement Committee, 25 August 2017**9.1.3 OPEN ITEMS STATUS REPORT AS AT 30 JUNE 2017****File No:** 5207**Attachments:**

1. 26 May 2017 Datafile
2. 30 June 2017 Datafile
3. Open Items Report as at 30 June 2017

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

SUMMARY

The Chair has requested that a status report as at 30 June be produced to show the updated position of outstanding (open) audit recommendations. An updated report with these data files are provided in response to this request.

COMMITTEE RECOMMENDATION

THAT the report be received.

Recommendation of the Audit and Business Improvement Committee, 25 August 2017

9.1.4 CEO PLACEHOLDER

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

SUMMARY

The CEO will update the Committee on any matters of importance.

COMMITTEE RECOMMENDATION

THAT the update from the CEO be received.

Recommendation of the Audit and Business Improvement Committee, 25 August 2017

9.1.5 INTERNAL CONTROL DEFICIENCIES

File No: 8151

Responsible Officer: John Wallace - Chief Audit Executive

COMMITTEE RECOMMENDATION

THAT the verbal update on the Internal Control Deficiencies be received.

9.2 PLANNING AND REGULATORY COMMITTEE MEETING - 19 SEPTEMBER 2017

RECOMMENDATION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 19 September 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

Recommendation of the Planning and Regulatory Committee, 19 September 2017**9.2.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE**

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

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Planning and Regulatory Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

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

Recommendation of the Planning and Regulatory Committee, 19 September 2017**9.2.2 D/15-2017/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/15-2017 FOR A MATERIAL CHANGE OF USE FOR A WAREHOUSE AND AGRICULTURAL SUPPLIES STORE**

File No: D/15-2017/A

Attachments: 1. Locality Plan
2. Site Plan

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

Author: Brandon Diplock - Planning Officer

SUMMARY**INTRODUCTION**

Development Application Number: D/15-2017/A

Applicant: Elders Rural Services Australia Limited

Real Property Address: Lot 3 and Lot 4 on RP600258 and Lot 239 on R1675, Parish of Rockhampton

Common Property Address: 14 Stanley Street, Rockhampton

Planning Scheme Zone: Low Impact Industry

Type of Approval: Development Incentives Application for D/15-2017 - Material Change of Use for a Warehouse and Agricultural Supplies Store

Date of Decision: 27 April 2017

Application Lodgement Fee: \$5,798.00

Infrastructure Charges: \$46,763.90

Infrastructure charges incentive: All other areas – 50% discount

Incentives sought: Infrastructure Charges Concession 50%
Development facilitation
Refund of Development Application Fees
Refund of service and connection fees

COMMITTEE RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a Warehouse and Agricultural Supplies Store, located at 14 Stanley Street, Rockhampton described as Lot 3 and Lot 4 on RP600258 and Lot 239 on R1675, Parish of Rockhampton, Council resolves to Approve the following incentives if the use commences prior to 27 April 2021:

- a) A fifty (50) percent reduction of infrastructure charges to the amount of \$23,381.95;
 - b) A refund of the development application fee of \$5,798.00;
 - c) A refund of service and connection fees on completion of the development; and
 - d) That Council enter into an agreement with the applicant in relation to (a), (b) and (c).
-

Recommendation of the Planning and Regulatory Committee, 19 September 2017**9.2.3 COMMITTEE REPORT DELEGATIONS - AUGUST 2017**

File No: 7028
Attachments: Nil
Authorising Officer: Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

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

COMMITTEE RECOMMENDATION

THAT the Committee Report Delegations – August 2017 be received.

Recommendation of the Planning and Regulatory Committee, 19 September 2017**9.2.4 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - AUGUST 2017****File No:** 1464**Attachments:**

1. Monthly Operations Report for Planning and Regulatory Services - August 2017
2. Traffic Light Report - August 2017

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

SUMMARY

The Monthly Operations Report for Planning and Regulatory Services Section for August 2017 is presented for Councillor's information.

COMMITTEE RECOMMENDATION

THAT the Planning and Regulatory Services Monthly Operations Report for August 2017 be 'received'.

Recommendation of the Planning and Regulatory Committee, 19 September 2017
9.2.5 D/60-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR OFFICE

File No: D/60-2017

Attachments:

1. Locality Plan
2. Site Plan

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

Author: Brandon Diplock - Planning Officer

SUMMARY**INTRODUCTION**

Development Application Number: D/60-2017

Applicant: JRT (Holdings No.11) Pty Ltd

Real Property Address: Lot 2 on RP603014, Parish of Rockhampton

Common Property Address: 68 Bolsover Street, Rockhampton

Area of Site: 653 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: High Density Residential Zone

Planning Scheme Overlays: Nil

Existing Development: Dwelling House

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for Office

Level of Assessment: Impact Assessable

Submissions: Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	16 June 2017
<i>Acknowledgment Notice issued:</i>	28 June 2017
<i>Submission period commenced:</i>	14 July 2017
<i>Submission period end:</i>	10 August 2017
<i>Council request for additional time:</i>	N/A
<i>Last receipt of information from applicant:</i>	11 August 2017
<i>Statutory due determination date:</i>	8 September 2017

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Office, made by JRT (Holdings No.11) Pty Ltd, on Lot 2 on RP603014, Parish of Rockhampton, located at 68 Bolsover Street, Rockhampton, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision:

- a) The development is considered low scale and has been designed to ensure it can operate with no adverse impacts on the residential character of the area.
- b) The proposed development will not impact on the development potential of the site or surrounding sites for future residential high density purposes.
- c) The proposed use is considered consistent with the commercial uses immediately adjoining the site.
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Office, made by JRT (Holdings No.11) Pty Ltd, on Lot 2 on RP603014, Parish of Rockhampton, located at 68 Bolsover Street, Rockhampton, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

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

- 1.6 All Development Permits for Operational Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	6743-MCU	-

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

3.0 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.
- 3.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (road works).
- 3.3 A concrete pathway, with a minimum width of 1.2 metres, must be constructed on the western side of Bolsover Street for the full frontage of the development site.
- 3.4 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

4.0 ACCESS AND PARKING WORKS

- 4.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.
- 4.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.3 All car parking and access areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 4.4 All vehicular access to and from the development must be via Bolsover Lane only.
- 4.5 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
- 4.6 All vehicles must ingress and egress the development in a forward gear.

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- 4.7 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
- 4.8 A minimum of four (4) parking spaces must be provided on-site.
- 4.9 Parking spaces must be line-marked in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.10 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site.
- 5.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 5.1 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, and sound engineering practice.
- 5.2 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.
- 5.3 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 5.4 In order to mitigate the increased runoff as a result of the impervious area associated with the car-parking area at the rear of the subject site, the Developer must install a 5,000 litre rainwater tank for the existing dwelling with an outlet that discharges to the car-parking area.
- 6.0 SITE WORKS
- 6.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 7.0 BUILDING WORKS
- 7.1 A minimum 1.8 metre high screen fence must be erected between the subject development site and adjacent residential property south of the development.
- 8.0 LANDSCAPING WORKS
- 8.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 9.0 ASSET MANAGEMENT
- 9.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 9.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.
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9.3 '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 *Asset Design and As Constructed Manual (ADAC)*.

10.0 ENVIRONMENTAL

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

11.0 ENVIRONMENTAL HEALTH

11.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.

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

11.3 The hours of operations for the development site must be limited to 0800 hours to 1700 hours on Monday to Friday with no operations on Saturdays, Sundays or Public holidays.

ADVISORY NOTES

NOTE 1. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety Act 2011* and *Public Health Act 2005*.

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Works in Road Reserve Permit

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

NOTE 5. Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for Office, made by JRT (Holdings No.11) Pty Ltd, on Lot 2 on RP603014, Parish of Rockhampton, located at 68 Bolsover Street, Rockhampton, Council resolves to issue an Adopted Infrastructure Charges Notice for the amount of \$10,985.50.

Recommendation of the Planning and Regulatory Committee, 19 September 2017
9.2.6 D/75-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY

File No: D/75-2017

Attachments:

1. Locality Plan
2. Floor Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Michael Rowe - General Manager Community Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/75-2017

Applicant: Mr. Wayne V. Stewart

Real Property Address: Lot 7 on RP601813, Lot 1 on RP609521 and Lot 8 on SP195014, Parish of Archer

Common Property Address: 54 Charles Street and 112-118 Musgrave Street, Berserker

Area of Site: 3,603 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Specialised Centre Zone (Musgrave Street Precinct)

Planning Scheme Overlays: Nil

Existing Development: Showroom, Workshop and Office

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for Low Impact Industry

Level of Assessment: Impact Assessable

Submissions: One (1)

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

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	30 June 2017
<i>Acknowledgment Notice issued:</i>	3 July 2017
<i>Submission period commenced:</i>	4 August 2017
<i>Submission period end:</i>	25 August 2017
<i>Last receipt of information from applicant:</i>	30 August 2017
<i>Statutory due determination date:</i>	27 September

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry, made by Mr. Wayne V. Stewart, located at 54 Charles Street and 112-118 Musgrave Street, Berserker, described as Lot 7 on RP601813, Lot 1 on RP609521 and Lot 8 on SP195014, Parish of Archer, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposal presents a logical and integrated extension which is reasonably expected within the Specialised Centre Zone.
- b) The scale and intensity of the proposed development will ensure the ongoing operation of surrounding retail uses along with no additional amenity impacts on the adjoining residential uses.
- c) The proposed development is able to form an appropriate transition from higher intensity development along Musgrave Street to residential land to the east.
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry, made by Mr. Wayne V. Stewart, located at 54 Charles Street and 112-118 Musgrave Street, Berserker, described as Lot 7 on RP601813, Lot 1 on RP609521 and Lot 8 on SP195014, Parish of Archer, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

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

- 1.4.2 Plumbing and Drainage Works;
- 1.4.3 Building Works
- 1.5 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.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Location Plan	SK-001 Rev 3	28 June 2017
Overall Site Plan / Existing	SK-002 Rev 3	28 June 2017
Proposed Floor Plan	SK-003 Rev 3	28 June 2017
Elevations	SK-004 Rev 3	28 June 2017

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the prompt commencement of the use submission of an application for a Development Permit for Operational Works/Building Works.
- ## 3.0 ACCESS AND PARKING WORKS
- 3.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access works on the development site.
- 3.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 3.3 The existing access from Charles Street to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*. Additionally, the Charles Street access upgrade must also allow for the continuation of the existing pedestrian footpath along the Charles Street frontage of the subject site.
- 3.4 All car parking and access areas must be maintained as pavement or sealed areas to Council's satisfaction.
- 3.5 All vehicles must ingress and egress the development in a forward gear.
- ## 4.0 PLUMBING AND DRAINAGE WORKS
- 4.1 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation. Arrester traps must be provided where commercial or non-domestic waste water is proposed to be discharged into the system.

-
- 4.2 Hoses must be provided at the refuse container area, and washdown must be drained to the sewer in accordance with a Plumbing and Drainage Permit and Sewerage Trade Waste Permit. Alternatively, a commercial bin cleaning service can be provided.
- 5.0 SITE WORKS
- 5.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 6.0 BUILDING WORKS
- 6.1 A Development Permit for Building Works must be obtained prior to the commencement of any building/demolition works on the development site.
- 7.0 ASSET MANAGEMENT
- 7.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 7.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.
- 8.0 ENVIRONMENTAL HEALTH
- 8.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 8.2 Noise emitted from the activity must not cause an environmental nuisance.
- 8.3 The hours of operation for the development site must be limited to 0800 to 1700, Monday to Saturday, with no operations on Sundays or Public Holidays.
- 8.4 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise, odour or dust.
- 8.5 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy 2008*.
- 8.6 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be appropriately bunded and drained to the sewer network in accordance with a trade waste permit.
- 8.7 All chemicals and/or environmentally hazardous liquids must be contained within a covered, bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five percent (25%) of the total storage capacity.
-

- 8.8 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:
- 8.8.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
 - 8.8.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and
 - 8.8.3 waste bags and ties.
- 8.9 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 9.0 OPERATING PROCEDURES
- 9.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Musgrave Street, Charles Street or Armstrong Street.
- 9.2 Operations on the development site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 9.3 All waste storage areas must be:
- 9.3.1 kept in a clean and tidy condition; and
 - 9.3.2 maintained in accordance with *Environmental Protection Regulation 2008*.
- 9.4 No panel beating, spray-painting or any body works must be carried out on-site.
- 9.5 Cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
- 10.0 MOTOR VEHICLE WORKSHOP OPERATIONS
- 10.1 No metal surface coating will be permitted other than the following:
- 10.1.1 Brushed finishes achieved by a hand brush with bristles; and/or
 - 10.1.2 Using hand held aerosol cans where the can and spray device forms one disposable unit and the can holds less than one (1) litre of product.
- 10.2 The workshop must have an impervious floor that is adequately bunded and drains to a holding tank or the sewer through an approved oil interceptor/separation system.

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the development site, Council's Environment and Public Health Unit must be consulted to determine whether any approvals are required. Such activities may include food preparation, storage of dangerous goods or environmentally relevant activities. Approval for such activities is required before 'fit out' and operation.

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Works in Road Reserve Permit

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

NOTE 5. Infrastructure Charges Notice

Council has resolved not to issue an Infrastructure Charges Notice for this development because the new infrastructure charges arising from the development are less than the credits applicable for the new development.

NOTE 6. 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.

Recommendation of the Planning and Regulatory Committee, 19 September 2017**9.2.7 BIOSECURITY PLAN 2017-2021**

File No: 7099
Attachments: 1. Draft Biosecurity Plan 2017 - 2021
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Catherine Hayes - Coordinator Health and Environment

SUMMARY

This report presents the Rockhampton Regional Council Biosecurity Plan 2017-2021 (The Plan) for Council's endorsement before being sent to neighbouring Councils and Biosecurity Queensland for consultation.

COMMITTEE RECOMMENDATION

THAT Council endorse the Biosecurity Plan 2017-2021 for consultation.

9.3 INFRASTRUCTURE COMMITTEE MEETING - 19 SEPTEMBER 2017

RECOMMENDATION

THAT the Minutes of the Infrastructure Committee meeting, held on 19 September 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.1 BUSINESS OUTSTANDING TABLE FOR INFRASTRUCTURE COMMITTEE**

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

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Infrastructure Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

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

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.2 CIVIL OPERATIONS MONTHLY OPERATIONS REPORT**

File No: 7028

Attachments:

1. **Civil Operations Monthly Operations Report - August 2017**
2. **Works Program - September - October 2017**

Authorising Officer: Peter Kofod - General Manager Regional Services

Author: David Bremert - Manager Civil Operations

SUMMARY

This report outlines Civil Operations Monthly Operations Report 31 August 2017 and also Works Program of planned projects for the months September - October 2017.

COMMITTEE RECOMMENDATION

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

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.3 ENGINEERING SERVICES MONTHLY OPERATIONS REPORT**

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

SUMMARY

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

COMMITTEE RECOMMENDATION

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

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.4 RENAMING SECTION OF MAIN STREET**

File No: 8054

Attachments: 1. Attachment A
2. Attachment B

Authorising Officer: **Stuart Harvey - Coordinator Strategic Infrastructure**
Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services

Author: **Stuart Singer - Technical Officer**

SUMMARY

A request had been received from a resident who resides on Main Street, Park Avenue to rename the section of Main Street from the Fitzroy River to Glenmore Road. A survey has been undertaken to gauge the breadth of confusion experienced, and level of support for a renaming option from residents and landowners within the 'A' section of Main Street. This report presents the findings of the public consultation to Council for consideration.

COMMITTEE RECOMMENDATION

THAT Council does not endorse a renaming option for the section of Main Street from the Fitzroy River to Glenmore Road, referred to as the 'A' section of Main Street; and

THAT Officers ensure street name signs for this section of Main Street include the house numbering range, for the "A" section, underneath the street name sign.

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.5 NAMING OF THREE ROADS OFF RAZORBACK RD**

File No:	394
Attachments:	1. Road Naming Submissions (included in Confidential) 2. Assessment criteria and results (included in Confidential) 3. Map location of Roads to be Named
Authorising Officer:	Stuart Harvey - Coordinator Strategic Infrastructure Martin Crow - Manager Engineering Services Peter Kofod - General Manager Regional Services
Author:	Stuart Singer - Technical Officer

SUMMARY

This report provides recommendations for the naming of three un-named roads, 1.0km South along the Razorback Road, and seeks Council's adoption of these names.

COMMITTEE RECOMMENDATION

THAT the un-named road A - 1.0km along the Razorback Road be named 'Crones Road', the un-named road B – 0.14km along un-named road A be named 'Dovecot Road' and the un-named road C – 0.51km along un-named road A be named 'Rack Lane'.

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.6 DUST SUPPRESSANT ON UNSEALED ROAD**

File No: 6833
Attachments: 1. Trial Site Photos
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: David Bremert - Manager Civil Operations

SUMMARY

An evaluation of the effectiveness of Dust suppressants to extend road life and reduce dust has been undertaken over the past two years. This has involved the trial on two unsealed roads within our region.

COMMITTEE RECOMMENDATION

THAT the Dust Suppressant on Unsealed Road Report is noted.

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.7 GATES AND GRID POLICY**

File No: 7171, 7028
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: David Bremert - Manager Civil Operations

SUMMARY

Council has an existing Gate and Grid Local Law 1.16 which covers the installation, maintenance and removal of existing grids and gates. There is a need for a clear procedure to support the effective implementation of this policy This report seeks to outline a number of options available to include in the development of a policy and procedure to better manage Gates and Grids.

Council has received a petition from 30 petitioners regarding the installation of another gate on Sandy Creek Road, Bushley and allowing gates on dedicated roads that disadvantage residents.

COMMITTEE RECOMMENDATION

THAT Council:

1. Develop a policy and procedure for the management of Gates and Grids;
2. Receives the petition regarding the installation of another gate on Sandy Creek Road, Bushley and allowing gates on dedicated roads that disadvantage residents; and
3. Develop Fact Sheets for the shared use of rural roads.

Recommendation of the Infrastructure Committee, 19 September 2017**9.3.8 ROOKWOOD WEIR EARLY WORKS PROJECT**

File No: 5338
Attachments: 1. Request from GAWB for Rookwood Weir
Early Road Works Engagement
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: David Bremert - Manager Civil Operations

SUMMARY

The Gladstone Area Water Board (GAWB) has requested Council undertake some of the Rookwood Weir Early Road Works on their behalf. This report outlines the scope of works to be undertaken by Council which is the design and construction of Thirsty Creek Road.

COMMITTEE RECOMMENDATION

THAT the Rookwood Weir Early Works Project report be received and noted by Council.

9.4 AIRPORT, WATER AND WASTE COMMITTEE MEETING - 19 SEPTEMBER 2017

RECOMMENDATION

THAT the Minutes of the Airport, Water and Waste Committee meeting, held on 19 September 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

Recommendation of the Airport, Water and Waste Committee, 19 September 2017**9.4.1 ROCKHAMPTON AIRPORT MONTHLY OPERATIONAL REPORT - AUGUST 2017**

File No:	7927
Attachments:	1. Airport Monthly Operations Report - Period Ending August 2017
Authorising Officer:	Scott Waters - General Manager Regional Development and Aviation
Author:	Tracey Baxter - Acting Manager Airport

SUMMARY

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

COMMITTEE RECOMMENDATION

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

Recommendation of the Airport, Water and Waste Committee, 19 September 2017**9.4.2 FRW MONTHLY OPERATIONS REPORT - AUGUST 2017**

File No: 1466
Attachments: 1. FRW Monthly Operations Report - August 2017
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

This report details Fitzroy River Water's financial position and other operational matters for the Council's information as at 31 August 2017.

COMMITTEE RECOMMENDATION

THAT the FRW Monthly Operations Report for August 2017 be received.

Recommendation of the Airport, Water and Waste Committee, 19 September 2017**9.4.3 MONTHLY OPERATIONS REPORT ROCKHAMPTON REGIONAL WASTE AND RECYCLING AUGUST 2017**

File No: 7927
Attachments: 1. Monthly Operations Report Rockhampton Regional Waste and Recycling August 2017
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Craig Dunglison - Manager RRWR

SUMMARY

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

COMMITTEE RECOMMENDATION

THAT the RRWR Operations report for August 2017 be received.

Recommendation of the Airport, Water and Waste Committee, 19 September 2017**9.4.4 CONTAINER REFUND SCHEME LEGISLATION - UPDATE**

File No: 7927
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Craig Dunglison - Manager RRWR

SUMMARY

The Queensland Government is proposing to introduce back into Queensland the Container Refund Scheme on 1 July 2018. This scheme is where individuals can take nominated containers (ie beer and soft drink bottles / cans) back to a nominated depot and receive 10 cents per container. Council should be aware of this scheme as it will impact upon Council's kerbside recycling and recyclables processing services and on local business and service organisations.

COMMITTEE RECOMMENDATION

THAT the report on Container Refund Scheme Legislation be received.

Recommendation of the Airport, Water and Waste Committee, 19 September 2017**9.4.5 ROCKY SWAP WASTE AUDIT REPORT**

File No:	7927
Attachments:	Nil
Authorising Officer:	Peter Kofod - General Manager Regional Services
Author:	Craig Dunglison - Manager RRWR

SUMMARY

This report presents the results from Rockhampton Regional Waste and Recycling's (RRWR's) participation in the 2017 Rocky Swap event. RRWR provided support to our Region's largest "re-use" event and to utilise the event as an opportunity for community engagement and to collect data on community recycling rates. The report presents the audit data results, the overall effectiveness of RRWR's participation and also provides recommendations for future involvement with this event.

COMMITTEE RECOMMENDATION

THAT:

1. Council contact event coordinators and ensure RRWR involvement in 2018 event;
2. Maintain the number of general waste bins in close proximity to recycling bins at the 2018 event to reduce incorrect use of recycling bins;
3. Increase the number of bins sampled for the 2018 audit from 20 of each bin type to at least 30. The higher the number of bins sampled the greater the accuracy of data;
4. Prepare educational material with a focus on recycling contamination (e.g. remove lids, empty bottles etc.). Provide material to event coordinators to distribute to stall holders and include in exhibitor packs;
5. Work with event coordinators to see recyclable coffee cups distributed on the day and/or provide educational information and signage regarding how to dispose of coffee cups;
6. Work with event coordinators to make better use of the PA system to provide short messages about recycling;
7. Offer event coordinators opportunity to bring club to the Material Recovery Facility to have more encompassed understanding of importance of bin placement – "full circle"; and
8. Offer to have RRWR staff attend event coordinator club meeting to pass on report statistics and further ways to improve bin placement and audit results.

9.5 COMMUNITY SERVICES COMMITTEE MEETING - 20 SEPTEMBER 2017

RECOMMENDATION

THAT the Minutes of the Community Services Committee meeting, held on 20 September 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

Recommendation of the Community Services Committee, 20 September 2017**9.5.1 BUSINESS OUTSTANDING TABLE FOR COMMUNITY SERVICES COMMITTEE**

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

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Community Services Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Community Services Committee be received.

Recommendation of the Community Services Committee, 20 September 2017**9.5.2 COMMUNITY ASSISTANCE PROGRAM ASSESSMENT RATING TOOL**

File No: 1464
Attachments: Nil
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Cheryl Haughton - Manager Communities and Facilities

SUMMARY

A rating tool to assist with assessment of applications received for sponsorship through the Community Assistance Program has been developed for consideration by Council.

COMMITTEE RECOMMENDATION

THAT Council approves the use of the rating tool for assessment of applications received for sponsorship through the Community Assistance Program.

Recommendation of the Community Services Committee, 20 September 2017**9.5.3 COMMUNITIES AND FACILITIES MONTHLY OPERATIONAL REPORT****File No: 1464****Attachments: 1. Monthly Operational Report - Communities and Facilities****Authorising Officer: Michael Rowe - General Manager Community Services****Author: Cheryl Haughton - Manager Communities and Facilities**

SUMMARY

This report provides information on the activities of the Communities and Facilities section for August 2017.

COMMITTEE RECOMMENDATION

THAT the Monthly Operational Report on the activities of the Communities and Facilities section for August 2017 be received.

Recommendation of the Community Services Committee, 20 September 2017
9.5.4 COMMUNITY ASSISTANCE PROGRAM

File No: 12535
Attachments: 1. Community Assistance Program
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Cheryl Haughton - Manager Communities and Facilities

SUMMARY

Applications received for the first round of the Community Assistance Program for the current financial year have been assessed with recommendations for funding presented for Council consideration.

COMMITTEE RECOMMENDATION

THAT Council approves the allocation of funding from the Community Assistance Program for the following:

Applicant	Purpose of Grant/Sponsorship	Amount
Fitzroy Parish UCA	Administrative Hub Upgrade Stage 1	\$5,725
Fitzroy River Fish Stocking Association Inc	Community Organisation Support – Restocking of Barramundi in the Fitzroy River	\$5,000
Gracemere Sports Club	Lighting Infrastructure – Gracemere Sports Club	\$8,000
Rockhampton Bowls Club	2017 Mayoral Trophy	\$500
Rockhampton Indoor Hockey Association Inc	Hockey QLD 13 & Under Boys & Girls State Indoor Hockey Team Challenge	\$2,250
Rockhampton Tenpin Bowling Disabilities Committee	CQ Disabilities Tenpin Bowling Championships	\$500
Rotary Club of Rockhampton South	Athelstane House on Ward Street – Replacement Dishwasher	\$3,261
Zonta Club of Rockhampton Inc	International Women's Day Breakfast	\$1,477
		\$26,713

Recommendation of the Community Services Committee, 20 September 2017**9.5.5 ARTS AND HERITAGE OPERATIONAL REPORT FOR AUGUST 2017****File No:** 1464**Attachments:** 1. Arts and Heritage Operational Report for August 2017**Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Peter Owens - Manager Arts and Heritage

SUMMARY

The report provides information on the programs and activities of the Arts and Heritage section for August 2017.

COMMITTEE RECOMMENDATION

THAT the Arts and Heritage Operational Report for August 2017 be received.

9.6 PARKS, RECREATION AND SPORT COMMITTEE MEETING - 20 SEPTEMBER 2017

RECOMMENDATION

THAT the Minutes of the Parks, Recreation and Sport Committee meeting, held on 20 September 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

Recommendation of the Parks, Recreation and Sport Committee, 20 September 2017**9.6.1 BUSINESS OUTSTANDING TABLE FOR PARKS, RECREATION AND SPORT COMMITTEE**

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

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Parks, Recreation and Sport Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

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

Recommendation of the Parks, Recreation and Sport Committee, 20 September 2017

9.6.2 PARKS AND OPEN SPACE OPERATIONS REPORT - AUGUST 2017

File No: 1464
Attachments: 1. Parks Monthly Report August 2017
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Vincent Morrice - Coordinator Park and Visitor Services

SUMMARY

This report provides information on the activities and services of Parks and Open Space Section for August 2017.

COMMITTEE RECOMMENDATION

THAT the report on the activities and services of Parks and Open Space Section for August 2017 be received.

Recommendation of the Parks, Recreation and Sport Committee, 20 September 2017**9.6.3 FREEHOLD LEASE AND TRUSTEE LEASE RENEWALS FOR PARKS UNTIL 30 JUNE 2019**

File No:	374
Attachments:	Nil
Authorising Officer:	Blake Hunton - Manager Parks Michael Rowe - General Manager Community Services
Author:	Sophia Czarkowski - Sports and Education Supervisor
Previous Items:	9.4.8 - Freehold Lease and Trustee Lease renewals for Parks until 30 June 2019 - Parks, Recreation and Sport Committee - 19 Jul 2017 12.30 pm

SUMMARY

On 19 July 2017 the Parks, Sport and Recreation Committee requested a further report be presented on this matter. The resolution for this report was amended to request "that a further report on leases due for renewal be prepared identifying those leases which would benefit from and be suitable for a longer term lease."

In accordance with Section 236(1)(c)(iii) of the Local Government Regulation 2012 (Qld) a Council resolution is sought for the commencement of the renewal of Freehold Leases and Trustee Leases expiring up until 30 June 2019.

COMMITTEE RECOMMENDATION

1. THAT pursuant to Section 236(1)(c)(iii) of the *Local Government Regulation 2012 (Qld)* Council approve the renewal of the Freehold Leases and Trustee Leases as identified in the report; and
2. THAT the Chief Executive Officer (Sports and Education Supervisor) be authorised to negotiate the terms and conditions of the agreements with the organisations listed in the report in preparation for execution by the delegated officer.

Recommendation of the Parks, Recreation and Sport Committee, 20 September 2017**9.6.4 REQUEST FOR WAIVER OF RENTAL FEES AND SUPPORT FOR PROPOSED DEVELOPMENTS FOR GRACEMERE JUNIOR RUGBY LEAGUE FOOTBALL CLUB INC**

File No: 8748
Attachments: Nil
Authorising Officer: Blake Hunton - Manager Parks
Michael Rowe - General Manager Community Services
Author: Sophia Czarkowski - Sports and Education Supervisor

SUMMARY

Gracemere Junior Rugby League Club Inc holds a Trustee Permit and Trustee Lease over part of Cedric Archer Park, Gracemere. The Club has requested that Council waive its outstanding rental fees and is seeking support for proposed improvements to the facility.

COMMITTEE RECOMMENDATION

THAT this report be referred to full Council, and additional information detailing a payment plan as an option be presented for consideration by Council.

Recommendation of the Parks, Recreation and Sport Committee, 20 September 2017**9.6.5 NAMING OF ARBOUR IN MOUNT MORGAN MAIN STREET**

File No: 12551

Attachments:

1. Mount Morgan Arbour - Tree Render
2. Michael and Abbie Rowe history notes

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Nicole Semfel - Administration Officer

SUMMARY

Councillor Cherie Rutherford seeks Councillor's support in acknowledging the outstanding contributions made to the Mt Morgan community by Messrs. Rowe by naming the proposed arbour the Michael and Abbie Rowe Arbour in their honour.

COMMITTEE RECOMMENDATION

THAT Council approve the naming of the proposed arbour the "Michael and Abbie Rowe Arbour".

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 PROPOSED DINING PLATFORM TERMS AND CONDITIONS

File No:	11359
Attachments:	1. Proposed Pilot Dining Platform Program and Terms of Reference
Authorising Officer:	Scott Waters - General Manager Regional Development and Aviation
Author:	Cameron Wyatt - Senior Strategic Planner

SUMMARY

The report proposes to conduct a pilot program to allow food and beverage businesses to operate dining platforms on the road reserve by utilising existing car parking spaces. It proposes interested businesses make application to Council to extend their service on to purpose built platforms in accordance with arrangements described herein.

OFFICER'S RECOMMENDATION

THAT Council approve the conduct of a "Pilot On Road Dining Platform Program" in accordance with the arrangements detailed in the report.

BACKGROUND

The CBD Redevelopment Framework identifies the opportunity to extend the use of the footpath and road reserve to create new places for public parklets or dining platforms that can create new and interesting public places or safely extend the service area of food and beverage businesses.

Many successful cities around the world are utilising both to increase the vitality, viability and amenity of major centres. San Francisco as an example now has over 60 functional parklets. A feature of these is the need to work in collaboration with the community and businesses to strike the right balance between functionality, form, safety, access and amenity.

A background investigation in 2016 identified some opportunities, risks and challenges involved in locating a parklet or dining platform in the CBD. It is known that some CBD businesses have an interest in creating a dining platform.

DISCUSSION

The main risks identified are the loss of on road car parking spaces and the safety risks associated with allowing a change of use of the road reserve. The recommendation to trial the program has taken into account the existing state of business in the CBD and need to try new approaches that have proven successful elsewhere. Equally there is ample evidence that the safety risks can be managed through the design of the platforms and adjacent car parks and footpath.

As a result a pilot program 'Terms of Reference' has been developed to provide a framework for the installation of up to two demonstration dining platforms. To support the ongoing renewal of the CBD it is proposed that Council fund the design and construction cost of the pilot platforms to better understand the risks and viability. At the completion of the pilot program Council can then review the viability and possible future commercial arrangements for current and/or additional platforms.

BUDGET IMPLICATIONS

The cost of design and construction of the platforms will be of the order of \$15,000 per platform. Any additional approved embellishments or additions are recommended to be at the cost of the business.

PROPOSAL

To further understand the opportunities, risks and most suitable commercial arrangement for the provision and operation of on road dining platforms a pilot program is proposed. It is proposed that Expressions of Interest (EOI) are called from Food and Beverage businesses operating in high pedestrian traffic areas like East Street to work with Council towards the ultimate goal of establishing and demonstrating the use of a platform.

The formal arrangements proposed for the conduct of the pilot program only are attached. It is envisaged the pilot program would run for 12 months from date of commencement of the use.

CONCLUSION

On road dining platforms are proving a creative and innovative opportunity to generate new interest and activity in centres globally. The CBD Redevelopment Framework supports the trial of initiatives such as this. A successful new retail future for the CBD demands change and some risk taking. While not the sole panacea the proposed program is one more way that Council and CBD businesses can work together to make the city heart the vibrant and preferred place for locals and visitors to meet.

PROPOSED DINING PLATFORM TERMS AND CONDITIONS

Proposed Pilot Dining Platform Program and Terms of Reference

Meeting Date: 26 September 2017

Attachment No: 1

Proposed Pilot Dining Platform Program & Terms of Reference

Purpose: This proposal seeks to work with business in the Rockhampton CBD to construct and demonstrate the use and benefits of a dining platform that utilises existing parking spaces in an appropriate location. A dining platform allows a food and beverage business to extend permitted footpath dining on to the road reserve through the establishment of a safe platform located over existing car parking spaces.

Background: The CBD Redevelopment Framework identifies the opportunity to extend the use of the footpath and road reserve to create new places for public parklets or dining platforms that can create new and interesting public places or safely extend the service area of food and beverage businesses.

Many successful cities around the world are utilising both to increase the vitality, viability and amenity of major centres. San Francisco as an example now has over 60 functional parklets. A feature of these is the need to work in collaboration with the community and businesses to strike the right balance between functionality, form, safety, access and amenity.

Proposal: To further understand the opportunities, risks and most suitable commercial arrangement for the provision and operation of a dining platform a pilot program is proposed. It is proposed that Expressions of Interest (EOI) are called from Food and Beverage businesses operating in a high pedestrian traffic area to work with Council towards the ultimate goal of establishing and demonstrating the use of a platform.

Selection criteria will include the following and therefore applicants should endeavour to address these to the extent feasible:

- The chosen site should be located in a high pedestrian traffic area.
- The business should be an established food and beverage provider with an approved footpath dining permit or able to demonstrate the business can commence operation so as to meet the other objectives of the pilot program.
- The applicant would ideally have letters of support or acknowledgement from neighbouring businesses and/or property owners.
- The proposed location must be able accommodate a dining platform without unacceptable risks to public safety.
- The applicant must be prepared to maintain the platform and any associated plantings to a high standard.
- The applicant must be prepared to enter into a suitable commercial arrangement for the use of the platform and obtain any permits required for commercial use of a road reserve as described below at their cost.

Platform Design: It is proposed that the Pilot Platform/s are designed, constructed and installed by Council in accordance with the following design principles:

- The platform will utilise a maximum of two parallel parking spaces, but ideally only one.
- The platform floor must be flush with the pavement or provide steps to the required standard.
- The permanent components must be theft and vandal resistant.
- The capacity for green elements such as planter boxes should be maximised.

- The design must ensure no part of the permanent structure or temporary features like shade structures protrude beyond the line of the designated platform area.
- The design must not interfere with the function of existing stormwater drainage, street lighting, signage, street trees or the awnings of adjacent businesses.
- The platform surface used for pedestrian access must be non-slip.
- Vertical elements to make the platform obvious to vehicle traffic will be included.
- The design load bearing capacity and other design elements must be in accordance with any relevant Australian Standards and Building codes.
- The design should make provision for temporary shade cover wherever possible.
- The design must mitigate the possible low speed impacts from vehicles in adjacent parking spaces.

Commercial:

- Final platform design will be completed only after consultation with the successful business and adjacent businesses.
- The use of the platform will be the subject of a commercial lease with Council. The lease rate for the 12 months term of the pilot program shall be \$500 for each parking space used.
- The successful business shall be responsible for the full cost of obtaining and maintaining any permits required for the operation of the platform.
- The successful business will be responsible for an appropriate level of public liability insurance (nominally \$20 million).
- The successful business shall be responsible for the daily care and maintenance of the platform (to avoid doubt this includes care of any plants that form an integral part of the platform).
- Council shall retain the right to end the pilot program in the event the business fails to operate the platform in accordance with lease provisions.
- Council will be responsible for the design, construction and installation of the Pilot Program dining platform/s only.
- A review of the pilot program will be completed within 12 months of the pilot platforms commencing commercial operation.
- The review will determine future dining platform policy, including all design, commercial and operational terms in consultation with pilot program participants and other CBD stakeholders.

11.2 ROCKHAMPTON REGION PLANNING SCHEME - MAJOR AMENDMENT

File No:	RRPS-PRO-2015/001-01-01
Attachments:	Nil
Authorising Officer:	Scott Waters - General Manager Regional Development and Aviation
Author:	Cameron Wyatt - Senior Strategic Planner

SUMMARY

The report proposes to recommence the major amendment to the Rockhampton Region Planning Scheme under the new Planning Act 2016. The proposed changes are in response to items raised from Councillor workshops, an internal review undertaken by strategic planning and initial feedback from internal and external stakeholders.

OFFICER'S RECOMMENDATION

THAT:

1. Council prepares a major amendment to the Rockhampton Region Planning Scheme in accordance with section 18, making or amending planning schemes under the *Planning Act 2016* and *Minister's Guidelines and Rules*; and
2. Council provide a written statement to the Minister advising that a major amendment has commenced, including the nature and details of the changes.

BACKGROUND

The Rockhampton Region Planning Scheme commenced on 24 August 2015.

Prior to the implementation of the new scheme, Council identified that a review was required of the character overlay, including mapped extent and associated provisions. Additional items have been raised including (but not limited to) establishment of a fishing precinct, provisions to allow airbnb's, and the inclusion of the North Rockhampton Flood Management Area mapping and associated provisions. In addition, Council officers have undertaken a review of the planning scheme to identify opportunities to improve legibility, function and alignment.

As a result of this, Council resolved on 27 October 2015 to prepare a major amendment to the Rockhampton Region Planning Scheme. Since this time, with the introduction of the new *Planning Act 2016*, the major amendment was withdrawn from State government and an alignment amendment to the planning scheme undertaken, which has since been adopted (Council resolution dated 13 June 2017).

It is now proposed that the major amendment to the Rockhampton Region Planning Scheme recommence under the new *Planning Act 2016*.

DISCUSSION

Under the new *Planning Act 2016*, the process for undertaking a major amendment to the Council's planning scheme has been outlined under the *Minister's Guidelines and Rules*. This process is similar to the previous repealed *Statutory Guideline 04/14 – Making and Amending Local Planning Instruments* under the *Sustainable Planning Act 2009*.

The steps for undertaking a major amendment have been outlined below:

1. **Planning and preparation.** Council decides to amend the planning scheme and must outline to the minister the nature and details of the proposed amendment.
2. **State interest review.** The minister must consider the proposed amendment in relation to the purpose of the Act, and state interests. The minister may impose conditions.

3. **Public consultation.** Council must comply with the minister's conditions and undertaken public consultation for at least 20 days.
4. **Changing the proposed amendment.** The Council may make changes to the proposed amendment resulting from public consultation.
5. **Effect of changes on public consultation.** Council may repeat public consultation, if the change results in the proposed amendment being significant different to the version released for public consultation.
6. **Minister's consideration.** Minister to consider if the Council may adopt the proposed amendment.
7. **Adoption.** Council undertakes the adoption of the amendment.

The proposed amendments to the Rockhampton Region Planning Scheme has focused on providing greater clarity and usability (including online) of the scheme. The amendments have resulted from policy changes raised at Councillor workshops, external peer review undertaken by Buckley Vann Town Planning Consultants, updated information from the State government (revised State Planning Policy and State government mapping) and feedback from stakeholders including applicants and the general public.

The more substantial proposed changes include the following:

North Rockhampton Flood Management Area & Creek Catchment Overlay Mapping

Additional mapping has been included, identifying the North Rockhampton Flood Management Area (within the current Fitzroy River hazard area), and associated provisions that align with Creek Catchment Planning Area 2. The updated Creek Catchment mapping will be separately endorsed by Council. Once adopted, the updated mapping will be included into the major amendment.

Fishing precinct

The major amendment will include the establishment of an area along the Fitzroy River (between Stanley Street and Arthur Street) to allow for fishing, accommodation activities and other service related land use activities. The proposed change will include two precincts:

- Waterfront and marine industry zone – Fitzroy River related industry precinct for service industry, marine river related industry, boat storage and servicing and hire; and
- Low density residential zone – Short-term accommodation precinct to provide for short-term accommodation (reuse of existing buildings) and river / fishing related convenience services such as food and drink outlet / bait and tackle shop and the like.

Airbnb / Short-term accommodation

Changes to be undertaken to allow airbnb's and other similar land use activities across the region. Changes will include an adjustment to the provisions related to short-term accommodation and the modification of the tables of assessment for the low density residential zone.

Office accommodation – Quay Street

Provisions related to office activities along Quay Street to be updated. These changes will allow office accommodation at the ground floor level (currently only allowed above ground floor level) along Quay Lane.

Commercial character overlay and building controls

Revised mapping to extend demolition controls for commercial buildings in the principal centre zone. Additional provisions are also to be inserted into the neighbourhood character overlay code.

Removal of provisions dealt with by other legislation and guidelines

Current requirements already covered by Commonwealth or State legislation are proposed to be removed from the planning scheme. In addition, some provisions already contained within the Capricorn Municipal Development Guidelines (CMDG) have been removed from the planning scheme (the planning scheme still continues to refer to the CMDG for assessment purposes).

Terminology changes

Using the words avoid or minimise rather than ambiguous terms such appropriate, suitable, desired and preferred. This proposed change provides more certainty to the user of the planning scheme and ensures clearer policy intent. This change through the strategic framework, zone codes and overlay codes (particularly within codes related to natural hazards) ensures the vertical alignment of policy directions is consistently achieved and removes a potential source of dispute.

Changes with zone / overlay and development codes

Many changes relate to acceptable outcomes becoming performance outcomes or vice versa. This is to ensure a consistent approach throughout the planning scheme. Some acceptable outcomes have also been made more measurable, providing clarity to the user. Otherwise, where the acceptable outcome cannot provide a measurable outcome, no acceptable outcome is nominated to allow more flexibility for performance based outcomes to be achieved in the development assessment process.

Revised provisions related to advertising devices

The advertising devices levels of assessment have been revised to ensure a clearer understanding of the triggers for development. The advertising devices code has been changed with the separation of sign types and specific requirements related to each sign.

Revised provisions related to overlay and development codes

Revised wording within overlay and development codes, including more consistent terminology, removal of unclear provisions and consolidation of requirements where similar outcomes have occurred.

Stormwater management code

Removal of stormwater provisions specifically related to private ownership of waterways, drainage corridors and the like. The general provisions within the stormwater management code already deal with all aspects of stormwater whether in private or public ownership. In addition, the inclusion of Water Sensitive Urban Design (WSUD) principles for applicants to address, particularly in relation to new subdivisions.

State Planning Policy and supporting mapping

Changes to reflect updated State Government mapping and the State Planning Policy where relevant to the changes proposed within this major amendment.

Council's Operational Plan 2017-2018

In accordance with Council's Operational Plan 2017-2018, a review will be undertaken in relation to protecting good quality agricultural land and to incorporate of outcomes from the Sport, Parks, Active Recreation and Community (SPARC) study, once adopted by Council.

Overall, the proposed amendment will deliver a reduction in provisions, by removing duplication, reduced complexity of codes and the removal of outdated or redundant requirements.

Once a written statement has been provided to the Minister, work will continue on the major amendment. A workshop will also be held to run through the changes and to outline the process over the coming months.

CONCLUSION

The purpose of this report is to recommence the major amendment to the Rockhampton Region Planning Scheme under the new *Planning Act 2016*. In addition, Council is to provide a written statement to the Minister advising that a major amendment has commenced, including the nature and details of the changes.

11.3 PROVISION OF SPECIALIST AIRPORT PAVEMENT ENGINEERING SERVICES - ROCKHAMPTON AIRPORT PAVEMENT PROJECT

File No:	1656
Attachments:	1. Airport Pavement Engineering Specialists Pty Ltd - Proposal
Authorising Officer:	Scott Waters - General Manager Regional Development and Aviation
Author:	Tracey Baxter - Acting Manager Airport

SUMMARY

In preparation for the Tender/EOI process for the Rockhampton Airport Pavement Project, Rockhampton Airport has identified the requirement for a specialised consultant to provide comprehensive, specialised, and confidential advice and support to prepare the extensive technical scope required for the Rockhampton Airport Pavement Project Tender/EOI.

OFFICER'S RECOMMENDATION

THAT Council resolves to enter into the contract with Airport Pavement Engineering Specialists Pty Ltd under s235 of the Local Government Regulation 2012 for the provision of confidential specialist advice, support and documentation preparation for the Rockhampton Airport Pavement Project.

BACKGROUND

Rockhampton Regional Council has recently secured \$5 million funding from the Building Better Regions Fund towards the Rockhampton Airport Pavement Project. By delivering asphalt resurfacing to the main runway plus surface enrichment to the taxiways, runway shoulders, and both the military and regular public transport aprons, the Rockhampton Airport Pavement Upgrade Project will allow Rockhampton Airport to enhance the service provision for Commercial, Military and General Aviation partners.

COMMENTARY

In preparation for the EOI/Tender for Project Management services pertaining to the Rockhampton Airport Pavement Project, Rockhampton Regional Council is required to appoint a specialist Airport pavement engineer consultant for the provision of comprehensive and confidential advice, documentation preparation, and support for the Rockhampton Airport Pavement Project EOI/Tender process.

The foundational requirements of the Rockhampton Airport Pavement Project necessitate a specialised consultant to execute the following activities:

- Scope and procure a geotechnical investigation to confirm the condition of the existing asphalt layers, primary those below the surface layer which cannot be visually inspected, but have been subject to multiple flood events;
- Scope and procure a full engineering survey to form the basis of the geometric pavement design;
- Inspect the pavements to confirm the general arrangement and details, particularly at the tie-ins and edges;
- Confirm and document the scope of work, including all optional constraints;
- Discuss and confirm the procurement strategy, including:
 - One or two stage tender process.
 - Internal (to Council) or external (consultant) to act the contract administrator/superintendent.

- Develop and document milestones to ensure the optimum work delivery window is achieved; and
- Conduct a geometric design and prepare a concept design report.

Airport Pavement Engineering Specialists Pty Ltd is a unique industry leader specialised in Airport Pavement Engineering, uniquely experienced with the Rockhampton Airport through prior engagement post ex Tropical Cyclone Debbie (2017), and extensively engaged by multiple Airports in Queensland.

Due to the specialised, highly technical and confidential nature of Airport pavement engineering services in addition to Airport Pavement Engineering Specialists Pty Ltd's previous knowledge and experience with Rockhampton Airport specifically, in addition to other Queensland Airports, Rockhampton Airport recommends engaging Airport Pavement Engineering Specialists Pty Ltd under s235(b) of the Local Government Regulation 2012.

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

Rockhampton Airport recommends the engagement of Airport Pavement Engineering Specialists Pty Ltd.

As per the attached proposal, the total cost of engagement is **\$39,300.00 (exc GST)**.

LEGISLATIVE CONTEXT

Related legislative context:

- Civil Aviation Safety Act 1988
- Civil Aviation Safety Regulations 1988
- Local Government Act 2009

Specific legislative context:

- Local Government Regulation 2012

Division 3 Contracting, s235:

A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if—

(a) "The local government resolves it is satisfied that there is only 1 supplier who is reasonably available"; and

(b) "the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders".

CORPORATE/OPERATIONAL PLAN

- 2017 Rockhampton Regional Council Corporate Plan
- 2017 Rockhampton Regional Council Operational Plan
- Rockhampton Airport 2017-2018 Performance Plan

CONCLUSION

Section 235(b) of the Local Government Regulation permits an exemption to tender or quote if the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.

Based on Airport Pavement Engineering Specialists Pty Ltd's previous successful performance at Rockhampton Airport, specialised, technical, and confidential knowledge of the Rockhampton Airport specifically and the specialised, technical and confidential services provided to multiple Queensland Airports, it is recommended that Council resolves to engage Airport Pavement Engineering Specialists Pty Ltd for the provision of confidential specialist advice, support and documentation preparation pertaining to the Rockhampton Airport Pavement Project.

**PROVISION OF SPECIALIST AIRPORT
PAVEMENT ENGINEERING SERVICES -
ROCKHAMPTON AIRPORT PAVEMENT
PROJECT**

**Airport Pavement Engineering
Specialists Pty Ltd - Proposal**

Meeting Date: 26 September 2017

Attachment No: 1

Tracey Baxter

Airport Manager
Rockhampton Airport

Dear Tracey,

Further to our discussions and correspondence, I am pleased to submit this proposal for specialist advice and support to your airport upgrade program. I have reviewed the information you have provided regarding project scope, time and existing information.

I understand that your project will generally include an asphalt overlay of the main runway, surface treatment (preservation) of shoulders, taxiways and apron pavements, with an option to include a sprayed seal or other surfacing of the cross runway. I also understand that no structural upgrade is required and no assessment of the existing pavement structural capacity is proposed. Importantly, I understand you propose to deliver this project:

- Under the performance-based airport asphalt specification.
- Using a Design and Construct contract.

The first tasks required for your program are:

- Scope and procure a geotechnical investigation to confirm the condition of the existing asphalt layers, primary those below the surface layer which can not be visually inspected, but have been subject to multiple flood events.
- Scope and procure a full engineering survey to form the basis of the geometric pavement design.
- Inspect the pavements to confirm the general arrangement and details, particularly at the tie-ins and edges.
- Confirm and document the scope of work, including all optional constraints.
- Discuss and confirm the procurement strategy, including:
 - One or two stage tender process.
 - Internal (to Council) or external (consultant) to act the contract administrator/superintendent.
- Develop and document milestones to ensure the optimum work delivery window is achieved.
- Conduct a geometric design and prepare a concept design report.

At this stage, I propose to:

- Review the existing documentation you have provided (COMPLETE).
- Visit you on 5 September to inspect the pavement, discuss the scope and procurement options and to meet with your procurement and/or environmental staff as appropriate.
- Document our discussions and agreements.
- Procure and coordinate the required geotechnical investigation and engineering survey.
- Coordinate the geometric design and prepare a concept design report.
- Prepare pre-tender estimates and milestones, including confirmation of cost rates and productivities with industry.

- Document the next steps in the process.

To provide this support, fees will be based on \$300 per hour (excluding GST) and direct costs reimbursed, with 10% for administration. A fixed sum for the above scope follows.

Task/Item	Hours/Number	Amount
Management	4	\$1,200
Review existing documentation	4	\$1,200
Site inspection and meetings (including travel)	10	\$3,000
Brief, invite and review quotes for geotechnical testing and survey	8	\$2,400
Attend geotechnical investigations (including travel)	16	\$3,200
Review and accept survey and geotechnical reports	8	\$2,400
Geometric design input	32	\$9,600
Cost estimates and milestones	16	\$4,800
Concept design report (draft and final)	32	\$9,600
Airfares	1	\$800
Vehicle allowance and airport parking	3	\$300
Hotel	1	\$200
Per diem travel days	3	\$300
Hire car	2	\$300
TOTAL (excluding GST)		\$39,300.00

Terms of engagement will be those used for the post-flood assessment of the runway condition.

If you would like me to procure and administer the geotechnical, survey or geometric design consultants, the direct cost will be reimbursed, with 20% coordination and administration charge. You may elect to engage those services directly and I have allowed to prepare briefs, obtain quotes and evaluate quotes on your behalf.

If you wish to commence this engagement, please forward a letter of confirmation of acceptance and/or a purchase order number. If you wish to discuss the scope of the proposed support, please do not hesitate to contact the undersigned.

Regards,



Greg White
PhD, MEng, ME, MTech, BE(Civil), CPEng, RPEQ
Airport Pavement Engineering Specialists Pty Ltd

30 August 2017

11.4 ROAD OPENING - PART OF LOT 521 ON SP120476 (BOTANIC GARDENS RESERVE)

File No: 3974
Attachments: 1. Aerial Map
2. Survey Plan
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Anderson - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on the proposed road opening over part of Lot 521 on SP120476, being the Botanic Gardens Reserve, over an existing sealed road.

OFFICER'S RECOMMENDATION

THAT the Chief Executive Officer (Coordinator Property & Insurance) be authorised to proceed with Option 1 as outlined in the report.

COMMENTARY

The Botanic Gardens is a reserve for 'Botanical Gardens' purpose with Council as the appointed Trustee. As Trustee of the reserve, it is Council's responsibility to maintain and manage the land in a manner that is consistent with achieving the purpose of the Trust Land. Trustees must comply with any directions issued by the Minister administering the Land Act, and complete management plans as requested.

The Department of Natural Resources & Mines (DNRM) requested that Council as Trustee, complete a Land Management Plan (LMP) for this reserve.

The LMP was developed and submitted to DNRM for approval prior to public consultation. DNRM would not approve the LMP unless Council addressed the existing access to the Rockhampton Golf Club.

The Rockhampton Golf Club has always utilised an existing internal road on the Reserve to access their property. See Attachment 1.

DNRM provided Council with 2 options to proceed. Option 1 is that Council must open the existing access as a road reserve. Option 2 is that Council must close the existing access to the Golf Club and make them use their legal point of access off Penlington Street and construct their own access road from that point.

In consultation with the Parks unit, it was considered that Option 1 would be the best option to proceed with to meet DNRM requirements. DNRM then allowed the LMP to proceed, provided that Council would make an application as soon as possible after the LMP was approved by DNRM.

The LMP went out for public consultation in November 2014, and DNRM approved the LMP in on 16 March 2015 with a registered Dealing Number 716374302 on the Title.

DNRM then requested Council to make the Road Opening application in early 2016. The application was lodged on 17 May 2016, and DNRM approved the application on 7 March 2017, subject to the Survey Plan being prepared and lodged. Council was also required to provide written approval from the Department of Environment & Heritage Protection due to the Reserve being a Heritage site. All approvals have been received and the Survey Plan for the road opening is ready to be lodged with DNRM (see Attachment 2)

BACKGROUND

The Summary of the approved Land Management Plan is:

[Summary and Recommendations](#)

This Land Management Plan contains the following outcomes:

- 1 The management of the trust land is a joint partnership between the Department of Natural Resources & Mines and the Rockhampton Regional Council as registered trustee.
- 2 Decision making in relation to the proposed development of the trust land rests, in the first instance, with the Rockhampton Regional Council.
- 3 The Rockhampton Regional Council will be responsible for ensuring that all local, state and federal government legislative requirements affecting the trust land are met.
- 4 The Rockhampton Regional Council, with assistance from the Department of Natural Resources & Mines, will exercise their role as trustee effectively and in line with the requirements of the *Land Act 1994* and the Secondary Use of Trust Land Policy PUX/901/209.
- 5 Interests and use of the trust land by sporting and recreational clubs and the community may only be provided in the form of either a trustee permit or trustee lease recognised under the provisions of the *Land Act 1994*.

CONCLUSION

It is recommended that Council proceeds with Option 1, being to open as road the part of the Botanic Gardens reserve over the existing road that provides access to the Rockhampton Golf Club.

**ROAD OPENING - PART OF LOT 521
ON SP120476 (BOTANIC GARDENS
RESERVE)**

Aerial Map

Meeting Date: 26 September 2017

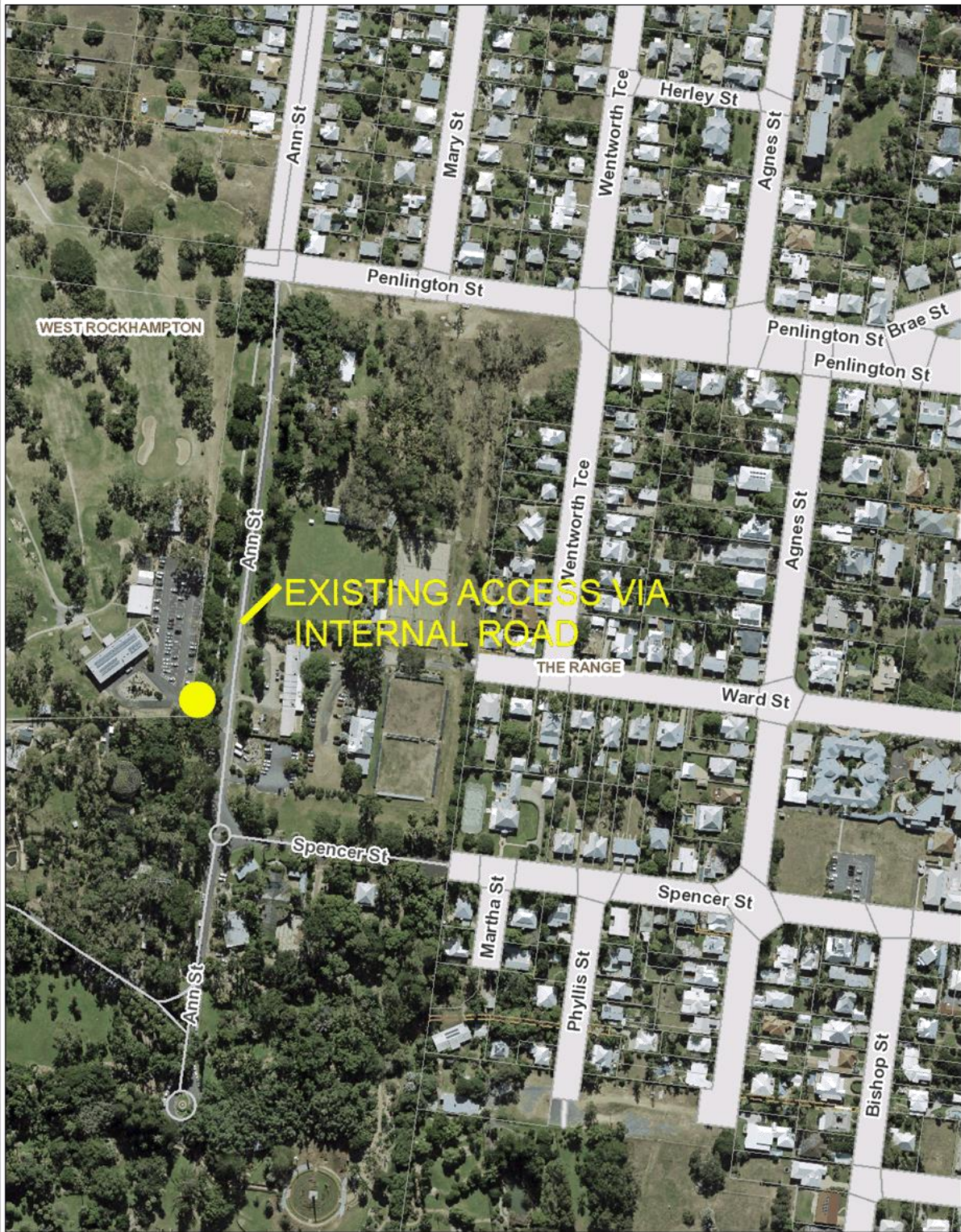
Attachment No: 1

Existing Access to Golf Club



A4 scale at 1: 3,606.91

Printed from GeoCortex on 15/09/2017



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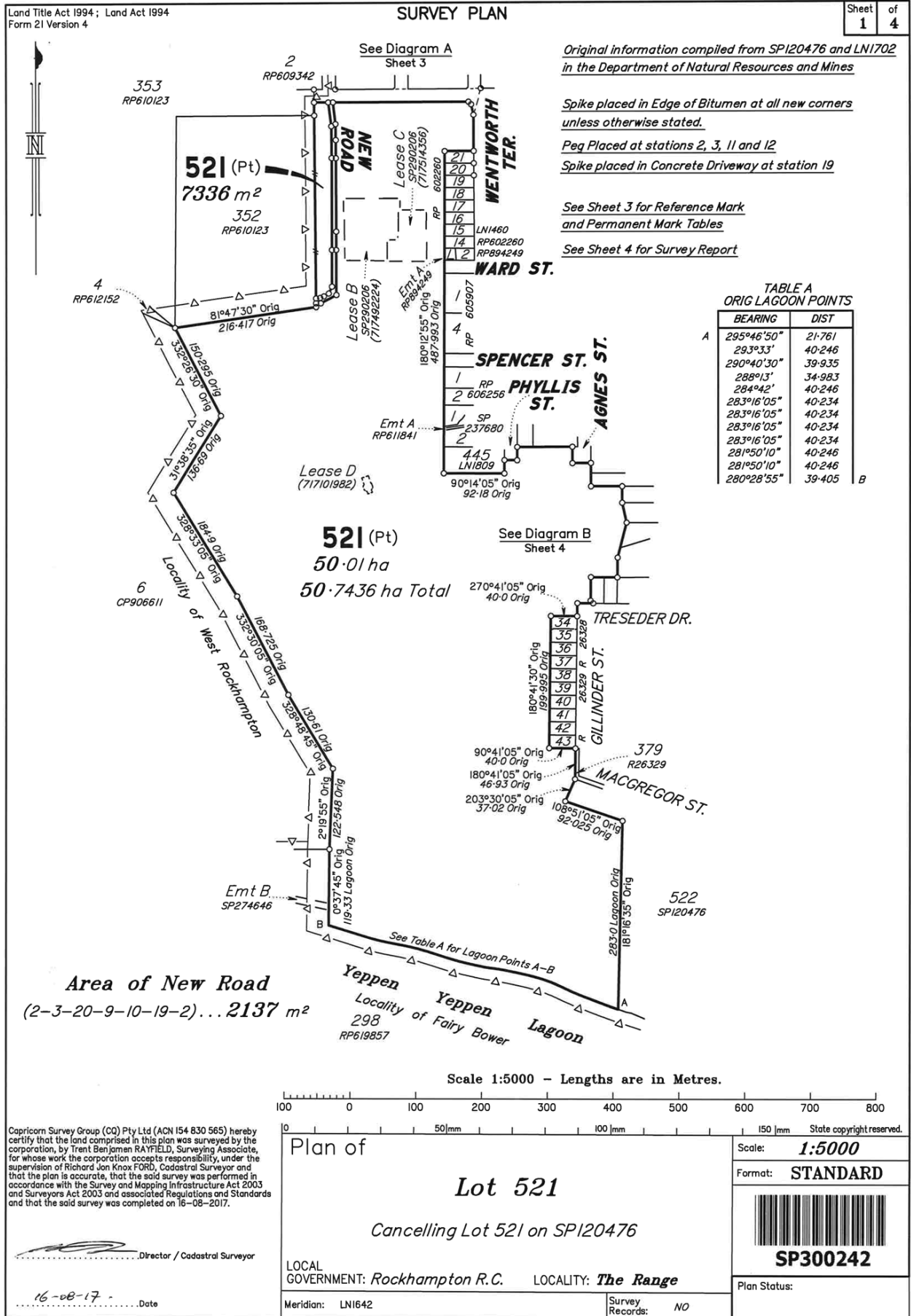


**ROAD OPENING - PART OF LOT 521
ON SP120476 (BOTANIC GARDENS
RESERVE)**

Survey Plan

Meeting Date: 26 September 2017

Attachment No: 2



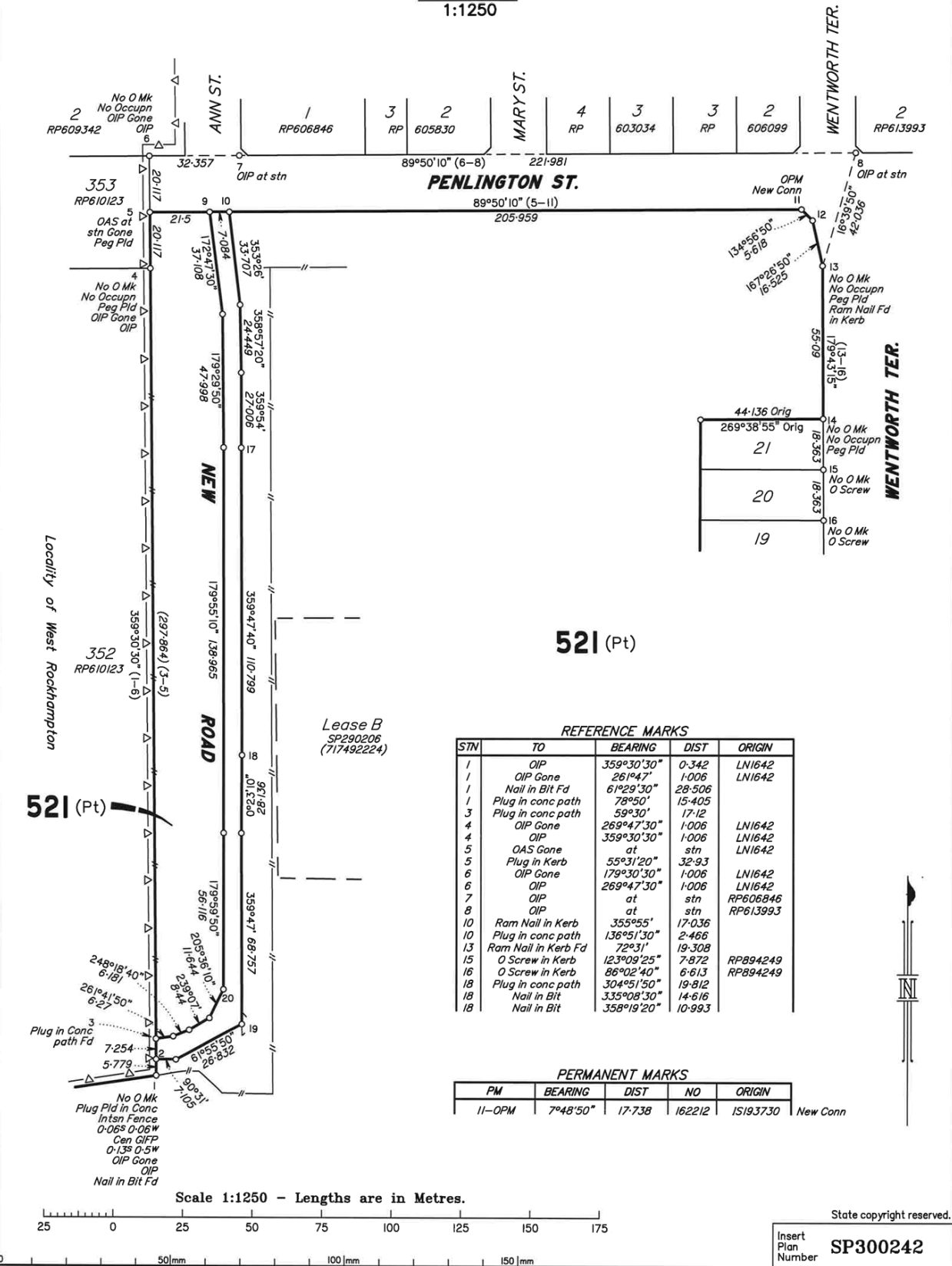
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3. Plans with Community Management Statement : CMS Number : Name :	4. References : Dept File : 2016/002648 Local Govt : Surveyor : R6820	9. Building Format Plans only. I certify that : As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road. Part of the building shown on this plan encroaches onto adjoining lots and road Cadastal Surveyor/Director _____ Date _____ delete words not required 10. Lodgement Fees : Survey Deposit \$ _____ Lodgement \$ _____ ___New Titles \$ _____ Photocopy \$ _____ Postage \$ _____ TOTAL \$ _____ 14. Insert Plan Number SP300242																																																																															
7. Orig Grant Allocation : 8. Passed & Endorsed : By : Richard Jon Knox Ford Date : 16-08-17 Signed : _____ Designation : Cadastral Surveyor																																																																																	

Land Title Act 1994 ; Land Act 1994
Form 21A Version 1

ADDITIONAL SHEET

Sheet 3 of 4

DIAGRAM A
1:1250



Land Title Act 1994 ; Land Act 1994
Form 21A Version 1

ADDITIONAL SHEET

Sheet 4 of 4

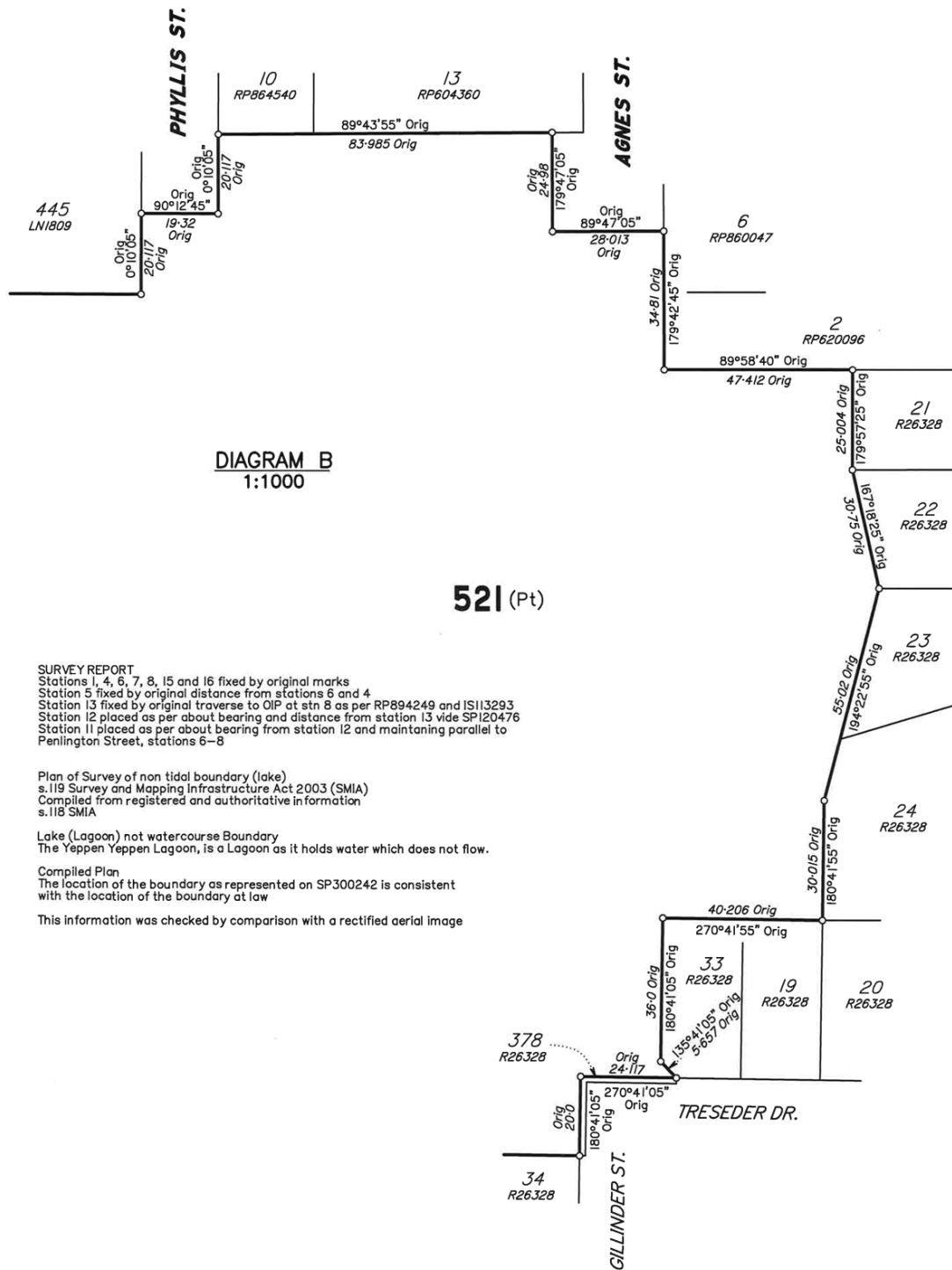


DIAGRAM B
1:1000

521 (Pt)

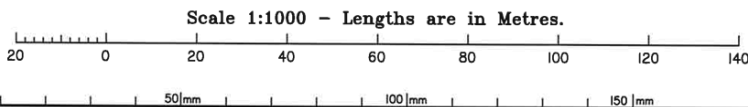
SURVEY REPORT
Stations 1, 4, 6, 7, 8, 15 and 16 fixed by original marks
Station 5 fixed by original distance from stations 6 and 4
Station 13 fixed by original traverse to OIP at stn 8 as per RP894249 and IS113293
Station 12 placed as per about bearing and distance from station 13 vide SP120476
Station 11 placed as per about bearing from station 12 and maintaining parallel to Penington Street, stations 6-8

Plan of Survey of non tidal boundary (lake)
s.119 Survey and Mapping Infrastructure Act 2003 (SMIA)
Compiled from registered and authoritative information
s.118 SMIA

Lake (Lagoon) not watercourse Boundary
The Yeppen Yeppen Lagoon, is a Lagoon as it holds water which does not flow.

Compiled Plan
The location of the boundary as represented on SP300242 is consistent with the location of the boundary at law

This information was checked by comparison with a rectified aerial image



State copyright reserved.

Insert Plan Number **SP300242**

11.5 INTERNATIONAL TRAVEL TO CHINA

File No: 8308
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

At the Council meeting held on 8 August 2017, Council resolved to approve a delegation to visit the People's Republic of China from 23 September to 30 September 2017. This report details a further proposal for consideration in relation to the visit.

OFFICER'S RECOMMENDATION

THAT Council approves the Deputy Chief Executive Officer to join Council's delegation to visit the People's Republic of China from 23 September to 30 September 2017 in place of the General Manager Regional Development and Aviation.

BACKGROUND

Council has previously approved a delegation consisting of the Deputy Mayor, Councillor Neil Fisher, the General Manager Regional Development and Aviation, and the Senior Executive for Trade and Investment to visit the People's Republic of China from 23 September to 30 September 2017.

Due to a change in circumstances, the General Manager Regional Development and Aviation is no longer able to participate in this visit and approval is now sought for the Deputy Chief Executive to join the delegation in his place.

PREVIOUS DECISIONS

8 August 2017 - Council resolved that a delegation consisting of Councillor Neil Fisher, the General Manager Regional Development and Aviation, and the Senior Executive for Trade and Investment, visit the People's Republic of China from 23 September to 30 September 2017.

22 August 2017 - Council resolved that the Deputy Mayor, Councillor Cherie Rutherford join Council's delegation to visit the People's Republic of China from 23 September to 30 September 2017

BUDGET IMPLICATIONS

Expenditure associated with the investment/trade mission will be funded within the Department of Regional Development and Aviation's 2017/2018 operational budget.

CONCLUSION

It is recommended that Council endorse the recommendation that the Deputy Chief Executive Officer joins Council's delegation to the People's Republic of China from 23 September to 30 September 2017 in place of General Manager Regional Development and Aviation.

11.6 ANNUAL FINANCIAL STATEMENTS 30 JUNE 2017

File No: 9509

Attachments:

1. 2016/17 Draft Financial Statements
2. 2016/17 Financial Statements- Analytical Review

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer

Author: Alicia Cutler - Chief Financial Officer

SUMMARY

Chief Financial Officer presenting a supplementary report on the Annual Financial Statements that were discussed at Audit and Business Improvement Committee on Friday 25 August 2017.

OFFICER'S RECOMMENDATION

THAT the Financial Statements 2016/17 report be received.

COMMENTARY

The report provided to Audit and Business Improvement Committee provides some background to the financial results. This report provides a position for the 17/18 budget and its impacts.

Performance against Budget

The Operational Result reported on the Statement of Comprehensive Income is an \$8.4 million surplus – compared to a Revised Budget of \$0.7 million. A description of the major operational movements (compared to budget) is as follows:

- Rates received in advance increased by \$769K which was not anticipated in the budget.
 - NDRRA Grants for \$2.3M for reimbursement of TC Debbie Counter Disaster and Emergent Works costs were received in late June, when it was anticipated these grants would be received in the 17/18 financial year.
 - NDRRA Grants for \$2.9M for maintenance works on Council's road assets caused by TC Marcia were transferred from Capital Revenue to Operating Revenue.
 - Operational employee costs were underspent by \$2.5 million or 3%. Wages allocated to Capital Expenditure in 16/17 were \$2.0 million greater than the previous year, thereby decreasing operational costs.
 - A revision of the Kershaw Gardens Remediation Provision resulted in a decrease of \$944K, reducing Materials and Services expenses in 16/17.
 - Depreciation expense is less than budget by \$522K, primarily due to the changes to assumptions to the Roads Asset Class implemented in the 16/17 year.
 - An impairment of Receivables for \$2.2M was recorded in relation to the historical Developer Contribution Revenue of \$3.5M recognised in 16/17. These monies reflect the results of the Special Audit on Developer Contributions that was reported to Audit Committee during June. As it is impossible to ascertain how much of the revenue related to prior periods it has all been recognised in the 16/17 financial year. As a result of the age as well as the possibility of development concession application, there has been also a large impairment posted. It is envisaged that this matter will be brought to finalisation during the 17/18 Financial year.
-

In a budget sense, it is suggested that there is approximately \$3.76 million that remains unallocated across the 2 financial years.

The Capital Results are pleasing with the majority of areas running very close to budget.

	16/17 Revised Budget	16/17 Actual	Transferred to 17/18
Capital Revenue excluding developer contributions	\$42,217,278	\$39,195,455	\$3,021,823
Capital Expenditure	\$103,019,987	\$101,677,133	\$1,342,855
Net Capital	\$60,802,709	\$62,481,678	(\$1,678,968)

Other Emerging Budget Adjustments

Cedric Archer Park project additional monies approved in June	
Additional Grant monies allocated to Kershaw Gardens	
Additional Grant monies announced for the Rockhampton Airport	

KPI's reported

The following Sustainability indicators have been reported in the financial statements (see Measures of Financial Sustainability).

Council's performance at 30 June 2017 against key financial ratios and targets:	How the measure is calculated	Actual - Council	Target
Operating surplus ratio	Net result (excluding capital items) divided by total operating revenue (excluding capital items)	4.37%	Between 0% and 10%
Asset sustainability ratio	Capital expenditure on the replacement of assets (renewals) divided by depreciation expense.	86.45%	greater than 90%
Net financial liabilities ratio	Total liabilities less current assets divided by total operating revenue (excluding capital items)	34.77%	not greater than 60%

The operational surplus ratio is within the target range and is improved from the expected budgeted position.

The asset sustainability ratio of 86.45% is higher than last year's ratio of 74.65%, and is close to the target ratio. A contributing factor is the volume of restoration work undertaken on the road network in relation to damage incurred by TC Marcia in 2015 and finalised in the 16/17 financial year.

The net financial liabilities ratio is similar to the previous year's ratio of 38.5% and significantly improved on the budgeted ratio of 62.2% mainly as a result of the higher than forecast level of current assets held at year-end.

Asset Movements

There are a number of movements within the Statement of Financial Position that have resulted from revaluation of Assets.

	Value Movement	Accumulated Depn Movement	Net Movement	% Compared to Opening Value
Buildings Revaluation (external valuers)	(\$9,958,789)	(\$31,282,073)	\$21,323,284	13.8%
Road Valuation (adjustments to RAVP unit rates & Balance of Roads)	(\$133,123,323)	(3,108,161)	(\$130,015,162)	(11.4%)
Stormwater Network (External valuation)	(\$29,670,157)	(\$1,899,107)	(27,771,050)	(11.1%)
Total Movements from Asset Revaluations	(\$172,752,269)	(\$36,289,340)	(\$136,462,928)	(5.7%)

No other indexation was posted into the accounts as a review of the Index assessment showed all asset values within material limits. (Detailed in Report to ABIC at the end of May.)

It is important to note that only the balance of Roads as well as the Stormwater valuations have been reviewed by external audit. The remaining work is to be undertaken at year end commencing the 28th August. The 17/18 year has seen additional resources allocated into the area to ensure that the revaluations are reviewed, analysed and posted in a timely manner. Unfortunately due to the lead time in training in this specialist area, the 16/17 year has not seen the improved timelines.

Buildings Revaluation Commentary

As can be seen from the above figures in the valuation table, there has been a significant change in the accumulated depreciation for buildings. The expert valuation that has been undertaken by Australis Asset Advisory Group has taken into account Council's own condition assessments and defect reports as well as undertaking their own site inspections and condition assessments. This has led to a more informed valuation than in previous years. In addition, there are some assets that have been recorded at Market Value (residential and commercial properties). These buildings have had on average a 13% increase. Whilst there are not clear trends that can be seen in the valuation movement, there are no expected issues to arise with the valuation review.

Stormwater Revaluation Commentary

This revaluation has now been reviewed by External Audit, but the formal feedback is not yet finalised. The main movement in value was represented by a decline in Reinforced Concrete Pipes. It seems there was an error in the calculation of the unit rates in the last revaluation undertaken in 2011/12, but the full effect of this error has been impracticable to substantiate. The valuation has been undertaken by AssetVal Pty Ltd and the unit rates have been based upon their own industry experience combined with Council costs. The different calculation methodologies have proved it difficult to compare 'apples with apples',

RAVP Commentary & Balance of Roads

The balance of Roads class valuation has been undertaken in house and comprises retaining walls, medians, roundabouts and other miscellaneous items. This valuation was fairly insignificant in terms of the proportion of the Roads Asset class and has been reviewed by TNR without any issues raised at this stage.

Other movements in Roads have resulted from the release of the current unit rates from the Roads Asset Valuation Project. The new rates showed a substantial decline in cost for both unsealed roads and urban arterial roads. There were two changes that had this impact:

- A change in the way RAVP calculated the value of overheads against unmapped costs; and
- The dimensions used for the calculation of the unsealed unit rate.

Both of these changes have amounted to a combined reduction in road asset values of \$126 million. This has been treated as a change in accounting estimate for the year and is disclosed in Note 25 of the Notes to the financial Statements.

Related Parties Disclosure

This year sees a new note that has been added (Note 29) to provide disclosure for Related Parties and compliance with AASB 1024. The biggest judgement in the formation of this note related to the inclusion of charitable entities where KMP make up a component of the executive committee. These entities have been included as it is considered that the KMP would have significant influence over the entity.

Otherwise the note is fairly self-explanatory.

Major variances compared to the previous year

A separate attachment has been supplied which gives commentary to the major differences between the two reported years.

CONCLUSION

The preparation of the statements has presented challenges, once again in the area of Non-current Assets and the added level of review and challenge that is required of the fair value balances.

The External Audit by Thomas Noble Russell was conducted in the week beginning 28th August 2017.

ANNUAL FINANCIAL STATEMENTS 30 JUNE 2017

2016/17 Draft Financial Statements

Meeting Date: 26 September 2017

Attachment No: 1



**Rockhampton
Regional Council
Unaudited Financial
Statements**

2016 - 2017

ROCKHAMPTON REGIONAL COUNCIL

Financial statements

For the year ended 30 June 2017

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ROCKHAMPTON REGIONAL COUNCIL**Statement of Comprehensive Income**

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
Income			
Recurrent revenue			
Rates, levies and charges	3(a)	130,474,287	126,821,272
Fees and charges	3(b)	22,842,943	23,979,439
Interest received		3,675,787	3,570,242
Sales revenue		5,443,459	5,461,208
Other recurrent income	3(c)	7,600,113	11,660,925
Grants, subsidies and contributions	4(a)	21,476,145	25,066,311
		<u>191,512,734</u>	<u>196,559,397</u>
Capital revenue			
Grants, subsidies and contributions	4(b)	45,675,266	31,500,103
Other capital income	5	666,629	11,889,767
		<u>46,341,895</u>	<u>43,389,870</u>
Total income		<u>237,854,629</u>	<u>239,949,267</u>
Expenses			
Recurrent expenses			
Employee benefits	6	(71,222,968)	(69,671,171)
Materials and services	7	(49,805,063)	(46,781,431)
Finance costs	8	(11,317,383)	(9,200,198)
Depreciation and amortisation	9	(50,806,476)	(49,744,453)
		<u>(183,151,890)</u>	<u>(175,397,253)</u>
Capital expenses	10	(9,642,327)	(25,055,363)
Total expenses		<u>(192,794,217)</u>	<u>(200,452,616)</u>
Net result attributable to Council		<u>45,060,412</u>	<u>39,496,651</u>
Other comprehensive income			
Items that will not be reclassified to net result			
(Decrease) / increase in asset revaluation surplus	18	(135,803,564)	189,964,603
Total other comprehensive income for the year		<u>(135,803,564)</u>	<u>189,964,603</u>
Total comprehensive income for the year		<u>(90,743,152)</u>	<u>229,461,254</u>

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

ROCKHAMPTON REGIONAL COUNCIL**Statement of Financial Position**

As at 30 June 2017

	Note	2017 \$	2016 \$
Current assets			
Cash and cash equivalents	11	26,930,803	31,538,004
Investments	12	75,000,000	75,000,000
Receivables	13	18,435,432	14,681,641
Inventories		1,723,224	1,830,573
		<u>122,089,459</u>	<u>123,050,218</u>
Assets classified as held for sale		327,346	320,000
Total current assets		<u>122,416,805</u>	<u>123,370,218</u>
Non-current assets			
Property, plant and equipment	14	2,303,966,218	2,406,033,846
Intangible assets		1,217,002	1,438,053
Total non-current assets		<u>2,305,183,220</u>	<u>2,407,471,899</u>
TOTAL ASSETS		<u>2,427,600,025</u>	<u>2,530,842,117</u>
Current liabilities			
Payables	15	20,203,531	16,924,320
Provisions	16	14,985,411	16,177,635
Borrowings	17	19,535,892	18,171,619
Other liabilities		574,538	543,344
Total current liabilities		<u>55,299,372</u>	<u>51,816,918</u>
Non-current liabilities			
Provisions	16	6,644,096	8,931,404
Borrowings	17	123,684,882	135,860,501
Other liabilities		3,370,114	2,406,813
Total non-current liabilities		<u>133,699,092</u>	<u>147,198,718</u>
TOTAL LIABILITIES		<u>188,998,464</u>	<u>199,015,636</u>
NET COMMUNITY ASSETS		<u>2,238,601,561</u>	<u>2,331,826,481</u>
Community equity			
Retained surplus		1,379,395,989	1,336,817,345
Asset revaluation surplus	18	859,205,572	995,009,136
TOTAL COMMUNITY EQUITY		<u>2,238,601,561</u>	<u>2,331,826,481</u>

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

ROCKHAMPTON REGIONAL COUNCIL

Statement of Changes in Equity

For the year ended 30 June 2017

		Total		Retained surplus		Asset revaluation surplus Note 18	
Note		2017 \$	2016 \$	2017 \$	2016 \$	2017 \$	2016 \$
Balance at beginning of year		2,331,826,481	2,102,365,227	1,336,817,345	1,297,320,694	995,009,136	805,044,533
Adjustment to opening balance		(2,481,768)	-	(2,481,768)	-	-	-
Restated balances		2,329,344,713	2,102,365,227	1,334,335,577	1,297,320,694	995,009,136	805,044,533
Net result attributable to Council		45,060,412	39,496,651	45,060,412	39,496,651	-	-
Other comprehensive income for the year							
Adjustment to asset revaluation surplus:							
Property, plant & equipment		(135,803,564)	189,964,603	-	-	(135,803,564)	189,964,603
Total comprehensive income for year		(90,743,152)	229,461,254	45,060,412	39,496,651	(135,803,564)	189,964,603
Balance at end of year		2,238,601,561	2,331,826,481	1,379,395,989	1,336,817,345	859,205,572	995,009,136

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

ROCKHAMPTON REGIONAL COUNCIL

Statement of Cash Flows

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
Cash flows from operating activities			
Rates, levies and charges		130,089,574	126,184,916
Fees and charges		22,842,943	23,979,440
Grants, subsidies and contributions		21,476,145	25,066,311
Interest received		3,627,741	3,264,066
Other income		6,999,886	22,199,275
Net GST paid		177,537	271,699
Payments to suppliers		(49,094,329)	(49,225,407)
Payments to employees		(70,783,056)	(69,793,175)
Interest expense		(8,188,692)	(8,542,030)
Net cash inflow from operating activities	23	<u>57,147,749</u>	<u>73,405,095</u>
Cash flows from investing activities			
Government subsidies and grants		35,156,874	16,775,200
Capital contributions		6,493,664	3,775,659
Payments for property, plant and equipment		(93,448,114)	(66,148,277)
Payments for intangible assets		(270,666)	(442,531)
Net transfer to cash investments	12	-	(45,000,000)
Proceeds from sale of property plant and equipment		1,124,638	2,619,835
Net cash outflow from investing activities		<u>(50,943,604)</u>	<u>(88,420,114)</u>
Cash flows from financing activities			
Proceeds from borrowings	17	7,041,394	12,969,708
Repayment of borrowings	17	(17,852,740)	(15,117,873)
Net cash outflow from financing activities		<u>(10,811,346)</u>	<u>(2,148,165)</u>
Net decrease in cash and cash equivalents held		<u>(4,607,201)</u>	<u>(17,163,184)</u>
Cash and cash equivalents at beginning of reporting year		31,538,004	48,701,188
Cash and cash equivalents at end of reporting year	11	<u><u>26,930,803</u></u>	<u><u>31,538,004</u></u>

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

Notes to the financial statements

For the year ended 30 June 2017

1 Significant accounting policies

1.A Basis of preparation

These general purpose financial statements are for the period 1 July 2016 to 30 June 2017 and have been prepared in compliance with the requirements of the *Local Government Act 2009*, the *Local Government Regulation 2012*, Australian Accounting Standards, Australian Accounting Interpretations and other authoritative pronouncements issued by the Australian Accounting Standards Board (AASB).

These general purpose financial statements comply with all accounting standards and interpretations issued by the AASB that are relevant to Council's operations and effective for the current reporting period. These statements do not comply with International Financial Reporting Standards as Council is a not-for-profit entity. The main impacts are the offsetting of revaluation and impairment gains and losses within a class of assets, and the timing of the recognition of non-reciprocal grant revenue.

These financial statements have been prepared under the historical cost convention, except for the following:

- financial assets and liabilities, certain classes of property, plant and equipment which are measured at fair value;
- assets held for sale which are measured at fair value less cost of disposal.

1.B Basis of Consolidation

Council has no material controlled entities and the financial statements presented are those of the Council only.

Information about controlled entities that have not been consolidated, because they are not considered material, is included in Note 28.

1.C Constitution

The Rockhampton Regional Council is constituted under the *Queensland Local Government Act 2009* and is domiciled in Australia.

1.D New and revised Accounting Standards

In the current year, Council adopted all of the new and revised Standards and Interpretations issued by the AASB that are relevant to its operations and effective for the current reporting period. The adoption of the new and revised Standards and Interpretations has not resulted in any material changes to Council's accounting policies.

This year Council has applied AASB 124 *Related Party Disclosures* for the first time. As a result Council has disclosed more information about related parties and transactions with those related parties. This information is presented in Note 29.

Standards that are not yet effective

At the date of authorisation of the financial report, AASB 9 *Financial Instruments*, AASB 15 *Revenue from Contracts with Customers* and AASB 1058 *Income of Not-for-Profit Entities* are the only new accounting standards with a future application date that are expected to have a material impact on Council's financial statements.

Other amended Australian Accounting Standards and Interpretations which were issued at the date of authorisation of the financial report, but have future commencement dates are not likely to have a material impact on the financial statements.

AASB 9 Financial Instruments (effective from 1 January 2018)

This replaces AASB 139 *Financial Instruments: Recognition and Measurement*, and will change the classification, measurement and disclosures of financial assets.

Notes to the financial statements

For the year ended 30 June 2017

As a result, Council will be required to measure its financial assets at fair value.

AASB 15 Revenue from Contracts with Customers, AASB 1058 Income of Not-for-Profit Entities and AASB 2016-8 Amendments to Australian Accounting Standards - Australian Implementation Guidance for Not-for-Profit Entities (effective from 1 January 2019)

AASB 15 will replace AASB 118 *Revenue*, AASB 111 *Construction Contracts* and a number of Interpretations. AASB 2016-8 provides Australian requirements and guidance for not-for-profit entities in applying AASB 9 and AASB 15, and AASB 1058 will replace AASB 1004 *Contributions*. Together they contain a comprehensive and robust framework for the recognition, measurement and disclosure of revenue from contracts with customers.

Council is still reviewing the way that revenue is measured and recognised to determine the materiality of impacts arising from these standards.

1.E Estimates and Judgements

Where necessary judgements, estimates and assumptions have been used in preparing these financial statements. Those that have a significant effect, or risk of causing an adjustment to Council's assets or liabilities relate to:

Valuation of property, plant and equipment - Note 14
Impairment of property, plant and equipment - Note 14
Depreciation - Note 9
Provisions - Note 16
Contingencies - Note 21
Capital income - Note 5
Capital expenses - Note 10

1.F Rounding and Comparatives

Amounts included in the financial statements are in Australian dollars and have been rounded to the nearest \$1.

Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.

1.G Taxation

Income of local authorities and public authorities is exempt from Commonwealth taxation except for Fringe Benefits Tax and Goods and Services Tax ('GST'). The net amount of GST recoverable from the ATO or payable to the ATO is shown as an asset or liability respectively.

The Council pays Payroll Tax to the Queensland Government on certain activities.

2 Analysis of results by function

(a) Components of Council functions

The activities relating to the Council's components reported on in Note 2(b) are as follows:

Resourcing

The objective of Resourcing is to provide a function for the recognition and allocation of general rate and grant revenue as well as interest revenue and expense not allocated to commercial business units.

Office of CEO

The goals of the Office of CEO are to provide leadership, corporate oversight and strategic direction. The Office of CEO incorporates the offices of the Mayor, Councillors and the Chief Executive Officer and includes internal audit and governance sections.

Regional Development

The objective of the Regional Development department is to provide strategic services to cater for the region's future growth as well as optimising quality of life and economic development opportunities for the region's residents and businesses. The sections include Economic Development, Regional Promotions and Strategic Planning.

Airport

The key objectives of Rockhampton Airport are to safely deliver aeronautical and related non-aeronautical services that are ancillary to the operation of a modern Airport. As a commercialised business unit, Rockhampton Airport works with Council to conduct operations in accordance with commercial principles and provides the strategic direction and operations of the Airport's service delivery for Council.

Regional Services

Regional Services' goals are to achieve safe, secure and reliable road and drainage infrastructure and plan for liveable and distinctive communities that we are proud to be part of. Regional Services provides roadworks, street lighting, stormwater drainage, engineering planning and administration. Regional Services also maintains disaster management response capability to meet community needs when required.

Corporate Services

Corporate Services provides professional financial and information services across all of Council. This function includes communication and information technology, administration services, financial services, workforce and strategy, asset management, organisational development services and fleet and plant services. The goal of Corporate Services is to provide accurate, timely and appropriate information and services to all areas of Council to support sound decision making and to meet statutory requirements.

Community Services

The goals of Community Services are to achieve a healthy and liveable environment for everyone to enjoy and a safe, caring and healthy community. Community Services provides well managed and maintained community facilities, and ensures the effective delivery of cultural, environmental and recreational services. Services provided include libraries, art services, theatre and venue management, heritage preservation, child care, aged services, and community assistance. Community Services undertakes the management, maintenance and operation of Council facilities such as reserves and parks and provides compliance and regulatory services in line with legislation and community standards. Manages operations of public health, environmental health, health planning and natural resource management as well as provides regulatory and compliance services for development assessment and development compliance.

Waste & Recycling

The key objectives of Waste and Recycling are to deliver commercially viable waste and recycling services that satisfy adopted customer service standards. Waste and Recycling is a commercial business unit of Rockhampton Regional Council and is responsible for the operation and maintenance of waste management facilities and waste and recycling collection services throughout the Rockhampton Region.

Fitzroy River Water

Fitzroy River Water's aim is to enhance the community's quality of life by providing sustainable water, sewerage and environmental services, through innovation, technical expertise, business efficiency, excellence in customer service and commitment to the environment. Fitzroy River Water is a commercial business unit of Rockhampton Regional Council and is responsible for operating and maintaining water and sewerage assets throughout the region.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

(b) Revenue, expenses and assets have been attributed to the following functions:

Functions	Gross Program Income				Total Income	Gross Program Expenses		Total Expenses	Net Result from Recurrent	Net Result	Assets
	Recurrent		Capital			Recurrent	Capital				
	Grants	Other	Grants	Other							
	2017	2017	2017	2017							
\$	\$	\$	\$	2017	2017	2017	2017	2017	2017		
Resourcing	11,388,686	64,765,336	-	3,543,642	79,697,664	(25,496,579)	-	(25,496,579)	101,650,601	105,194,243	230,036,773
Office of the CEO	32,622	41,305	-	-	73,927	3,533,595	-	3,533,595	(3,459,668)	(3,459,668)	175,122
Regional Development	-	121,410	-	-	121,410	5,153,215	-	5,153,215	(5,031,805)	(5,031,805)	-
Regional Services	4,110,661	1,569,304	25,435,776	3,688,155	34,803,896	43,534,629	5,343,879	48,878,508	(37,854,664)	(14,074,612)	1,285,703,105
Corporate Services	557,216	1,500,959	708,000	54,847	2,821,022	17,854,675	282,428	18,137,103	(15,796,500)	(15,316,081)	44,948,591
Community Services	4,660,441	8,237,849	5,415,692	371,983	18,685,965	52,707,022	1,082,214	53,789,236	(39,808,732)	(35,103,271)	193,860,601
Airport	3,636	15,310,728	-	-	15,314,364	14,225,343	14,503	14,239,846	1,089,021	1,074,518	101,862,429
Waste & Recycling	-	17,008,243	-	630,945	17,639,188	14,329,644	-	14,329,644	2,678,599	3,309,544	29,887,892
Fitzroy River Water	650,455	61,553,883	3,597,406	2,895,449	68,697,193	57,310,346	2,919,303	60,229,649	4,893,992	8,467,544	541,125,512
Total	21,403,717	170,109,017	35,156,874	11,185,021	237,854,629	183,151,890	9,642,327	192,794,217	8,360,844	45,060,412	2,427,600,025

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

Prior Year

Functions	Gross Program Income				Total Income	Gross Program Expenses		Total Expenses	Net Result from Recurrent	Net Result	Assets
	Recurrent		Capital			Recurrent	Capital				
	Grants	Other	Grants	Other							
	2016	2016	2016	2016							
\$	\$	\$	\$	\$	\$	\$	\$	\$	\$		
Resourcing	12,551,858	62,305,556	-	1,860,825	76,718,240	(27,670,628)	-	(27,670,628)	102,528,042	104,388,868	228,948,705
Office of the CEO	-	17,956	-	-	17,956	3,203,928	-	3,203,928	(3,185,971)	(3,185,972)	36,789
Regional Development	1,000	272,702	-	(5,400)	268,302	3,995,397	-	3,995,397	(3,721,696)	(3,727,095)	(0)
Regional Services	5,570,241	1,414,158	15,006,860	13,141,473	35,132,731	37,760,594	21,753,495	59,514,088	(30,776,195)	(24,381,357)	1,414,377,280
Corporate Services	451,808	1,711,158	-	(102,150)	2,060,816	16,787,770	23,010	16,810,780	(14,624,804)	(14,749,964)	44,834,214
Community Services	5,922,919	11,836,727	599,796	3,684,684	22,044,126	52,612,895	778,061	53,390,957	(34,853,249)	(31,346,831)	174,697,392
Airport	16,136	14,693,062	-	2,215,277	16,924,475	14,298,631	355,766	14,654,396	410,567	2,270,079	98,341,447
Waste & Recycling	86,103	17,838,208	-	2,677,276	20,601,587	17,551,398	227,153	17,778,551	372,912	2,823,036	30,442,528
Fitzroy River Water	252,038	61,617,767	1,168,531	3,142,698	66,181,034	56,857,267	1,917,880	58,775,147	5,012,538	7,405,887	539,163,760
Total	24,852,105	171,707,293	16,775,187	26,614,682	239,949,267	175,397,252	25,055,364	200,452,616	21,162,144	39,496,651	2,530,842,117

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements
For the year ended 30 June 2017

	Note	2017 \$	2016 \$
3 Revenue			
Revenue is recognised at the fair value of the consideration received or receivable, at the time indicated below.			
(a) Rates, levies and charges			
Rates are recognised as revenue at the start of the rating period. If a ratepayer pays their rates before the start of the rating period, they are recognised as revenue when they are received.			
General rates		54,003,275	51,379,477
Separate rates		17,778,397	17,647,432
Special rates		91,340	96,815
Water		29,615,855	29,756,114
Sewerage		27,053,047	25,958,560
Garbage charges		14,593,772	14,185,520
Rates and utility charge revenue		<u>143,135,686</u>	<u>139,023,918</u>
Less: Discounts		(11,158,272)	(10,714,870)
Less: Pensioner remissions		(1,503,127)	(1,487,776)
Net rates and utility charges		<u><u>130,474,287</u></u>	<u><u>126,821,272</u></u>

(b) Fees and charges

Fees and charges are recognised upon unconditional entitlement to the funds. Generally this is upon lodgement of the relevant applications or documents, issuing of the infringement notice or when the service is provided.

Airport fees		11,153,724	10,654,064
Waste and recycling fees		3,745,233	4,924,884
Venues, events, tourism and cultural fees		2,519,220	2,865,614
Building, plumbing and development fees		1,594,179	1,605,934
Local laws and health licencing fees		1,418,484	1,573,659
Irrigator and commercial water fees		1,318,083	1,386,839
Other fees		1,094,020	968,444
		<u><u>22,842,943</u></u>	<u><u>23,979,439</u></u>

(c) Other recurrent income

Other revenue is recognised as a revenue when it is probable that it will be received and the amount is known, otherwise the amount is recognised upon receipt. Rental revenue is recognised as income on a periodic straight line basis over the lease term.

Rental / lease income		3,103,326	3,045,118
Commission and collection fees		1,966,176	1,947,355
Insurance income		66,239	3,464,835
Other income		2,464,372	3,203,617
		<u><u>7,600,113</u></u>	<u><u>11,660,925</u></u>

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

Note	2017 \$	2016 \$
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4 Grants, subsidies and contributions

Grants, subsidies and contributions that are non-reciprocal in nature are recognised as revenue in the year in which Council obtains control over them.

Where grants are received that are reciprocal in nature, revenue is recognised as the various performance obligations under the funding agreement are fulfilled. Council does not currently have any reciprocal grants.

Physical assets contributed to Council by developers in the form of road works, stormwater, water and wastewater infrastructure and park assets are recognised as revenue when the development becomes "on maintenance" (i.e. Council obtains control of the assets and becomes liable for any ongoing maintenance) and there is sufficient data in the form of drawings and plans to determine the approximate specifications and values of such assets. Non-cash contributions are recognised at fair value in excess of the recognition thresholds as non-current assets. Those below the thresholds are recorded as recurrent revenues and expenses.

(a) Recurrent

General purpose grants	10,990,249	7,094,781
Government subsidies and grants	10,413,468	17,757,323
Contributions	72,428	214,207
Total recurrent revenue	<u>21,476,145</u>	<u>25,066,311</u>

(b) Capital

Capital revenue includes grants and subsidies received which are tied to specific projects for the replacement or upgrade of existing non-current assets and/or investment in new assets. It also includes non-cash contributions which are usually infrastructure assets received from developers.

(i) Monetary revenue designated for capital funding purposes:

Government subsidies and grants	35,156,874	16,775,187
Contributions	5,530,363	3,618,812
	<u>40,687,237</u>	<u>20,393,999</u>

(ii) Non-monetary revenue received is analysed as follows:

Developer assets contributed by developers at fair value	4,855,207	8,576,887
Other physical assets contributed at fair value	132,822	2,529,217
	<u>4,988,029</u>	<u>11,106,104</u>

Total capital revenue	<u>45,675,266</u>	<u>31,500,103</u>
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Conditions over contributions

Contributions recognised as income during the reporting period and which were obtained on the condition that they be expended in a manner specified by the contributor but had not been expended at the reporting date:

Non-reciprocal grants for expenditure on services	212,340	223,779
Non-reciprocal grants for expenditure on infrastructure	5,427,251	2,971,739
	<u>5,639,591</u>	<u>3,195,518</u>

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
5 Capital income			
Gain from assets not previously recognised	14	-	6,973,002
Gain on the disposal of non-current assets			
(a) Proceeds from disposal of land		-	8,303
Less: Book value of land disposed		-	(13,641)
		<u>-</u>	<u>(5,338)</u>
(b) Proceeds from disposal of plant and equipment		-	1,410,080
Less: Book value of plant and equipment disposed		-	(1,638,676)
		<u>-</u>	<u>(228,596)</u>
(c) Non cash restoration / proceeds due to disposal of buildings		-	1,331,918
Less: Book value of building assets disposed		-	(485,637)
		<u>-</u>	<u>846,281</u>
(d) Non cash restoration / proceeds from disposal of site improvement assets		-	1,657,681
Less: Book value of site improvements disposed		-	(99,594)
		<u>-</u>	<u>1,558,087</u>
(e) Non cash restoration of heritage and cultural assets		-	120,334
Less: Book value of heritage and cultural assets disposed		-	(29,625)
		<u>-</u>	<u>90,709</u>
(f) Insurance proceeds from water assets		-	2,695
Less: Book value of water assets disposed		-	-
		<u>-</u>	<u>2,695</u>
Quarry rehabilitation - change from revision of future restoration expenditure	16	12,935	16,606
Quarry rehabilitation - reduction in rehabilitation provision for future costs, due to a change in discount rate	16	21,984	-
Landfill restoration - change from revision of future restoration expenditure	16	511,047	2,636,321
Landfill restoration - reduction in restoration provision for future costs, due to a change in discount rate	16	119,898	-
Parks remediation - reduction in remediation provision for future costs, due to a change in discount rate	16	765	-
Total capital income		<u>666,629</u>	<u>11,889,767</u>

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
6 Employee benefits			
Total staff wages and salaries		64,056,409	59,564,882
Councillors' remuneration		990,224	1,091,450
Annual, sick and long service leave entitlements		8,710,022	7,815,546
Superannuation	22	<u>7,519,122</u>	<u>7,155,795</u>
		81,275,777	75,627,673
Other employee related expenses		<u>1,345,688</u>	<u>3,491,799</u>
		82,621,465	79,119,472
Less: Capitalised employee expenses		<u>(11,398,497)</u>	<u>(9,448,301)</u>
		<u><u>71,222,968</u></u>	<u><u>69,671,171</u></u>

Councillor remuneration represents salary and other allowances paid in respect of carrying out their duties.

	No.	No.
Total employees at year end:		
Elected members	8	8
Administration staff	507	491
Depot and outdoors staff	<u>362</u>	<u>363</u>
Total full time equivalent employees	<u><u>877</u></u>	<u><u>862</u></u>

7 Materials and services

	\$	\$
Audit of annual financial statements by the Auditor-General of Queensland	219,377	265,533
Advertising and marketing	1,153,227	886,368
Administration supplies and consumables	964,281	990,281
Communications and IT	3,289,509	2,636,247
Consultants	3,934,343	4,430,507
Contractors	13,917,547	10,682,548
Donations paid	854,529	1,053,506
Insurance	2,498,842	2,598,950
Electricity	6,260,930	5,991,828
Repairs and maintenance	13,124,961	11,614,683
Rentals - operating leases	258,114	76,622
Other materials and services	<u>3,329,403</u>	<u>5,554,358</u>
	<u><u>49,805,063</u></u>	<u><u>46,781,431</u></u>

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements
For the year ended 30 June 2017

	Note	2017 \$	2016 \$
8 Finance costs			
Finance costs charged by the Queensland Treasury Corporation		8,188,692	8,542,030
Bank charges		335,424	353,771
Impairment of receivables		2,638,868	49,887
Quarry rehabilitation - change in present value over time	16	10,563	13,512
Landfill sites restoration - change in present value over time	16	116,785	166,521
Parks remediation - change in present value over time	16	27,051	74,477
		<u>11,317,383</u>	<u>9,200,198</u>
9 Depreciation and amortisation			
Depreciation of non-current assets			
Site improvements		2,380,479	2,529,046
Buildings		6,926,098	7,069,257
Plant and equipment		5,130,818	4,791,467
Road network		16,632,465	16,392,490
Stormwater network		3,498,785	3,307,352
Bridge network		844,690	590,038
Water		7,879,569	7,663,139
Sewerage		5,454,723	5,208,080
Airport		1,566,699	1,350,378
Heritage and cultural assets*		432	159,002
Total depreciation of non-current assets	14	<u>50,314,758</u>	<u>49,060,250</u>
Amortisation of intangible assets			
Computer software		491,718	684,204
Total amortisation of intangible assets		<u>491,718</u>	<u>684,204</u>
Total depreciation and amortisation		<u>50,806,476</u>	<u>49,744,453</u>

* The heritage buildings were transferred to the Buildings asset class in 2016/17 - being the only depreciable assets in the Heritage and Cultural class.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
10 Capital expenses			
Loss on the disposal non-current assets			
(a) Proceeds from disposal of land		(6,818)	-
Less: Book value of land disposed		210,000	-
		<u>203,182</u>	<u>-</u>
(b) Proceeds from disposal of plant and equipment		(1,117,820)	-
Less: Book value of plant and equipment disposed		1,101,680	-
		<u>(16,140)</u>	<u>-</u>
Write off of non-current assets			
Site improvements		220,975	318,986
Buildings		946,116	479,591
Plant and equipment		7,482	16,850
Road network		5,208,584	17,230,113
Stormwater network		135,295	4,285,888
Bridge network		3,988	187,057
Water		2,265,062	1,401,157
Sewer		653,280	516,723
Airport		14,503	355,740
Intangible assets		-	13,062
Quarry rehabilitation - increase in rehabilitation provision for future costs, due to a change in discount rate	16	-	41,917
Landfill restoration - increase in restoration provision for future costs, due to a change in discount rate	16	-	190,745
Parks remediation - increase in remediation provision for future costs, due to a change in discount rate	16	-	17,534
Total capital expenses		<u>9,642,327</u>	<u>25,055,363</u>

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
11 Cash and cash equivalents			
Cash and cash equivalents includes cash on hand, all cash and cheques receipted but not banked at the year end, deposits held at call with financial institutions, other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.			
Cash at bank and on hand		2,104,462	1,905,020
Deposits at call		24,826,341	29,632,984
Balance as per statement of cash flows		<u>26,930,803</u>	<u>31,538,004</u>
Externally imposed expenditure restrictions at the reporting date relate to the following cash assets:			
Unspent government grants and subsidies		6,291,035	3,971,506
Unspent developer contributions		19,263,226	17,663,632
Total restricted cash		<u>25,554,261</u>	<u>21,635,138</u>
In accordance with the <i>Local Government Act 2009</i> and <i>Local Government Regulation 2012</i> , a separate trust bank account and separate accounting records are maintained for funds held on behalf of outside parties. Funds held in the trust account on behalf of outside parties include those funds from the sale of land for arrears in rates, deposits for the contracted sale of land, security deposits lodged to guarantee performance and unclaimed monies (e.g. wages) paid into the trust account by the Council. The Council performs only a custodian role in respect of these monies and because the monies cannot be used for Council purposes, they are not considered revenue nor brought to account in the financial statements.			
Trust funds held for outside parties			
Monies collected or held on behalf of other entities yet to be paid out to or on behalf of those entities		1,071,531	1,335,915
		<u>1,071,531</u>	<u>1,335,915</u>

12 Investments

Term deposits with a term in excess of three months are reported as investments, with deposits of less than three months being reported as cash equivalents.

Opening Balance		75,000,000	30,000,000
Transfers from operating bank account		-	45,000,000
		<u>75,000,000</u>	<u>75,000,000</u>

Term deposits at fixed interest rates are held with the following financial institutions: National Australia Bank (A1+), Westpac (A1+), Suncorp (A1), Bendigo Bank (A2), Bank of Queensland (A2), The Rock (A2). Maturity ranges from 6 to 9 months and bear interest rates from 2.60% to 2.80%.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
13 Receivables			
Receivables are amounts owed to Council at year end. They are recognised at the amounts due at the time of sale or service delivery. Settlement is required within 30 days after the invoice is issued.			
The collectability of receivables is assessed periodically and if there is objective evidence that Council will not be able to collect all amounts due, the carrying amount is reduced for impairment.			
All known bad debts were written-off at 30 June. If an amount is recovered in a subsequent period it is recognised as revenue.			
As Council has the power under the <i>Local Government Act 2009</i> to sell an owner's property to recover outstanding rate debts, Council will only impair rate receivables when outstanding debt exceeds unimproved capital values.			
Current			
Rateable revenue and utility charges		7,036,971	7,589,574
Less: impairment		(300,410)	(15,677)
		<u>6,736,561</u>	<u>7,573,897</u>
Water charges yet to be levied		1,280,500	58,451
GST recoverable		744,342	921,879
Other debtors		9,726,657	3,989,952
Less: impairment		(2,375,408)	(122,760)
		<u>9,376,091</u>	<u>4,847,522</u>
Prepayments		2,322,780	2,260,222
		<u>18,435,432</u>	<u>14,681,641</u>
Interest is charged on outstanding rates at a rate of 11% per annum for both the current and prior year. There is no concentration of credit risk for rates and utility charges, fees and other debtors receivable.			
Movement in accumulated impairment losses (trade and other receivables) is as follows:			
Opening balance		138,437	94,185
Impairment adjustment in the year		62,351	(3,170)
Impairment debts written off during the year		(101,487)	(49,887)
Impairments recognised		2,576,517	97,309
Closing balance		<u>2,675,818</u>	<u>138,437</u>

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements
For the year ended 30 June 2017

14 (a) Property, plant and equipment

Basis of measurement	Note	Land	Site improvements	Buildings	Plant and equipment	Road network	Stormwater network	Bridge network	Water	Sewerage	Airport	Heritage and cultural assets	Work in Progress	Total
		Fair value	Fair value	Fair value	Cost	Fair value	Fair value	Fair value	Fair value	Fair value	Fair value	Fair value	Fair value	Cost
Asset values		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Opening gross value as at 1 July 2016		129,522,350	87,355,216	281,541,274	63,933,365	1,385,055,534	349,537,963	51,227,079	547,111,087	303,042,422	60,502,377	21,768,440	46,754,119	3,327,351,226
Adjustment to opening value		-	-	670,693	(10,000)	(194,532)	(6,355,268)	24,336	92,455	57,728	-	-	-	(5,714,588)
Additions at cost		1,877,405	769,116	-	6,112,506	8,324,830	6,060,425	-	3,796,225	3,829,084	801,787	8,000	62,475,002	94,054,379
Prior year write off of additions at cost		-	-	-	-	-	-	-	-	-	-	-	(1,821,414)	(1,821,414)
Contributed assets at valuation		-	-	77,975	54,847	2,484,493	1,333,618	-	553,979	483,118	-	-	-	4,988,029
Reassessment of landfill restoration cost		-	356,446	-	-	-	-	-	-	-	-	-	-	356,446
Transfers between classes		(7,346)	(4,415,910)	8,386,167	42,915	2,289,318	111,936	316,581	121,557	(298,388)	-	(6,554,177)	-	(7,346)
Transfers from work in progress		332,078	463,391	125,119	844,652	8,395,766	2,579,649	-	7,430,477	6,197,204	5,283,857	50,000	(31,702,193)	-
Disposals		(210,000)	-	-	(4,011,336)	-	-	-	-	-	-	-	-	(4,221,336)
Revaluation adjustment to asset revaluation surplus	18	-	-	(9,958,789)	-	(133,123,323)	(29,670,157)	-	-	-	-	-	-	(172,752,269)
Disaster event 2015 asset adjustments	24	-	-	84,152	-	855,957	-	-	-	-	-	-	-	940,109
Write offs	10	-	(476,700)	(2,054,137)	(46,005)	(11,836,708)	(238,378)	(10,500)	(6,396,335)	(2,640,375)	(2,127,020)	-	-	(25,826,159)
Transfer to intangible assets		-	-	-	-	-	-	-	-	-	-	-	(270,666)	(270,666)
Closing gross value as at 30 June 2017		131,514,488	84,051,559	278,872,453	66,920,943	1,262,251,335	323,359,788	51,557,496	552,709,446	310,670,792	64,461,000	15,272,263	75,434,847	3,217,076,411
Accumulated depreciation and impairment														
Opening gross value as at 1 July 2016		-	30,118,878	127,334,428	30,001,572	251,472,767	100,159,646	19,487,630	202,445,886	137,274,628	18,784,222	4,237,723	-	921,317,380
Adjustment to opening value		-	-	(163,488)	(9,687)	(307,182)	(2,739,646)	-	-	(12,817)	-	-	-	(3,232,820)
Depreciation provided in period	9	-	2,380,479	6,926,098	5,130,818	16,632,465	3,498,785	844,690	7,879,569	5,454,723	1,566,699	432	-	50,314,758
Depreciation on disposals		-	-	-	(2,909,656)	-	-	-	-	-	-	-	-	(2,909,656)
Revaluation adjustment to asset revaluation surplus	18	-	-	(31,282,073)	-	(3,108,161)	(1,899,107)	-	-	-	-	-	-	(36,289,340)
Disaster event 2015 asset adjustments	24	-	-	127,505	-	153,240	-	-	-	-	-	-	-	280,745
Depreciation on write offs	10	-	(255,725)	(1,108,021)	(38,523)	(6,628,124)	(103,083)	(6,512)	(4,131,273)	(1,987,095)	(2,112,517)	-	-	(16,370,874)
Transfers between classes		-	(1,025,428)	4,724,465	(55,686)	480,017	93,871	76,883	24,220	(80,188)	-	(4,238,154)	-	-
Accumulated depreciation as at 30 June 2017		-	31,218,204	106,558,915	32,118,838	258,695,022	99,010,466	20,402,691	206,218,402	140,649,250	18,238,405	0	-	913,110,193
Net value at 30 June 2017		131,514,488	52,833,355	172,313,538	34,802,105	1,003,556,312	224,349,322	31,154,805	346,491,044	170,021,542	46,222,595	15,272,263	75,434,847	2,303,966,218
Residual value		-	-	-	9,640,237	-	-	-	-	-	-	-	-	9,640,237
Range of estimated useful life in years		Not depreciated	10 - 102	10 - 150	3 - 40	10 - 1,000	25 - 120	10 - 80	15 - 120	15 - 100	7 - 1,000	Not depreciated		
Additions comprise:		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Infrastructure Renewals		-	533,913	-	4,609,990	4,813,043	1,053,629	-	3,368,874	2,252,131	624,424	-	26,199,161	43,455,164
Other additions (Net of transfer to intangibles)		1,877,405	235,204	-	1,502,516	3,511,787	5,006,796	-	427,351	1,576,953	177,363	8,000	36,005,175	50,328,549
Total additions		1,877,405	769,116	-	6,112,506	8,324,830	6,060,425	-	3,796,225	3,829,084	801,787	8,000	62,204,335	93,783,713

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements
For the year ended 30 June 2017

14 (b) Property, plant and equipment - prior year

Basis of measurement	Note	Land	Site improvements	Buildings	Plant and equipment	Road network	Stormwater network	Bridge network	Water	Sewerage	Airport	Heritage and cultural assets	Work in Progress	Total
		Fair value	Fair value	Fair value	Cost	Fair value	Fair value	Fair value	Fair value	Fair value	Fair value	Fair value	Fair value	Cost
Asset values		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Opening gross value as at 1 July 2015		128,154,113	85,927,174	277,887,095	64,767,005	1,522,847,565	-	41,531,100	536,216,260	301,830,501	62,659,308	21,561,691	37,381,445	3,080,763,257
Additions at cost		474,512	558,109	2,807,628	4,290,347	8,882,278	2,594,249	472,125	5,284,227	2,596,644	-	22,550	36,394,412	64,377,081
Prior year write off of additions at cost		-	-	-	-	-	-	-	-	-	-	-	(2,888,088)	(2,888,088)
Contributed assets at valuation & non-cash insurance restoration		897,619	741,872	2,108,151	112,794	3,926,862	3,163,020	-	1,145,091	669,606	-	252,264	-	13,017,279
Assets not previously recognised	5	-	75,476	13,371	-	6,425,755	113,651	220,350	35,727	-	88,673	-	-	6,973,003
Reassessment of landfill restoration cost		-	98,578	-	-	-	-	-	-	-	-	-	-	98,578
Transfers between classes		-	(332,143)	(126,783)	-	(325,590,370)	330,431,272	418,844	-	3,000	(4,803,820)	-	-	-
Transfers from work in progress		8,293	459,842	515,164	784,937	10,126,348	1,438,313	481,577	8,897,073	730,628	248,944	-	(23,691,119)	-
Disposals		(12,187)	(152,051)	(885,485)	(5,267,172)	-	-	-	-	-	-	(102,869)	-	(6,419,764)
Revaluation adjustment to asset revaluation surplus	18	-	-	-	-	184,098,646	18,689,965	8,420,423	-	-	2,748,731	-	-	213,957,765
Disaster event 2015 asset adjustments	24	-	539,531	466,268	-	(250,476)	-	46,207	-	-	-	34,804	-	836,334
Write offs	10	-	(561,172)	(1,244,135)	(754,546)	(25,411,074)	(6,892,507)	(363,547)	(4,467,291)	(2,787,957)	(439,459)	-	-	(42,921,688)
Transfer to intangible assets		-	-	-	-	-	-	-	-	-	-	-	(442,531)	(442,531)
Closing gross value as at 30 June 2016		129,522,350	87,355,216	281,541,274	63,933,365	1,385,055,534	349,537,963	51,227,079	547,111,087	303,042,422	60,502,377	21,768,440	46,754,119	3,327,351,226

Accumulated depreciation and impairment

Opening gross value as at 1 July 2015		-	27,927,213	121,151,957	29,576,296	320,208,932	-	10,232,799	197,848,881	134,336,292	24,302,279	4,126,610	-	869,711,259
Depreciation provided in period	9	-	2,529,046	7,069,257	4,791,467	16,392,490	3,307,352	590,038	7,663,139	5,208,080	1,350,378	159,002	-	49,060,249
Depreciation on disposals		-	(52,456)	(399,848)	(3,628,496)	-	-	-	-	-	-	(73,244)	-	(4,154,044)
Revaluation adjustment to asset revaluation surplus	18	-	-	-	-	14,561,689	5,417,615	8,804,367	-	-	(4,303,220)	-	-	24,480,451
Disaster event 2015 asset adjustments	24	-	63,707	269,770	-	17,498	-	(27,285)	-	-	-	25,355	-	349,045
Depreciation on write offs	10	-	(242,185)	(764,544)	(737,695)	(8,180,961)	(2,606,619)	(176,489)	(3,066,134)	(2,271,234)	(83,719)	-	-	(18,129,580)
Transfers between classes		-	(106,447)	7,836	-	(91,526,881)	94,041,298	64,200	-	1,490	(2,481,496)	-	-	-
Accumulated depreciation as at 30 June 2016		-	30,118,878	127,334,428	30,001,572	251,472,767	100,159,646	19,487,630	202,445,886	137,274,628	18,784,222	4,237,723	-	921,317,380

Net value at 30 June 2016		129,522,350	57,236,338	154,206,846	33,931,793	1,133,582,767	249,378,317	31,739,449	344,665,201	165,767,794	41,718,155	17,530,717	46,754,119	2,406,033,846
Residual value		-	-	-	9,382,178	-	-	-	-	-	-	-	-	9,382,178
Range of estimated useful life in years		Not depreciated	10 - 102	10 - 80	3 - 40	10 - 1,000	15 - 130	10 - 80	15 - 120	15 - 100	7 - 1,000	Buildings only 15 - 75		

Additions comprise:		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Infrastructure Renewals		-	154,749	1,072,625	3,467,870	5,254,851	563,768	321,275	3,655,645	2,188,000	-	-	19,609,328	36,288,111
Other additions (Net of transfer to intangibles)		474,512	403,360	1,735,003	822,478	3,627,427	2,030,481	150,851	1,628,581	408,644	-	22,550	16,992,094	28,295,981
Total additions		474,512	558,109	2,807,628	4,290,348	8,882,278	2,594,249	472,126	5,284,226	2,596,644	-	22,550	36,601,422	64,584,092

14 Property, plant and equipment

(c) Recognition

Plant and equipment with a total value of less than \$5,000, and infrastructure assets (road, stormwater, bridge, water and sewerage assets), site improvements, airport assets and buildings with a total value of less than \$10,000 are treated as an expense in the year of acquisition. All other items of property, plant and equipment are capitalised.

Replacement of a major component of an asset, in order to maintain its service potential, is treated as the acquisition of a new asset. However, routine operating maintenance, repair costs and minor renewals to maintain the operational capacity and useful life of the non-current asset is expensed as incurred.

Expenditure incurred in accordance with Natural Disaster Relief and Recovery Arrangements on road assets is analysed to determine whether the expenditure is capital in nature. The analysis of the expenditure requires Council officers to review the nature and extent of expenditure on a given asset. For example, expenditure that patches a road is generally maintenance in nature, whereas a rebuild of the full width of the road is treated as capital. Material expenditure that extends the useful life or renews the service potential of the asset is capitalised.

Land under the roads and reserve land which falls under the *Land Act 1994* or the *Land Title Act 1994* is controlled by the Queensland Government pursuant to the relevant legislation. This land is not recognised in these financial statements.

(d) Measurement

Property, plant and equipment assets are initially recorded at cost. Subsequently, each class of property, plant and equipment is stated at cost or fair value (as shown in the table above) less, where applicable, any accumulated depreciation and accumulated impairment loss.

Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including inwards freight, architect's fees and engineering design fees and all other establishment costs. Direct labour and materials and an appropriate proportion of overheads incurred in the acquisition or construction of assets are also included in their cost.

Property, plant and equipment received in the form of contributions, are recognised as assets and revenues at fair value.

(e) Depreciation

Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time an asset is completed and commissioned ready for use, at which time they are reclassified from work in progress to the appropriate property, plant and equipment class.

Land is not depreciated as it has an unlimited useful life. Depreciation on other property, plant and equipment assets is calculated on a straight-line basis so as to write-off the net cost or revalued amount of each depreciable asset, less its estimated residual value, progressively over its estimated useful life to the Council. Management believe that the straight-line basis appropriately reflects the pattern of consumption of all Council assets.

Where assets have separately identifiable significant components that are subject to regular replacement, these components are assigned useful lives distinct from the asset to which they relate. Any expenditure that increases the originally assessed capacity or service potential of an asset is capitalised and the new depreciable amount is depreciated over the remaining useful life of the asset to the Council.

Notes to the financial statements

For the year ended 30 June 2017

Major spares purchased specifically for particular assets that are above the asset recognition threshold are capitalised and depreciated on the same basis as the asset to which they relate.

Landfill rehabilitation assets are depreciated on a straight line basis over the period remaining until the forecast closure date of the landfill area. Council annually assesses the remaining life of landfill cells and accordingly, depreciation rates are adjusted to reflect these estimates.

Depreciation methods, estimated useful lives and residual values of property, plant and equipment assets are reviewed at the end of each reporting period and adjusted where necessary to reflect any changes in the pattern of consumption, physical wear and tear, technical or commercial obsolescence, or management intentions. The condition assessments performed as part of Council's asset management processes, for assets measured at depreciated current replacement cost may be used to estimate the useful lives of these assets at each reporting date.

(f) Impairment

Property, plant and equipment is assessed for indicators of impairment annually. If an indicator of possible impairment exists, Council determines the asset's recoverable amount. Any amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

(g) Adjustment to opening value

During the preparation for the revaluations additional assets not previously recognised and recognised incorrectly were identified and brought to account at fair value.

(h) Valuation

(i) Valuation Processes

Non-current physical assets measured at fair value are revalued, where required, so that the carrying amount of each class of asset does not materially differ from its fair value at the reporting date. This is achieved by engaging professionally qualified external valuers or suitably qualified internal staff to determine the fair value for each class of property, plant and equipment assets at least once every 5 years. This process may involve physically sighting a representative sample of Council's assets and making assessments of the condition of the assets at the date of inspection.

In the intervening years, Council will assess the assets by utilising a combination of internal and external sources of information, as appropriate, in a structured manner in order to determine if there has been any potential material movement in the fair value of assets. Where this is indicated the relevant assets will be revalued by indexation or to the desktop valuation as appropriate.

In accordance with AASB 13 fair value measurements are categorised on the following basis:

- Fair value based on quoted prices (unadjusted) in active markets for identical assets or liabilities (level 1)
- Fair value based on inputs that are directly or indirectly observable for the asset or liability (level 2)
- Fair value based on unobservable inputs for the asset and liability (level 3)

There have been no transfers between level 1 and 2; however, there were transfers from Level 3 to 2 for the building assets during the year.

Council's policy is to recognise transfers in and out of the fair value hierarchy levels as at the end of the reporting period.

Notes to the financial statements

For the year ended 30 June 2017

(ii) Valuation techniques used to derive fair values

Land (level 2 & 3)

Land fair values were determined by independent valuer, APV Valuers & Asset Management, effective 30 April 2014. An indices assessment of the land assets was conducted by Australis Asset Advisory Group at 31 March 2017 which found no material movements in value, and as a result no valuation adjustment was undertaken.

Level 2 valuation inputs were used to value land in freehold title as well as land used for special purposes which is restricted in use under current zoning rules. Sales prices of comparable land sites in close proximity are adjusted for differences in key attributes such as property size. The most significant inputs into this valuation approach are price per square metre.

Where there was no observable market evidence for a land asset due to its configuration, Council zoning restrictions, contamination or similar factors that result in there being no directly comparable market evidence, level 3 valuation inputs were used. For these assets significant assumptions needed to be made to determine the fair value. These were subsequently valued at the level 3 valuation input hierarchy by using the professional judgment of a Registered Valuer who adjusted the price per square metre of sales from sites not in close proximity which provided only a low level of comparability. The highest and best alternate use was utilised in the determination of the replacement cost where there was no directly comparable market evidence for the current use.

	2017	2016
	\$	\$
Land		
• Observable market - (level 2)	79,410,944	79,550,944
• No observable market - (level 3)	52,103,544	49,971,406
Total	<u>131,514,488</u>	<u>129,522,350</u>

Buildings (level 2 & 3)

The fair value of buildings were determined by independent valuer, Australis Asset Advisory Goup, effective 31 March 2017.

Where an observable market for Council building assets could be identified, fair value was measured by way of a market approach requiring level 2 and 3 inputs, utilising sales prices of comparable properties after adjusting for differences in key attributes of the property. Where inputs required significant professional judgement assets were classified as level 3. The most significant inputs into this valuation approach was the price per square metre. Where Council buildings are of a specialist nature and there is no active market for the assets, fair value has been determined on the basis of replacement cost with a modern equivalent asset having similar service potential. The most significant input was the rate per square metre.

In determining the level of accumulated depreciation the asset has been disaggregated into significant components which exhibit different useful lives. Condition was assessed taking into account both physical characteristics, age, recent repairs or capital works, as well as factors such as functionality, capability, utilisation and obsolescence. Estimates of expired service potential and remaining useful lives were determined on a straight line basis.

	2017	2016
	\$	\$
Buildings		
• Non specialised buildings - observable market (level 2)	5,462,761	-
• Non specialised buildings - (level 3)	3,491,188	-
• Specialised Buildings - (level 3)	163,359,589	154,206,846
Total	<u>172,313,538</u>	<u>154,206,846</u>

Notes to the financial statements

For the year ended 30 June 2017

The previous valuation in 2011/12 was undertaken under AASB116 *Property, Plant and Equipment* utilising the cost approach. The current valuation recognised the market approach for the valuation for non-specialised buildings where there was an observable market resulting in the transfer from level 3 to level 2 for these assets.

Site improvements (level 3)

The fair value of site improvements were determined by Cardno (Qld) Pty Ltd, Registered Valuer, as at 30 April 2014, at current replacement cost. An indices assessment was undertaken by Australis Asset Advisory Group as at 31 March 2017 which found no material movements in value, and as a result no valuation adjustment was undertaken.

Where site improvement assets are of a specialist nature and there is no active market for the assets, fair value has been determined on the basis of replacement with a new asset having similar service potential. The unit rates (labour and materials) and quantities applied to determine the current replacement cost (CRC) of an asset are based on the full replacement cost, including components that may not need to be replaced. The unit rates were derived from valuer databases and cost curves, scheduled rates for construction of assets or similar assets, published cost guides and supplier quotations and calibrated where applicable. Valuation unit rates (replacement costs) were increased by 15% to allow for project overheads including survey, environmental and investigation costs, engineering design, planning, and project management.

In determining the level of accumulated depreciation, the asset has been disaggregated into significant components which exhibit different useful lives. Allowance has been made for the consumed or expired future economic benefits of the asset by reference to the useful life and condition of the asset.

Infrastructure assets (level 3)

All Council infrastructure assets were valued at current replacement cost. This valuation comprises the asset's CRC less accumulated depreciation calculated on the basis of such cost to reflect the already consumed or expired future economic benefits of the asset. Council first determined the gross cost of replacing the full service potential of the asset and then adjusted this amount to take account of the expired service potential of the asset.

CRC was measured by reference to the lowest cost at which the gross future economic benefits of the asset could currently be obtained in the normal course of business. Where existing assets were over designed, had excess capacity, or were redundant an adjustment was made so that the resulting valuation reflected the cost of replacing the existing economic benefits based on an efficient set of modern equivalent assets to achieve the required level of service output within the council's planning horizon.

The unit rates (labour and materials) and quantities applied to determine the CRC of an asset or asset component were based on a "Greenfield" or " Incremental Greenfield" assumption for valuations, meaning that the CRC was determined as the full cost of replacement with a new asset including components that may not need to be replaced, such as earthworks. The current replacement cost was determined using methods relevant to the asset class as described under individual asset categories below.

Notes to the financial statements

For the year ended 30 June 2017

Road network (level 3)

This is the final year in the three year rolling revaluation of the road assets where the fair value of minor road furniture items (medians, retaining walls, roundabouts and indented car parks) were being determined by suitably qualified officers of Council. The fair value of sealed and unsealed road components, floodways, carparks and access roads and kerbs were determined by Pavement Management Services, Registered Valuer, as at 30 June 2015. The footpath and road furniture assets (street lights, traffic lights and bus stops) were comprehensively revalued as at 31 March 2016 by suitably qualified officers of Council.

Council categorises its road infrastructure according to the NAASRA (National Association of Australian State Road Authorities) functional road classifications and then categorises these into sealed and unsealed. Both urban and rural roads are managed in segments of varying lengths to meet engineering requirements. This can be dependent on construction type, environment and surroundings. Council assumes that environmental factors such as soil type, climate and topography are consistent across each segment. Council also assumes a segment is constructed to the same standard and uses consistent unit rates.

For the road assets, the CRC for road components was calculated by reference to asset linear and area specifications and unit rates (indexed in 2015/16 to the latest available rates) based on road stereotypes established by the Roads and Transport Alliance Valuation Project (RAVP), a joint initiative by the Local Government Association of Queensland (LGAQ) and the Queensland Government of which Council is a member. These rates were customised to local design conditions, being generally dry ground conditions with a mixture of reactive and non-reactive soil types, where appropriate. Council assumes that roads are constructed to the standard drawings set out in the Capricorn Municipal Development Guidelines.

The CRC for assets other than sealed and unsealed roads, floodways, carparks and access roads are derived from published cost guides, internal construction estimates and prices based on existing supplier contract rates or supplier price lists and labour wage rates. All direct costs were allocated to the assets at standard usage quantities with an overhead allocation, or CRC was based on the average unit rates of completed similar projects over the last few years.

In determining the level of accumulated depreciation, roads were disaggregated into significant components which exhibited different useful lives.

For the road assets, the level of accumulated depreciation reflects the consumption of the asset based on the condition assessment determined by a number of factors including the distress weightings for the surface and pavement components. The resultant condition index ranges from brand new to end of life incorporating a level of acceptability where the asset will be replaced. For road furniture and footpaths, the accumulated depreciation reflects the consumption of the asset based on the condition assessment. For other assets, the level of accumulated depreciation represents an assessment of the expired service potential and remaining useful lives based on a straight line basis derived from the associated benchmark life for the type of asset or condition information where reliable information is available.

Notes to the financial statements

For the year ended 30 June 2017

Stormwater network (level 3)

The fair value of stormwater assets were determined by independent valuer, AssetVal Pty Ltd, effective 31 March 2017.

Where Council stormwater assets are of a specialist nature and there is no active market for the assets, fair value has been determined on the basis of replacement with a new asset having similar service potential. The CRC of assets is derived by unit rates based on similar recent project costs, direct quotations from suppliers, unit rate databases, indices and cost guides.

The level of accumulated depreciation represents an assessment of the expired service potential and remaining useful lives based on a straight line basis derived from the associated benchmark life for the type of asset.

Bridge network (level 3)

The fair value of the bridge network was determined by Australis Asset Advisory Group, as at 31 March 2016. An indices assessment was undertaken by Australis Asset Advisory Group as at 31 March 2017 which found no material movements in value, and as a result no valuation adjustment was undertaken.

Where Council bridges are of a specialist nature and there is no active market for the assets, fair value has been determined on the basis of replacement with a new asset having similar service potential. Published or available market data for recent projects, and/or published cost guides are utilised to determine the estimated replacement cost, including allowances for preliminaries and professional fees.

In determining the level of accumulated depreciation the asset has been disaggregated into significant components which exhibit different useful lives. Allowance has been made for the typical asset life cycle and renewal treatments of each component. An assessment of the economic life and remaining economic life of the various assets has been derived from valuer experience.

Water and sewerage (level 3)

The fair value of water and sewerage assets were determined by AssetVal Pty Ltd, Registered Valuer, as at 30 April 2014. A indices assessment was undertaken by Australis Asset Advisory Group as at 31 March 2017 and Council performed an assessment of the internal construction costs, which found no material movements in value, and as a result no valuation adjustment was undertaken.

The water and sewer assets are segregated into active and passive assets. For passive assets (water and sewer mains; water meters) unit rates were applied based on similar recent project costs, unit rate databases, indices, Rawlinson's construction rates and quotations and reviews by Council engineers. The active assets of treatment, pumping and storage assets were componentised and valued independently, with allowances for complexity, size, function and site factors. As part of the 2013/14 valuation raw costs were increased by up to 30% depending on project complexity to allow for project overheads including survey, environmental and investigation costs, engineering design, planning and project management.

In determining the level of accumulated depreciation for major assets, the assets have been disaggregated into significant components which exhibit different patterns of consumption (useful lives). A condition assessment is applied on a component basis, which is based on factors such as the age of the asset, overall condition at the time of inspection, economic and/or functional obsolescence. The condition assessment directly translates to the level of depreciation applied. Where site inspections were not conducted the remaining useful life was calculated on asset age and estimated useful life.

Notes to the financial statements

For the year ended 30 June 2017

Airport (level 3)

The fair value of the airport assets were determined by Australis Asset Advisory Group, as at 31 March 2016 at current replacement cost. An indices assessment was undertaken by Australis Asset Advisory Group as at 31 March 2017 which found no material movements in value, and as a result no valuation adjustment was undertaken.

Where Council airport assets are of a specialist nature and there is no active market for the assets, fair value has been determined on the basis of replacement with a new asset having similar service potential. Current replacement cost was calculated by reference to asset linear and area specifications, estimated labour and material inputs, services costs and overhead allocations. Various sources, such as published cost guides, historical and current supply costs and information from the Road and Valuation Alliance Project are utilised to determine the estimated replacement cost, including allowance for overheads depending on the complexity of the asset.

In determining the level of accumulated depreciation the asset has been disaggregated into significant components which exhibit different useful lives. An assessment of the useful life and remaining useful life of the various assets considers the inspected physical condition data and construction dates, historical renewal data, failure rates and inputs supplied by Council.

Heritage and cultural assets (level 3)

The fair value of artworks, heritage collections, rare books and museum collections are valued on a market based approach, with the heritage buildings now forming part of the buildings asset class. The last comprehensive revaluation was undertaken by byjoel, Registered Valuer for artworks, and AssetVal Pty Ltd, Registered Valuers, for all other items, under AASB 116 *Property Plant & Equipment*, as at 30 June 2013. Taking account of the low value of the asset class, no valuation assessment or adjustment was undertaken in the current year.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
15 Payables			
<p>Creditors are recognised upon receipt of the goods or services ordered at the amount owed. Amounts owing are unsecured and are generally settled on 30 day terms.</p>			
<p>Liabilities are recognised for employee benefits such as wages and salaries, sick, annual and long service leave in respect of services provided by the employees up to the reporting date. The liability is calculated using the present value of remuneration rates that will be paid when the liability is expected to be settled and includes related on-costs.</p>			
Current			
Creditors and accruals		11,564,411	8,484,585
Annual leave		7,838,849	7,765,776
Sick leave		88,172	97,063
Other entitlements		712,099	576,896
		<u>20,203,531</u>	<u>16,924,320</u>

16 Provisions

Long Service Leave

A liability for long service leave is measured as the present value of the estimated future cash outflows to be made in respect of services provided by employees up to the reporting date. The value of the liability is calculated using current pay rates and projected future increases in those rates and includes related employee on-costs. The estimates are adjusted for the probability of the employee remaining in the Council's employment or other associated employment which would result in the Council being required to meet the liability. Adjustments are then made to allow for the proportion of the benefit earned to date, and the result is discounted to present value. The interest rates attaching to Commonwealth Government guaranteed securities at the reporting date are used to discount the estimated future cash outflows to their present value.

Where employees have met the prerequisite length of service and Council does not have an unconditional right to defer this liability beyond 12 months, long service leave is classified as a current liability. Otherwise it is classified as non-current.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
<i>Landfill restoration, quarry rehabilitation and parks remediation</i>			
Council recognises provisions for the estimated cost of restoration in respect of refuse dumps (landfills) and rehabilitation of quarries where it is probable the Council will be liable, or required, to incur such a cost on the cessation of use of these facilities. Council also recognises a provision for the estimated cost of remediation in respect of damage to Kershaw Gardens during Tropical Cyclone Marcia in February 2015. The provisions are measured at the expected cost of the work required, discounted to current day values using the interest rates attaching to Commonwealth Government guaranteed securities with a maturity date corresponding to the anticipated date of the restoration. Changes to the provisions resulting from the passing of time (the unwinding of the discount) are treated as a finance cost.			
Management estimates the amount of expected restoration work based on current known restoration costs inflated using relevant cost inflation indices and then discounted to current day values, and the timing of the work based on estimated landfill or quarry volumes.			
The existing cells at the Lakes Creek Road landfill facility are forecast to close in 2018/2019 and Gracemere landfill ceased accepting waste for disposal during the 2015/2016 year.			
Remediation work at Kershaw Gardens commenced in 2015/16 and is scheduled for completion in the 2017/2018 financial year.			
Current			
Quarry rehabilitation		49,196	49,218
Landfill restoration		1,264,931	885,073
Parks remediation		1,728,783	3,397,149
Long service leave		11,942,501	11,846,195
		<u>14,985,411</u>	<u>16,177,635</u>
Non-current			
Quarry rehabilitation		477,815	502,149
Landfill restoration		4,552,246	6,181,826
Parks remediation		-	380,846
Long service leave		1,614,035	1,866,583
		<u>6,644,096</u>	<u>8,931,404</u>
Details of movements in provisions:			
Quarry rehabilitation			
Balance at beginning of financial year		551,367	512,544
Increase in provision due to change in time (Decrease) / increase in provision due to change in discount rate	8	10,563	13,512
	5	(21,984)	41,917
Decrease in estimate of future cost	5	(12,935)	(16,606)
Balance at end of financial year		<u>527,011</u>	<u>551,367</u>

This is the present value of the estimated future costs of restoring the quarry sites to a usable state at the end of their useful life. The projected cost is \$668,583 and this cost is expected to be incurred over the years 2018 to 2037.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
Landfill restoration			
Balance at beginning of financial year		7,066,900	10,095,432
Decrease in provision for rehabilitation performed		(1,092,008)	(848,055)
Increase in provision due to change in time	8	116,785	166,521
(Decrease) / increase in provision due to change in discount rate	5	(119,898)	190,745
(Decrease) / increase in provision due to change in discount rate - transfer to rehabilitation asset	14	(189,984)	334,326
Decrease in estimate of future cost	5	(511,047)	(2,636,321)
Increase / (decrease) in estimate of future cost - transfer to rehabilitation asset	14	546,430	(235,748)
Balance at end of financial year		<u>5,817,178</u>	<u>7,066,900</u>

This is the present value of the estimated future costs associated with restoring the refuse disposal sites in accordance with Queensland State Government Environmental Regulations at the end of their useful lives. The projected cost is \$6,218,742 and this cost is expected to be incurred over the period 2018 to 2047.

Parks remediation

Balance at beginning of financial year		3,777,996	7,260,035
Decrease in provision for remediation performed		(1,131,606)	(1,445,839)
Increase in provision due to change in time	8	27,051	74,477
(Decrease) / increase in provision due to change in discount rate	5	(765)	17,534
Decrease in estimate of future cost - transfer to materials and services		(943,892)	(2,128,211)
Balance at end of financial year		<u>1,728,784</u>	<u>3,777,996</u>

This is the present value of the estimated future costs associated with remediating the Kershaw Gardens following damage caused by Tropical Cyclone Marcia in February 2015. The projected cost is \$1,757,029 and this cost is expected to be incurred during the 2017/2018 financial year.

Long service leave

Balance at beginning of financial year		13,712,778	12,527,857
Long service leave entitlement arising		912,650	2,423,980
Long service entitlement extinguished		(373,879)	(442,177)
Long service entitlement paid		(695,012)	(796,882)
Balance at end of financial year		<u>13,556,537</u>	<u>13,712,778</u>

Long service leave is discounted to present value if not expected to be taken within the next financial year.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
17 Borrowings			
<p>Borrowings are initially recognised at fair value plus any directly attributable transaction costs. Subsequent to initial recognition these liabilities are measured at amortised cost at date of reporting. Principal and interest repayments are made quarterly in arrears.</p>			
<p>All borrowings are in Australian dollar denominated amounts and carried at amortised cost, interest being expensed as it accrues. No interest has been capitalised during the current or comparative reporting period. Expected final repayment dates vary between 15 December 2022 to 15 June 2032. There have been no defaults or breaches of the loan agreement during the period.</p>			
<p>In accordance with the <i>Local Government Regulation 2012</i> Council adopts an annual debt policy that sets out Council's planned borrowings for the next ten years. Council's current policy is to only borrow for capital projects and for a term no longer than the expected life of the asset. Council also aims to comply with the Queensland Treasury Corporation's borrowing guidelines and ensure that sustainability indicators remain within acceptable levels at all times.</p>			
Current			
Queensland Treasury Corporation		<u>19,535,892</u>	<u>18,171,619</u>
		<u>19,535,892</u>	<u>18,171,619</u>
Non-current			
Queensland Treasury Corporation		<u>123,684,882</u>	<u>135,860,501</u>
		<u>123,684,882</u>	<u>135,860,501</u>
Queensland Treasury Corporation			
Opening balance		154,032,120	156,180,285
Loans raised		7,041,394	12,969,708
Principal repayments		<u>(17,852,740)</u>	<u>(15,117,873)</u>
Book value at year end		<u>143,220,774</u>	<u>154,032,120</u>

The QTC loan market value for all loans at the reporting date was \$155,069,564. This represents the value of the debt if Council repaid it at 30 June 2017. As it is the intention of Council to hold the debt for its term, no provision is required to be made in these accounts.

Unsecured borrowings are provided by the Queensland Treasury Corporation.

The Council does not have a bank overdraft facility.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
18 Asset revaluation surplus			
<p>The asset revaluation surplus comprises adjustments relating to changes in value of property, plant and equipment that do not result from the use of those assets. Net incremental changes in the carrying value of classes of non-current assets since their initial recognition are accumulated in the asset revaluation surplus.</p> <p>Increases and decreases on revaluation are offset within a class of assets. Where a class of assets is decreased on revaluation, that decrease is offset first against the amount remaining in the asset revaluation surplus in respect of that class. Any excess is treated as an expense.</p> <p>When an asset is disposed of, the amount reported in surplus in respect of that asset is retained in the asset revaluation surplus and not transferred to retained surplus.</p>			
Movements in the asset revaluation surplus were as follows:			
Balance at beginning of the year		<u>995,009,136</u>	<u>805,044,533</u>
Net adjustment to non-current assets to reflect a change in current fair value:			
Adjustments to surplus from fair value assessment done:			
Buildings - revaluation		21,323,284	-
Road network - revaluation		(130,015,162)	169,536,957
Stormwater network - revaluation / indexation		(27,771,050)	13,272,350
Bridge network - revaluation		-	(383,944)
Airport - revaluation		-	7,051,951
Impairment:			
Road network - adjustment various disasters		702,717	(267,974)
Bridge network - disaster adjustment		-	73,492
Site improvements - disaster adjustment		-	475,824
Buildings - disaster adjustment		(43,353)	196,498
Heritage and cultural assets - disaster adjustment		-	9,449
		<u>(135,803,564)</u>	<u>189,964,603</u>
Balance at end of the year		<u><u>859,205,572</u></u>	<u><u>995,009,136</u></u>
Asset revaluation surplus analysis			
The closing balance of the asset revaluation surplus is comprised of the following asset categories:			
Land		48,314,787	48,314,787
Site improvements		6,520,957	6,520,957
Buildings		60,645,713	39,365,783
Road network *		589,992,445	736,437,797
Stormwater network *		2,634,207	13,272,349
Bridge network		1,552,636	1,552,636
Water		51,283,891	51,283,891
Sewerage		69,876,883	69,876,883
Airport		23,992,279	23,992,279
Heritage and cultural assets		4,391,774	4,391,774
		<u><u>859,205,572</u></u>	<u><u>995,009,136</u></u>

* A transfer of \$17 132 907 between the Road network and the Stormwater network was made during 2016/17.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Note	2017 \$	2016 \$
19 Commitments for expenditure			
Contractual commitments			
Contractual commitments at end of financial year but not recognised in the financial statements are as follows:			
Airport		753,865	1,585,544
Waste and Recycling		4,660,595	4,683,970
Fitzroy River Water		957,100	1,216,459
Communities		25,767,098	11,233,617
Regional Services		13,063,302	7,089,178
Other		216,331	538,362
		<u>45,418,291</u>	<u>26,347,130</u>

20 Events after the reporting period

There were no material adjusting events after 30 June 2017.

21 Contingencies

Assets

Council has an agreement with RLX Investment Company Pty Ltd for a lease over Council controlled reserves, known as the Gracemere Saleyards. The lease commenced 1 January 2010 for a period of thirty years. The lessee has agreed as part of the agreement to construct fixtures upon the land for their own purpose. It has been agreed that a sum of approximately \$14 million will be expended in additions and refurbishments over the term of the lease. Council obtaining control of this asset is contingent upon the expiration/surrender of the lease agreement. Until such time that the fixtures revert back to Council control they will not be included in Council's non-current assets.

Liabilities

Details and estimates of maximum amounts of contingent liabilities are as follows:

(i) Community loans

Under approval from Queensland Treasury, Council has guaranteed a loan to Rockhampton Basketball Inc (\$125,006) as at 30 June 2017. As at 30 June 2016, outstanding loans were for Digger's Memorial Bowls Club (\$16.17) and Rockhampton Basketball Inc (\$148,466.33).

Total Community loans guaranteed by Council:	<u>125,006</u>	<u>148,483</u>
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(ii) Local Government Workcare

The Rockhampton Regional Council is a member of the Queensland local government workers compensation self-insurance scheme, Local Government Workcare. Under this scheme the Council has provided a bank guarantee to cover bad debts which may remain should the self insurance licence be cancelled and there was insufficient funds available to cover outstanding liabilities. Only the Queensland Government's workers compensation authority may call on any part of the guarantee should the above circumstances arise.

The Council's maximum exposure to the bank guarantee is:	<u>1,930,457</u>	<u>2,466,283</u>
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ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

Note	2017 \$	2016 \$
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(iii) Local Government Mutual

The Council is a member of the local government mutual liability self-insurance pool, LGM Queensland. In the event of the pool being wound up or it is unable to meet its debts as they fall due, the trust deed and rules provide that any accumulated deficit will be met by the individual pool members in the same proportion as their contribution is to the total pool contributions in respect to any year that a deficit arises.

The financial statements for 30 June 2016 reported an accumulated surplus and it is not anticipated any liability will arise.

22 Superannuation

The Rockhampton Regional Council contributes to the Local Government Superannuation Scheme (Qld) (the scheme). The scheme is a Multi-employer Plan as defined in the Australian Accounting Standard AASB 119 *Employee Benefits*.

The Queensland Local Government Superannuation Board, the trustee of the scheme, advised that the local government superannuation scheme was a complying superannuation scheme for the purpose of the Commonwealth Superannuation Industry (Supervision) legislation.

The scheme has three elements referred to as:

- The City Defined Benefits Fund (CDBF) which covers former members of the City Super Defined Benefits Fund;
- The Regional Defined Benefits Fund (Regional DBF) which covers defined benefit fund members working for regional local governments; and
- The Accumulation Benefits Fund (ABF).

The ABF is a defined contribution scheme as defined in AASB 119. Council has no liability to or interest in the ABF other than the payment of the statutory contributions as required by the *Local Government Act 2009*.

Council does not have any employees who are members of the CDBF and, therefore, is not exposed to the obligations, assets or costs associated with this fund.

The Regional DBF is a defined benefit plan as defined in AASB 119. The Council is not able to account for the Regional DBF as a defined benefit plan in accordance with AASB 119 because the scheme is unable to account to the Council for its proportionate share of the defined benefit obligation, plan assets and costs. The funding policy adopted in respect of the Regional DBF is directed at ensuring that the benefits accruing to members and beneficiaries are fully funded as they fall due.

To ensure the ongoing solvency of the Regional DBF, the scheme's trustee can vary the rate of contributions from relevant local government employers subject to advice from the scheme's actuary. As at the reporting date, no changes had been made to prescribed employer contributions which remain at 12% of employee assets and there are no known requirements to change the rate of contributions.

Any amount by which either fund is over or under funded would only affect future benefits and contributions to the Regional DBF, and is not an asset or liability of the Council. Accordingly there is no recognition in the financial statements of any over or under funding of the scheme.

As at the reporting date, the assets of the scheme are sufficient to meet the vested benefits.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

The most recent actuarial assessment of the scheme was undertaken as at 1 July 2015. The actuary indicated that "At the valuation date of 1 July 2015, the net assets of the scheme exceeded the vested benefits and the scheme was in a satisfactory financial position as at the valuation date."

In the 2015 actuarial report the actuary has recommended no change to the employer contribution levels at this time.

Under the *Local Government Act 2009* the trustee of the scheme has the power to levy additional contributions on councils which have employees in the Regional DBF when the actuary advises such additional contributions are payable - normally when the assets of the DBF are insufficient to meet members' benefits.

There are currently 65 entities contributing to the Regional DBF plan and any changes in contribution rates would apply equally to all 65 entities. Rockhampton Regional Council made less than 4% of the total contributions to the plan in the 2016/17 financial year.

The next actuarial investigation will be conducted as at 1 July 2018.

The amount of superannuation contributions paid by Rockhampton Regional Council to the scheme in this period for the benefit of employees was:

Note	2017 \$	2016 \$
6	<u>7,519,122</u>	<u>7,155,795</u>

23 Reconciliation of net result attributable to Council to net cash flow from operating activities

Net result attributable to Council	<u>45,060,412</u>	<u>39,496,651</u>
Non-cash operating items:		
Depreciation and amortisation	50,806,476	49,744,453
Opening work in progress write off	1,821,414	2,888,088
Change in restoration provisions expensed to finance costs	154,399	254,510
Parks remediation provision	<u>(943,892)</u>	<u>(3,105,642)</u>
	<u>51,838,397</u>	<u>49,781,409</u>
Investing and development activities:		
Capital grants, subsidies and contributions	(45,675,266)	(31,500,103)
Capital income	(666,629)	(11,889,767)
Capital expenses	<u>9,642,327</u>	<u>25,055,363</u>
	<u>(36,699,568)</u>	<u>(18,334,507)</u>
Changes in operating assets and liabilities:		
(Increase) / decrease in receivables	(3,753,793)	3,820,449
Decrease / (increase) in inventories (excluding land)	107,349	(46,331)
Increase / (decrease) in payables	719,999	(2,457,176)
(Decrease) / increase in provisions	(156,241)	1,184,921
Increase / (decrease) in other liabilities	<u>31,194</u>	<u>(40,321)</u>
	<u>(3,051,492)</u>	<u>2,461,542</u>
Net cash inflow from operating activities	<u>57,147,749</u>	<u>73,405,095</u>

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

24 Accounting for natural disaster events

2017 Flood event - Cyclone Debbie

In April 2017, the Rockhampton area experienced a flood event resulting from Tropical Cyclone Debbie with damage to a portion of infrastructure road assets. The assets continue to be functional with no impairment being recorded.

2015 Cyclone Marcia

In February 2015, the Rockhampton area experienced Tropical Cyclone Marcia with considerable damage to the botanic assets, some structural damage to roads, buildings and other site improvements and local creek flooding and run off. All restoration works available for Queensland Reconstruction Authority funding were completed in the current year with any remaining estimated corrections to previous years being reinstated to the asset values. Some minor impairments remain for the Kershaw Gardens where there are still access restrictions from previous landfill activities.

(a) Current Year

	Note	Cost \$	Accumulated depreciation \$	Asset revaluation surplus \$
(ii) 2015 Cyclone Marcia:				
Restatement of asset values - impairment no longer required		855,957	153,240	702,717
Reassessment of asset adjustments - minor and moderate damage		84,152	127,505	(43,353)
Increase in asset values due to 2015 disaster event	14	940,109	280,745	659,364

(b) Prior Year

	Note	Cost \$	Accumulated depreciation \$	Asset revaluation surplus \$
(ii) 2015 Cyclone Marcia:				
Restatement of asset values - impairment no longer required		1,470,319	526,930	943,389
Reassessment of asset adjustments - minor and moderate damage		(633,985)	(177,885)	(456,100)
Increase in asset values due to 2015 disaster event	14	836,334	349,045	487,289

Notes to the financial statements

For the year ended 30 June 2017

25 Change in accounting estimate and correction of error

Change in accounting estimate - Road network - unit costs for 2014/15 revaluation:

The estimate of the fair value of road assets in 2014/15 (stage one of a rolling valuation for unsealed and sealed road components, floodways, carparks and access roads and kerb assets) as a component of an expert valuation undertaken by Pavement Management Services, utilised the unit rates established by the Roads and Transport Alliance Valuation Project (Queensland) (RAVP).

In the current year changes were made to assumptions by RAVP, based upon new information and considerations, thereby impacting on the unit rates previously adopted by Council and the fair value of stage one road assets. The unit rates impacted by the change in assumptions were updated in the current year.

The change has had an immaterial impact upon Councils current year statement of comprehensive income. The impact on the statement of financial position is:

	2017	2016
	\$	\$
(Decrease) / increase in property, plant and equipment	(126,197,411)	127,526,543
(Decrease) / increase in asset revaluation surplus	(126,197,411)	127,526,543

Correction of error - Stormwater valuation 2011/12:

An expert valuation was undertaken in the current year for the stormwater assets which highlighted an error in the previous valuation undertaken in 2011/12. The error resulted from the unit of measure utilised for cost information incorporated in the unit rates. However it is impracticable to retrospectively restate the prior year comparatives. The statement of financial position has been corrected in the current year through the expert valuation.

26 Financial instruments

Rockhampton Regional Council's activities expose it to a variety of financial risks including interest rate risk, credit risk, and liquidity risk.

Exposure to financial risks is managed in accordance with Council approved policies on financial risk management. These policies focus on managing the volatility of financial markets and seek to minimise potential adverse effects on the financial performance of the Council.

The Council minimised its exposure to financial risk in the following ways:

- Investments in financial assets are only made where those assets are with a bank or other financial institution in Australia.
- The Council does not invest in derivatives or other high risk investments.
- When the Council borrows, it borrows from the Queensland Treasury Corporation (QTC) unless another financial institution can offer a more beneficial rate, taking into account any risk. Borrowing by the Council is constrained by the provisions of the Statutory Bodies Financial Agreements Act 1982.

Rockhampton Regional Council measures risk exposure using a variety of methods as follows:

Risk exposure	Measurement method
Credit risk	Ageing analysis
Liquidity risk	Maturity analysis
Interest rate risk	Sensitivity analysis

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

Credit risk

Credit risk exposure refers to the situation where the Council may incur financial loss as a result of another party to a financial instrument failing to discharge their obligations.

In the case of rate receivables, the Council has the power to sell the property to recover any defaulted amounts. In effect this power protects the Council against credit risk in the case of these debts.

In other cases, the Council assesses the credit risk before providing goods or services and applies normal business credit protection procedures to minimise the risk.

The Council is exposed to credit risk through its investments with the QTC and deposits held with banks or other financial institutions. The QTC Cash Fund is an asset management portfolio that invests with a wide variety of high credit rating counterparties. Deposits are capital guaranteed. Other investments are held with highly rated and regulated banks and whilst not capital guaranteed, the likelihood of a credit failure is remote.

The maximum exposure to credit risk at balance date in relation to each class of recognised financial asset is the gross carrying amount of those assets inclusive of any provisions for impairment.

No collateral is held as security relating to the financial assets held by the Council.

The following table represents the Council's maximum exposure to credit risk:

	Note	2017	2016
		\$	\$
Financial assets			
Cash and cash equivalents	11	26,930,803	31,538,004
Investments	12	75,000,000	75,000,000
Receivables - rates	13	6,736,561	7,573,897
Receivables - other	13	9,376,091	4,847,522
Other credit exposures			
Guarantees	21	2,055,463	2,614,766
Total		120,098,918	121,574,189

Past due or impaired

No financial assets have had their terms renegotiated so as to prevent them from being past due or impaired, and are stated at the carrying amounts as indicated.

The following represents an analysis of the age of the Council's financial assets that are either fully performing, past due or impaired:

	2017	2016
	\$	\$
Fully Performing	7,300,133	8,611,848
Past due 1-30 days	2,782,592	178,142
Past due 31-60 days	445,930	83,277
Past due 61-90 days	48,600	33,011
More than 90 days	8,211,215	3,653,578
Impaired	(2,675,818)	(138,437)
Total	16,112,653	12,421,419

Notes to the financial statements

For the year ended 30 June 2017

Liquidity risk

Liquidity risk refers to the situation where the Council may encounter difficulty in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset. The Council is exposed to liquidity risk through its trading in the normal course of business and borrowings from the QTC for capital works.

The Council manages its exposure to liquidity risk by maintaining sufficient undrawn facilities, both short and long term, to cater for unexpected volatility in cash flow. These facilities are disclosed in the borrowings note 17. There are no additional facilities or lines of credit available.

The following table sets out the liquidity risk of financial liabilities held by the Council in a format as it might be provided to management. The amounts disclosed in the maturity analysis represent the contractual undiscounted cash flows at balance date.

	0 to 1 year	1 to 5 years	Over 5 years	Total	Carrying amount
	\$	\$	\$	\$	\$
2017					
Payables	11,564,411	-	-	11,564,411	11,564,411
Loans - QTC	26,633,306	106,533,223	37,637,869	170,804,398	143,220,774
	38,197,717	106,533,223	37,637,869	182,368,809	154,785,185
2016					
Payables	8,484,585	-	-	8,484,585	8,484,585
Loans - QTC	26,041,432	104,165,728	57,760,564	187,967,724	154,032,120
	34,526,017	104,165,728	57,760,564	196,452,309	162,516,705

The outflows in the above table are not expected to occur significantly earlier and are not expected to be for significantly different amounts than indicated in the table.

Interest rate risk

The Council is exposed to interest rate risk through its borrowings from the QTC and investments held with financial institutions.

The risk in borrowing is effectively managed by borrowing from financial institutions which provide access to a mix of floating and fixed funding sources such that the desired interest rate risk exposure can be constructed. Interest rate risk in other areas is minimal.

The Council does not undertake any hedging of interest rate risk.

Interest rate sensitivity analysis

The following interest rate sensitivity analysis is based on a report similar to that which would be provided to management, depicting the outcome to profit and loss should there be a 1% increase in market interest rates. The calculations assume that the rate would be held constant over the next financial year, with the change occurring at the beginning of that year. It is assumed that interest rates on overdue rates would not change. If the rates decreased by 1% the impact would be equal in amount in the reverse direction.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

	Net carrying amount		Profit/Loss		Equity	
	2017	2016	2017	2016	2017	2016
	\$	\$	\$	\$	\$	\$
Financial assets	101,901,723	106,509,924	1,019,017	1,065,099	1,019,017	1,065,099
Financial liabilities	(143,220,774)	(154,032,120)	(1,432,208)	(1,540,321)	(1,432,208)	(1,540,321)
Net total	(41,319,051)	(47,522,196)	(413,191)	(475,222)	(413,191)	(475,222)

Fair Value

The fair value of trade and other receivables and payables is assumed to approximate the value of the original transaction, less any allowance for impairment.

The fair value of borrowings with QTC is based on the market value of debt outstanding. The market value of a debt obligation is the discounted value of future cash flows based on prevailing market rates and represents the amount required to be repaid if this was to occur at balance date. The market value of debt is provided by QTC and is disclosed in Note 17.

QTC applies a book rate approach in the management of debt and interest rate risk, to limit the impact of market value movements to clients' cost of funding. The book value represents the carrying value based on amortised cost using the effective interest method.

27 National competition policy

A "business activity" of a local government is any activity that involves trading in goods or services.

Before the end of each financial year, the Minister for Local Government must decide for the financial year, the expenditure amounts (the "threshold amounts") for identifying a "significant business activity".

A significant business activity where the threshold expenditure has been set by the Minister for the year ended 30 June 2017 follows:

- (a) for water and sewerage combined activities - \$13,750,000
- (b) for other activities - \$9,200,000

Activities to which the Code of Competitive Conduct (CCC) is applied

The Council has resolved to commercialise the following activities which fall into the expenditure guidelines above.

- Waste and Recycling
- Fitzroy River Water
- Airport

The CCC must be applied to the following business activities:

- (a) A building certifying activity that:
 - (i) involves performing building certifying functions within the meaning of the Building Act, section 8; and
 - (ii) is prescribed under a regulation*.

*Section 38 of the *Local Government Regulation 2012* lists the local government's whose activities are prescribed building certifying activities.

- (b) A roads activity, other than a roads activity for which business is conducted only through a sole supplier arrangement, that involves:
 - (i) the construction or maintenance of state controlled roads for which the local government submits an offer to carry out work in response to a tender invitation.
 - (ii) construction or road maintenance on another local government's roads which the local government has put out to tender.

Each local government may elect to apply a CCC to any other identified business activities. However, for any with current expenditure of \$325,000 or more, the local government must decide, by resolution each year, whether to apply the CCC to that activity.

In general, applying the CCC means that the competitive neutrality principle is applied to the business activity.

Under the competitive neutrality principle, an entity that is conducting a business activity in competition with the private sector should not enjoy a net advantage over competitors only because the entity is in the public sector.

The competitive neutrality principle may be applied by commercialisation or full cost pricing. This includes removing any competitive advantage or disadvantage, where possible, and charging for goods and services at full cost.

In addition the cost of performing community service obligations, less any revenue received from carrying out those obligations, must be treated as revenue for the business activity.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

A community service obligation is an obligation the local government imposes on a business activity that is not in its commercial interest. For example, giving a concession to pensioners.

A local government's financial statements must contain an activity statement for each business activity to which the CCC applies.

The Rockhampton Regional Council applies the CCC to the following activity:

- Building Certification

This requires the application of full cost pricing, identifying the cost of community service obligations (CSO) and eliminating the advantages and disadvantages of public ownership within that activity.

The CSO value is determined by Council, and represents an activity's cost(s) which would not be incurred if the primary objective of the activity was to make a profit. The Council provides funding from general revenue to the business activity to cover the cost of providing non-commercial community services or costs deemed to be CSO's by the Council.

The following activity statements are for activities subject to the Code of Competitive Conduct:

	Building Certification	Fitzroy River Water	Rockhampton Airport	Waste & Recycling
	2017	2017	2017	2017
	\$	\$	\$	\$
Revenue for services provided to Council	5,274	50,935	759	153,685
Revenue for services provided to external clients	60,046	68,646,258	15,313,605	17,485,503
Community service obligations	180,510	701,809	286,112	1,987,039
	245,830	69,399,002	15,600,476	19,626,227
Less : expenditure	245,830	60,229,649	14,239,846	14,329,644
Surplus/(deficiency)	-	9,169,353	1,360,630	5,296,583

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

Community Service Obligations were paid during the reporting period to the following activities:

Activities	CSO description	Net cost
		\$
Building Certification	Non-commercial private certification services	180,510
Fitzroy River Water	Remissions to community & sporting bodies - water	39,219
	Combined line charges (operating)	95,735
	Remissions to community & sporting bodies - sewerage	78,145
	Combined line charges (capital)	293,974
	Raising manholes (capital)	194,736
		701,809
Rockhampton Airport	Capricorn Rescue Helicopter Service	96,771
	Royal Flying Doctor Service	117,684
	Patient Travelling Subsidy Scheme	71,657
		286,112
Waste and Recycling	Roadside bin operations	403,169
	Boat ramp services	2,584
	Old landfill maintenance works	323,971
	Tyres, oils and chemicals	15,009
	Charity waste policy	41,063
	Green waste	642,694
	Clean-up Australia	104
	Waste education	66,739
	TC Debbie Community Recovery Assistance	491,706
		1,987,039

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

28 Controlled entities that have not been consolidated

Council had two controlled entities that are not consolidated because their size and nature means that it is not material to Council's operations.

A summary of Council's controlled entities, their net assets and results for the year ended 30 June 2017 follows:

Controlled Entities - Financial Results:

Controlled Entity	Receipts		Disbursements		Net (deficit) / surplus		Assets		Liabilities	
	2017	2016	2017	2016	2017	2016	2017	2016	2017	2016
CQ Performing Arts Foundation	1,334	10,365	1,160	1,320	174	9,045	-	120,957	-	-
The Rockhampton Art Gallery Trust	-	1,991	-	-	-	1,991	-	-	-	-

The CQ Performing Arts Foundation wound up in December 2016. All of the Foundation's assets were transferred to the Friends of the Theatre Rockhampton Inc. Friends of the Theatre enhance the experience of patrons attending the Pilbeam Theatre by providing volunteers that act as front of house and other services at performances.

The Rockhampton Art Gallery Trust wound up in June 2016. All of the Trust's assets were transferred to the Rockhampton Art Gallery Gift Fund (The Gift Fund). The Gift Fund has been established by Council to hold any gifts to the Rockhampton Art Gallery on trust for the Rockhampton Art Gallery.

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

29 Transactions with related parties

(a) Transactions with Key Management Personnel (KMP)

KMP include the Mayor, Councillors, Council's Chief Executive Officer and some executive management. The compensation paid to KMP for 2016/17 comprises:

Details of benefits	2017 \$
Short-term employee benefits	2,292,808
Long-term benefits	538,651
Termination benefits	87,785
Total	2,919,244

Detailed remuneration disclosures are provided in the annual report.

(b) Transactions with other related parties

Other related parties include the close family members of KMP and any entities under significant influence by KMP or their close family members. Close family members include a spouse, child and dependent of a KMP or their spouse.

Details of transactions between Council and other related parties are disclosed below:

Details of transactions	Note	2017 \$
Fees and charges charged to other related parties	29(b)(i)	12,305
Employee expenses for close family members of key management personnel	29(b)(ii)	112,731
Purchase of materials and services from other related parties	29(b)(iii)	459,436

(i) The fees and charges charged to related parties were on arm's length basis in accordance with the schedule of fees and charges adopted by Council. The fees and charges were in relation to food licences, leases, trade waste permits and conference registration.

(ii) All close family members of key management personnel were employed through an arm's length process. They are paid in accordance with the Award for the job they perform. Council employs 877 staff, of which 2 are close family members of key management personnel.

(iii) Council purchased the following materials and services from related parties. All purchases were at arm's length and were in the normal course of Council operations:

ROCKHAMPTON REGIONAL COUNCIL

Notes to the financial statements

For the year ended 30 June 2017

Details of materials and services purchased	2017 \$
Hospitality services	2,566
Donations	4,082
Trade services with Swadling Painting Contractors	447,313
Supply of materials	5,475
Total	459,436

As part of the tender process for the provision of Trade Services Council entered into a contract for painting services with Swadling Painting Contractors, a company owed by a close family member of Cr Rose Swadling. The contract was awarded in accordance with Council's normal purchasing policies, procedures and Local Government legislative requirements. The contract is for the period 1 March 2017 to 28 February 2018 and is based on a schedule of rates.

(c) Outstanding balances

There are no material balances outstanding at the end of the reporting period in relation to transactions with related parties.

(d) Loans and guarantees to/from related parties

Council does not make loans to or receive loans from related parties. No guarantees have been provided.

(e) Transactions with related parties that have not been disclosed

Most of the entities and people that are related parties of Council live and operate within the Rockhampton Regional Council area. Therefore, on a regular basis ordinary citizen transactions occur between Council and its related parties.

Some examples include:

- Payment of rates
- Use of regional swimming pools
- Dog registration
- Borrowing books from a Council library

Council has not included these types of transaction in its disclosure, where they are made on the same terms and conditions available to the general public.

ROCKHAMPTON REGIONAL COUNCIL

Financial statements

For the year ended 30 June 2017

Management Certificate

For the year ended 30 June 2017

These general purpose financial statements have been prepared pursuant to sections 176 and 177 of the *Local Government Regulation 2012* (the Regulation) and other prescribed requirements.

In accordance with section 212(5) of the Regulation we certify that:

- (i) the prescribed requirements of the *Local Government Act 2009* and *Local Government Regulation 2012* for the establishment and keeping of accounts have been complied with in all material respects; and
- (ii) the general purpose financial statements, as set out on pages 1 to 47, present a true and fair view, in accordance with Australian Accounting Standards, of the Council's transactions for the financial year and financial position at the end of the year.

M.F. Strelow
Mayor

Date:

E.A. Pardon
Chief Executive Officer

Date:

ROCKHAMPTON REGIONAL COUNCIL

Current-year Financial Sustainability Statement

For the year ended 30 June 2017

Measures of Financial Sustainability

Council's performance at 30 June 2017 against key financial ratios and targets:	How the measure is calculated	Actual - Council	Target
Operating surplus ratio	Net result (excluding capital items) divided by total operating revenue (excluding capital items)	4.37%	Between 0% and 10%
Asset sustainability ratio	Capital expenditure on the replacement of assets (renewals) divided by depreciation expense.	86.45%	greater than 90%
Net financial liabilities ratio	Total liabilities less current assets divided by total operating revenue (excluding capital items)	34.77%	not greater than 60%

Note 1 - Basis of Preparation

The current year financial sustainability statement is a special purpose statement prepared in accordance with the requirements of the *Local Government Regulation 2012* and the *Financial Management (Sustainability) Guideline 2013*. The amounts used to calculate the three reported measures are prepared on an accrual basis and are drawn from the Council's audited general purpose financial statements for the year ended 30 June 2017.

Certificate of Accuracy For the year ended 30 June 2017

This current-year financial sustainability statement has been prepared pursuant to Section 178 of the *Local Government Regulation 2012* (the Regulation).

In accordance with Section 212(5) of the Regulation we certify that this current-year financial sustainability statement has been accurately calculated.

M.F. Strelow
Mayor

Date:

E.A. Pardon
Chief Executive Officer

Date:

ROCKHAMPTON REGIONAL COUNCIL

Long-Term Financial Sustainability Statement

Prepared as at 30 June 2017

Measures of Financial Sustainability	Measure	Target	Actuals at 30 June 2017	Predicted for the years ended:								
				30 June 2018	30 June 2019	30 June 2020	30 June 2021	30 June 2022	30 June 2023	30 June 2024	30 June 2025	30 June 2026
Operating surplus ratio	Net result divided by total operating revenue	Between 0% and 10%	4.37%	0.00%	0.30%	0.72%	1.00%	1.27%	1.79%	2.03%	2.57%	2.93%
Asset sustainability ratio	Capital expenditure on the replacement of assets (renewals) divided by depreciation expense.	greater than 90%	86.45%	103.94%	89.70%	70.05%	77.25%	69.66%	81.58%	82.38%	80.60%	81.16%
Net financial liabilities ratio	Total liabilities less current assets divided by total operating revenue	not greater than 60%	34.77%	62.20%	60.80%	58.50%	55.80%	57.90%	53.40%	48.80%	42.70%	37.30%

Council's Financial Management Strategy

Council measures revenue and expenditure trends over time as a guide to future requirements and to make decisions about the efficient allocation of resources to ensure the most effective provision of services. Council ensures that its financial management strategy is prudent and that its long-term financial forecast shows a sound financial position whilst also being able to meet the community's current and future needs.

Certificate of Accuracy

For the long-term financial sustainability statement as at 30 June 2017

This long-term financial sustainability statement has been prepared pursuant to Section 178 of the *Local Government Regulation 2012* (the Regulation).

In accordance with Section 212(5) of the Regulation we certify that this long-term financial sustainability statement has been accurately calculated.

M.F. Strelow
Mayor

E.A. Pardon
Chief Executive Officer

Date:

Date:

ANNUAL FINANCIAL STATEMENTS 30 JUNE 2017

2016/17 Financial Statements- Analytical Review

Meeting Date: 26 September 2017

Attachment No: 2

ROCKHAMPTON REGIONAL COUNCIL

Statement of Comprehensive Income
For the year ended 30 June 2017

	Note	2017 \$	2016 \$	Change	% Change	
Continuing operations						
Income						
Recurrent revenue						
Rates, levies and charges	3(a)	130,474,287	126,821,272	3,653,015	3%	General rates were increased by 4.4%, Separate Charges 0.5% and Utility Charges by 3.3% for a average residential ratepayer increase of 3.1%. Water consumption was lower than adopted budget by \$0.2M, whereas for 15/16 was higher than anticipated by \$1.6M. Prepaid rates increased by \$769K.
Fees and charges	3(b)	22,842,943	23,979,439	(1,136,496)	-5%	Decreases in Waste fees \$1.2M (lower construction activity and period of free waste disposal post TC Debbie) and Venues and Events fees \$0.3M (lower patronage), offset by increase in Airport Fees \$0.5M (adjustments to Passenger and Checked Bag Screening fees charged to Airlines in 15/16).
Interest received		3,675,787	3,570,242	105,545	3%	Slightly higher average cash balances offset by minor reductions to investment rates.
Sales revenue		5,443,459	5,461,208	(17,749)	0%	No significant movement in sales revenue.
Other recurrent income	3(c)	7,600,113	11,660,925	(4,060,812)	-35%	Insurance proceeds decreased by \$3.4M (TC Marcia proceeds in 15/16), cost recoveries decreased by \$0.7M (electricity for some leased sites now paid directly
Grants, subsidies and contributions	4(a)	21,476,145	25,066,311	(3,590,166)	-14%	Advance payment was received for 50% of 17/18 FAGSs grant \$3.6M, decrease in NDRAA and other funding for TC Marcia \$7.3M.
		<u>191,512,734</u>	<u>196,559,397</u>	<u>(5,046,663)</u>		
Capital revenue						
Grants, subsidies and contributions	4(b)	45,675,266	31,500,103	14,175,163	45%	Grants have increased by \$18.4M including; NDRRA Grants for Restoration and Betterment \$10M and Works for Qld program \$5.6M. Developer contributions (cash) are up by \$1.9M due to the recognition of historical revenue of \$3.5M, otherwise would have been down by \$1.6M. Developer assets (non-cash) are down by \$3.7M - development activity has decreased again in 16/17. Other physical assets are also down by \$2.4M after a spike in 15/16.
Capital income	5	<u>666,629</u>	<u>11,889,767</u>	<u>(11,223,138)</u>	-94%	15/16 included prior year restatements for assets not previously recognised of \$7.0M and insurance proceeds of \$3.4M (cash \$1.5M and non-cash restoration by insurer \$1.9M) for restoration of assets from TCM.
		<u>46,341,895</u>	<u>43,389,870</u>	<u>2,952,025</u>		
Total income		<u>237,854,629</u>	<u>239,949,267</u>	<u>(2,094,638)</u>		
Expenses						
Recurrent expenses						
Employee benefits	6	(71,222,968)	(69,671,171)	(1,551,797)	2%	EBA increase of 1.80% effective from 1/10/16. Increase in capitalised employee expenses \$2.0M in 16/17 (thereby reducing operational employee benefits). The liabilities for employee leave accruals are fairly stable due to decreasing inflation and increasing bond rates, therefore reducing other employee related expenses in 16/17.
Materials and services	7	(49,805,063)	(46,781,431)	(3,023,632)	6%	16/17 includes a transfer from Capital WIP of \$4.8M for TC maintenance works. There is reduction in the parks provision of \$0.9M (reduction to expense). Loan interest decreased by \$0.4M due to decreasing loan balances and lower average weighted interest rate. Impairment of receivables has increased by \$2.6M, due to impairment of a large portion of historical Developer Contribution revenue recognised in 16/17.
Finance costs	8	(11,317,383)	(9,200,198)	(2,117,185)	23%	
Depreciation and amortisation	9	<u>(50,806,476)</u>	<u>(49,744,453)</u>	<u>(1,062,023)</u>	2%	Various increases / decreases across asset classes.
		<u>(183,151,890)</u>	<u>(175,397,253)</u>	<u>(7,754,637)</u>		
Capital expenses	10	<u>(9,642,327)</u>	<u>(25,055,363)</u>	<u>15,413,036</u>	-62%	Write off disposals from renewals reduced partly due to new capital expenditure and impact of restructuring road assets in 15/16. The 15/16 year also includes the write-off of assets previously recognised incorrectly \$5.6M, whereas in 16/17 these were adjusted to retained earnings.
Total expenses		<u>(192,794,217)</u>	<u>(200,452,616)</u>	<u>7,658,399</u>		
Net result attributable to Council		<u>45,060,412</u>	<u>39,496,651</u>	<u>10,610,424</u>		
Other comprehensive income						
Items that will not be reclassified to net result						
Increase in asset revaluation surplus	18	(135,803,565)	189,964,603	(325,768,168)	-171%	Roads reduced by \$130M largely due to changes to assumptions to RAVP unit rates; Stormwater revaluation decreased by \$27M; Building revaluation increased by \$21M.
Total other comprehensive income for the year		<u>(135,803,565)</u>	<u>189,964,603</u>	<u>(325,768,168)</u>		
Total comprehensive income for the year		<u>(90,743,153)</u>	<u>229,461,254</u>	<u>(315,157,744)</u>		

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

ROCKHAMPTON REGIONAL COUNCIL

Statement of Financial Position

As at 30 June 2017

	Note	2017 \$	2016 \$	Change	% Change
Current assets					
Cash and cash equivalents	11	26,930,803	31,538,004	(4,607,201)	Closing cash is \$17.4M more than forecast in the March Revised Budget. Operational cash inflows are \$12.1M ahead of budget, largely due to the operational result ahead of budget by \$7.7M. Investing cash outflows are \$5.4M less than budget - although the capital program was close to being fully expended, there were several large payments for capital projects accrued to 16/17, and paid in 17/18.
Investments	12	75,000,000	75,000,000	-	-4% Increase in Sundry Debtors \$2.2M (some large invoices issued in late June) and net Historical Developer Contributions \$1.3M (Receivable \$3.5M less Impairment of \$2.2M)
Trade and other receivables	13	18,435,432	14,681,641	3,753,791	26%
Inventories		1,723,224	1,830,573	(107,349)	-6%
		122,089,459	123,050,218	(960,759)	No significant variances within the various components of inventory.
Assets classified as held for sale and transfer		327,346	320,000	7,346	2%
Total current assets		122,416,805	123,370,218	(953,413)	No significant movement in assets held for sale / transfer.
Non-current assets					
Property, plant and equipment	14	2,303,966,218	2,406,033,847	(102,067,629)	-4%
Intangible assets		1,217,002	1,438,053	(221,051)	-15%
Total non-current assets		2,305,183,220	2,407,471,900	(102,288,680)	Revaluations Decrease \$135M (Roads RAVP change of estimates reduced by \$126M; Road stage 3 revaluation -\$3.8M, Stormwater -\$27M; Building increase \$21M); Capex \$92M, Depreciation \$50M
TOTAL ASSETS		2,427,600,025	2,530,842,118	(103,242,093)	Capital additions \$271K offset by amortisation \$492K
Current liabilities					
Payables	15	20,203,531	16,924,320	3,279,211	19%
Provisions	16	14,985,411	16,177,635	(1,192,224)	-7%
Borrowings	17	19,535,892	18,171,619	1,364,273	8%
Other liabilities		574,539	543,345	31,194	6%
		55,299,373	51,816,905	3,482,468	Increase in supplier accruals \$2.7M (mainly due to accrual of some large payments for capital projects) and increase in accrued wages \$0.4M due to the timing of pay periods over the end of financial year.
Non-current liabilities					
Provisions	16	6,644,096	8,931,404	(2,287,308)	-26%
Borrowings	17	123,684,882	135,860,501	(12,175,619)	-9%
Other liabilities		3,370,114	2,406,813	963,301	40%
Total non-current liabilities		133,699,092	147,198,718	(13,499,626)	Landfill Provision decreased by \$1.6M due to work performed \$1.1M and transfer to current \$0.4M. Parks remediation balance \$0.4M transferred to current.
TOTAL LIABILITIES		188,998,465	199,015,637	(10,017,172)	Transfer between non-current and current liabilities - a greater proportion of the total loan balance is payable in the next financial year as remaining loan terms decrease. Overall reduction in borrowings is \$10.8M.
NET COMMUNITY ASSETS		2,238,601,560	2,331,826,481	(93,224,921)	Various movements in Developer's Contributions - add new contributions received, less amounts transferred to revenue when obligations have been met.
Community equity					
Retained surplus		1,379,395,989	1,336,817,345	42,578,644	3%
Asset revaluation surplus	19	859,205,571	995,009,136	(135,803,565)	-14%
TOTAL COMMUNITY EQUITY		2,238,601,560	2,331,826,481	(93,224,921)	Roads reduced by \$130M largely due to changes to assumptions to RAVP unit rates; Stormwater revaluation decreased by \$27M; Building revaluation increased by \$21M.

The above statement should be read in conjunction with the accompanying notes and Significant Accounting Policies.

11.7 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 AUGUST 2017

File No: 8148
Attachments: 1. Income Statement- August 2017
2. Key Indicator Graphs- August 2017
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Alicia Cutler - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 August 2017.

OFFICER'S RECOMMENDATION

THAT the Rockhampton Regional Council Summary Budget Management Report for the Period ended 31 August 2017 be 'received'.

COMMENTARY

The attached financial report and graphs have been compiled from information within Council's Finance One system. The reports presented are as follows:

1. Income Statement (Actuals and Budget for the period 1st August 2017 to 31 August 2017), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position after the first two months of the 2017/18 financial year. After the second month results should be approximately 16.7% of the adopted budget. All percentages for operational revenue and operational expenditure are measured against the adopted budget.

The percentages reported for capital revenue and capital expenditure are measured against the adopted budget with carryovers i.e. including carry-over capital budgets from 2016/17. The net carry over Capital budget impact is a surplus of \$2.3M, comprising carry over revenue budgets totalling \$3.9M less carry over expenditure budgets totalling \$1.6M.

The following commentary is provided in relation to the Income Statement:

Total Operating Revenue is reported at 34% of adopted budget. Key components of this result are:

- Net Rates and Utility Charges are at 41% of budget. Council's rates and utility charges for the first six months ending 31 December 2017 of the financial year have been raised and were due on 30 August 2017.
- All other revenue items are in proximity to the adopted budget. To date 16% of all other revenue budgeted to be received has been collected.

Total Operating Expenditure is at 22% of the adopted budget with committals, or 18% of budget without committals. Key components of this result are:

- Contractors & Consultants and Materials & Plant are both ahead of budget due to committals as both areas are at 12% of adopted budget when committals aren't included. In both areas a number of annual committals have been raised for services and supply of materials.
 - Asset Operational is ahead of the adopted budget at 38% including committals or 29% without committals as a number of annual insurance premiums have been paid.
 - Administrative Expenses are at 43% of adopted budget with committals or 23% without committals as some annual licences have been paid.
 - All other expense items are in proximity to the adopted budget.
-

The following commentary is provided in relation to capital income and expenditure, as well as investments and loans:

Total Capital Income is at 4% of budget. Grants and subsidies comprise 90% of all capital revenue budgeted to be received in 2017/18 and the majority of grants and subsidies are tied to performance obligations. As Council completes capital works and meets project milestones, grant funding will be claimed.

Total Capital Expenditure is at 13% of the budget without committals. This represents an actual spend of \$15.7M for the first two months of the financial year. To achieve the capital program of \$119.6M in 2017/18 an average monthly spent of \$10M is required. A large portion of capital projects are underway with \$54.0M of committals raised.

Total Investments are approximately \$125.9M as at 31 August 2017.

Total Loans are \$144.5M as at 31 August 2017.

CONCLUSION

At this early stage of the financial year, few financial trends have emerged. Operational Income is well ahead of budget due to the levying of the General Rates and Utility Charges for the six months ending 31 December 2017. Operational expenditure is on budget after the first two months of the financial year with a number of annual payments already being made and committals for future expenditure being raised.

The capital program saw \$15.7M spent during the first two months of the financial year. It is anticipated that capital expenditure will continue to gain momentum over the coming months with the ongoing roll out of the capital works program for 2017/18.

SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 AUGUST 2017

Income Statement- August 2017

Meeting Date: 26 September 2017

Attachment No: 1



Income Statement
For Period July 2017 to August 2017
16.7% of Year Gone

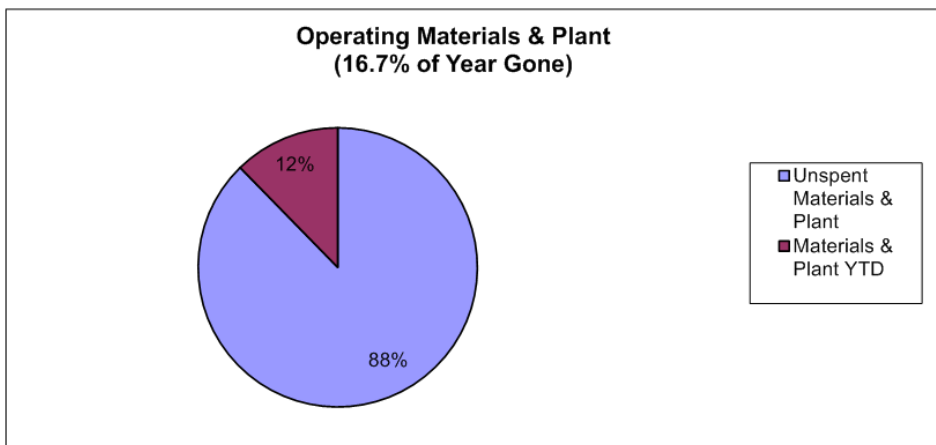
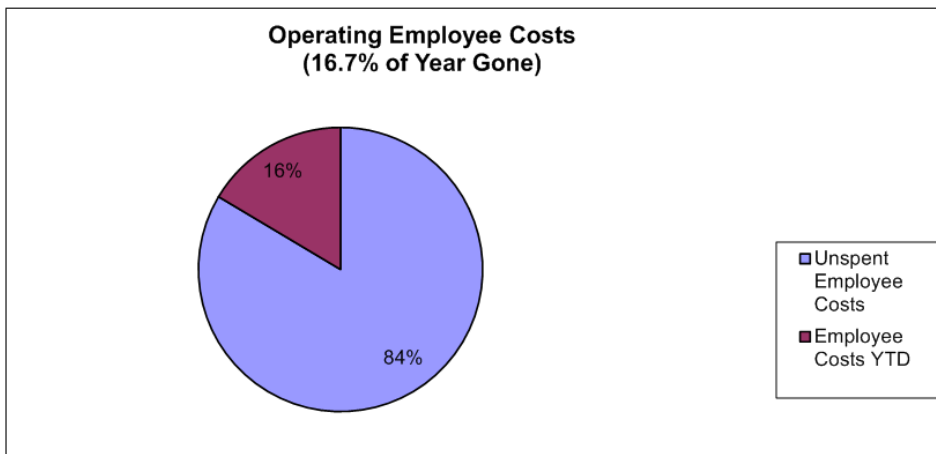
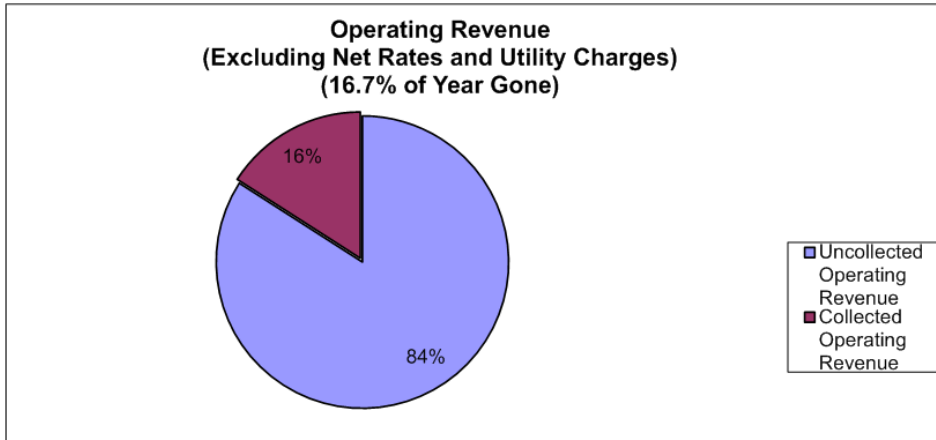
	Adopted Budget	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Adopted Budget	
	\$	\$	\$	\$		
OPERATING						
Revenues						
Net rates and utility charges	(138,867,139)	(57,486,749)	0	(57,486,749)	41%	
Fees and Charges	(24,433,952)	(3,919,517)	0	(3,919,517)	16%	
Private and recoverable works	(6,859,879)	(661,884)	(49)	(661,733)	10%	
Rent/Lease Revenue	(3,029,760)	(375,451)	0	(375,451)	12%	
Grants Subsidies & Contributions	(11,345,807)	(2,034,562)	0	(2,034,562)	18%	
Interest revenue	(2,290,920)	(421,590)	0	(421,590)	18%	
Other Income	(4,084,728)	(878,768)	0	(878,768)	22%	
Total Revenues	(190,912,185)	(65,778,320)	(49)	(65,778,369)	34%	
Expenses						
Employee costs	75,800,127	12,462,412	170,494	12,632,906	17%	
Contractors & Consultants	17,266,762	2,060,933	3,498,685	5,559,618	32%	
Materials & Plant	11,369,796	1,401,562	1,570,153	2,971,716	26%	
Asset Operational	19,083,885	5,451,821	1,864,812	7,316,633	38%	
Administrative expenses	12,932,949	2,948,975	2,583,060	5,532,035	43%	
Depreciation	52,868,882	8,811,480	0	8,811,480	17%	
Finance costs	7,942,283	1,371,437	0	1,371,437	17%	
Other Expenses	1,138,777	307,407	6,851	314,258	28%	
Total Expenses	198,403,461	34,816,028	9,694,056	44,510,084	22%	
Transfer / Overhead Allocation						
Transfer / Overhead Allocation	(8,004,600)	(1,868,623)	4,149	(1,864,474)	23%	
Total Transfer / Overhead Allocation	(8,004,600)	(1,868,623)	4,149	(1,864,474)	23%	
TOTAL OPERATING POSITION (SURPLUS)/DEFICIT	(513,324)	(32,830,915)	9,698,156	(23,132,759)	4506%	
CAPITAL						
	Adopted Budget	August Revised (inc Carry Forward)	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Revised Budget
Total Developers Contributions Received	(2,554,854)	(2,554,854)	(14,029)	0	(14,029)	1%
Total Capital Grants and Subsidies Received	(29,900,183)	(33,831,972)	(1,374,225)	0	(1,374,225)	4%
Total Proceeds from Sale of Assets	(1,000,000)	(1,000,000)	0	0	0	0%
Total Capital Income	(33,455,037)	(37,386,826)	(1,388,254)	0	(1,388,254)	4%
Total Capital Expenditure	118,039,150	119,623,635	15,721,324	53,963,903	69,685,227	58%
Net Capital Position	84,584,113	82,236,809	14,333,069	53,963,903	68,296,972	83%
TOTAL INVESTMENTS			125,891,209			
TOTAL BORROWINGS			144,538,806			

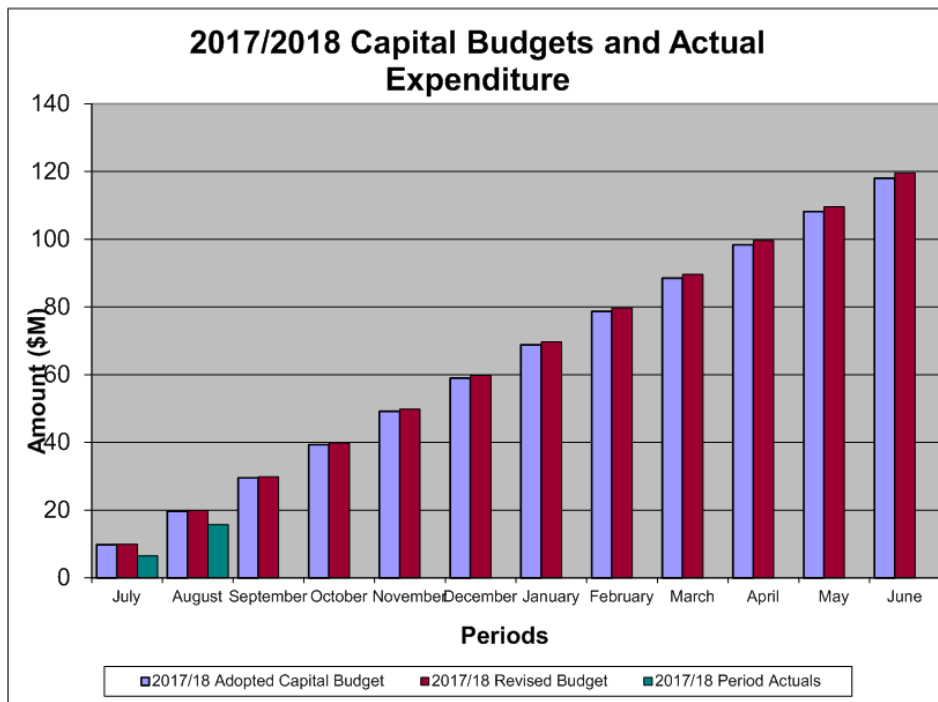
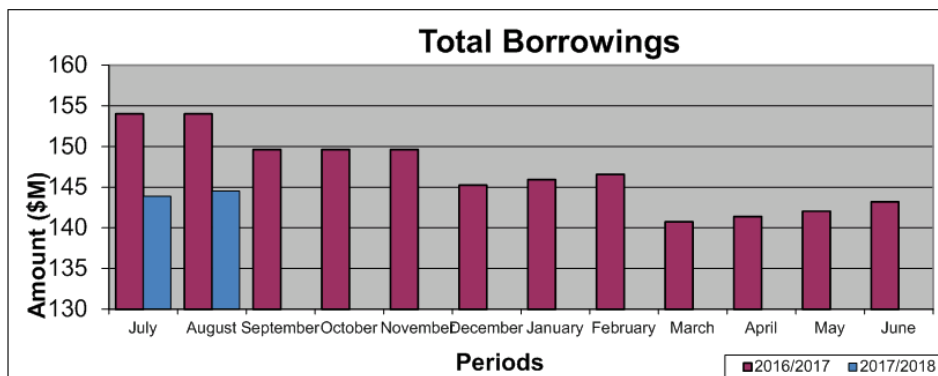
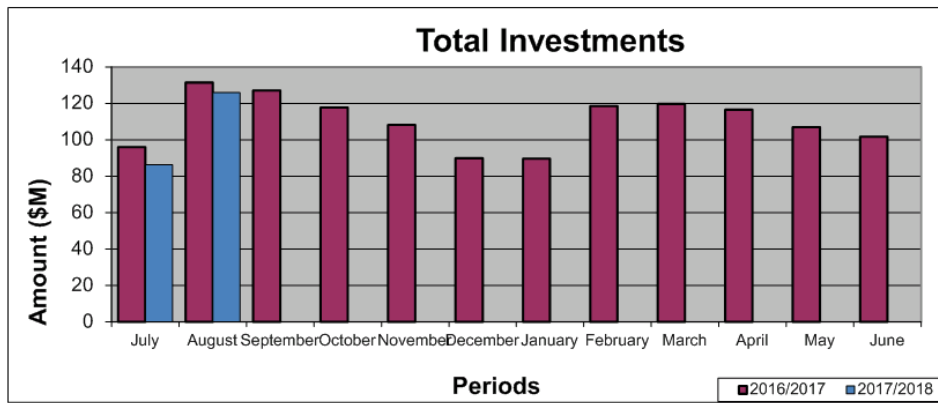
SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 AUGUST 2017

Key Indicator Graphs- August 2017

Meeting Date: 26 September 2017

Attachment No: 2





**11.8 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT
AUGUST 2017****File No:** 1392**Attachments:**

1. CTS Monthly Report - August 2017
2. Workforce & Strategy Monthly Report - August 2017
3. Finance Monthly Report - August 2017

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The monthly operations report for the Corporate Services department as at 31 August 2017 is presented for Councillor's information.

OFFICER'S RECOMMENDATION

THAT the Corporate Services Departmental Operations Report as at 31 August 2017 be "received".

COMMENTARY

It is recommended that the monthly operations report for Corporate Services Department as at 31 August 2017 be received.

**CORPORATE SERVICES
DEPARTMENT - MONTHLY
OPERATIONAL REPORT AUGUST 2017**

CTS Monthly Report - August 2017

Meeting Date: 26 September 2017

Attachment No: 1



Monthly Operations Report

Corporate and Technology Services

August 2017

1. Highlights

Smart Hub Events

Chief Entrepreneur and HotDesQ Events (Rockhampton/Yeppoon) - 17 and 18 August 2017

This series of three events over two days organised in collaboration with the Advance QLD HotDesQ team, Office of the Chief Entrepreneur, Startup Capricorn, CQUniversity and Livingstone Shire Council attracted more than 200 attendees, with more than 130 attendees at the Lunch & Learn forum.

The main events were:

1. Startup Capricorn Meetup was at Callaghan Park on Thursday 17 August (5.30pm to 7pm). Special guest presenter was Mark Sowerby, Chief Entrepreneur. This was a free event, organised by Startup Capricorn, and supported by RRC and Office of the Chief Entrepreneur.
2. Breakfast in Yeppoon, Friday 18 August. Keppel Coast Sailing Club. Organised by LSC and Capricorn Chamber of Commerce (supported by Office of the Chief Entrepreneur).
3. HotDesQ – Hot Entrepreneurs – Lunch & Learn. Friday 18 August, Headricks Lane (upstairs) 11.30am to 2pm. Panel style presentation with the HotDesQ Rd 1 Hot Entrepreneurs. This was a free event organised by RRC and HotDesQ, with special guest entrepreneurs from Texas (USA), Philippines and Victoria.

Pop-Up Entrepreneur – Lunch and Announcement of New Chief Entrepreneur – Steve Baxter

Council Smart Hub representatives were asked with three days' notice to assist with coordinating a media op to announce the new Chief Entrepreneur and to stage a Pop-Up Entrepreneur networking lunch with Steve Baxter as special guest. The Smart Hub also hosted a Q & A session with The Advance Queensland Expert Panel which is an advisory body comprised of successful leaders across business, academic, research and education who provide independent advice to government on the implementation of the Advance Queensland initiative. Representatives from the startups in the Smart Hub, Rockhampton Regional Council, Startup Capricorn, Livingstone Shire Council, Capricorn Chamber of Commerce and Regional Development Australia were invited to attend.

The purpose of this meeting was to

- discuss how Rockhampton can continue to develop its startup ecosystem.
- gain insights from the panel's areas of expertise
- understand their work in guiding the implementation of Advance Queensland

2. Innovations, Improvements and Variations

ITS Project Updates

During August work commenced on the installation of parking sensors in the CBD area including, Quay St. 396 of 524 in-ground sensors have been installed along with 32 of 72 relays. The remaining 128 sensors and relays will be installed upon completion of the reseal and line marking of the relevant sections in Bolsover Street. The backend software has been installed. Some technical issues have been experienced and they are being resolved by the vendor. The training of key staff from Local Laws and IT Services on how to use the system has been completed. The free “PayStay” app will be brought online once the system has been fully commissioned and tested over the coming months.

3. Customer Service Requests

(Operational Plan Ref: 4.1.1.1 Provide timely and accurate responses to requests)

Response times for completing customer requests in this reporting period for August:

	Balance B/F	Completed in Current Mth	Current Month NEW Request		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Accounts Payable Enquiry	0	0	0	0	0	0	2	● 0.00	● 4.00	● 2.50	0.80
Bookings Enquiry	0	0	1	1	0	0	5	● 0.00	● 2.89	● 2.77	0.44
Insurance: Mower / Slasher / Whipper / Snipper	1	1	1	0	0	1	90	● 0.00	● 12.60	● 10.19	9.85
Insurance: Personal Accident / Injury	2	2	3	0	0	3	120	● 0.00	● 10.80	● 51.05	45.04
Insurance: Public Liability / Property Damage Public Property	1	1	1	0	0	1	90	● 0.00	● 6.33	● 10.91	16.03
Leased Premises - General Enquiry	0	0	1	0	0	1	5	● 0.00	● 1.50	● 1.17	1.43
Rates Searches	14	14	106	91	15	0	4	● 2.99	● 3.01	● 2.16	2.04

4. Service Delivery

(Operational Plan Ref: 4.1.1.2 Provide effective delivery of Council services)

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
IT support services provided within service levels outlined in the IT Service Catalogue.	95%	92%	Operational
Ensure availability of system up-time during core business hours (excluding planned outages).	99%	100%	Operational
Maintain the ratio of customer queries satisfied by Customer Service Officers, without referral to departments.	80%	92%	Operational
Customer Service Call Centre answering 75% of incoming calls within 45 seconds.	75%	77%	Adopted
Process records on the day of receipt as per Recordkeeping Charter.	95%	100%	Operational
Ensure supplier payments are made within stated trading terms.	90%	89%	Operational
Ensure top 100 suppliers by dollar value under formal purchasing agreements (contracts).	90%	92%	Operational
Maximise Council property occupancy rates.	98%	100%	Operational
Ensure tenanted properties in any month, have current lease agreements and public liability insurance.	80%	90%	Operational
Process insurance claims within procedural timeframes.	100%	100%	Operational

5. Compliance

(Operational Plan Ref: 5.2.1.1 Comply with legislative requirements)

Legislative Compliance	Legislative Reference	Compliance %
Process Right to Information/Information Privacy (RTI/IP) applications within legislative timeframes (Op Plan Ref - 5.2.1.7.)	RTI Act (2009) IP Act (2009)	100%
Manage centralised tendering and contracting functions in accordance with legislative requirements and Council policy.	LG Reg (2012) Pt 3 & 4	100%
Ensure staff purchasing activity is compliant with legislation and policy.	LG Reg (2012) Pt 3 & 4	100%

Safety Statistics

The safety statistics for the reporting period are:

	First Quarter		
	July	Aug	Sep
Number of Lost Time Injuries	0	0	0
Number of Days Lost Due to Injury	0	0	0
Total Number of Incidents Reported	0	0	0
Number of Incomplete Hazard Inspections	0	0	0

Risk Management Summary

Section Risk Register (excludes risks accepted/ALARP)

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
Operational degradation or failure of Council's Two-way radio communications system resulting in failed regional communications for daily operations and emergency disaster management.	High	Commence planning and implement a replacement RRC regional two-way radio communications system. Two stage plan- 1. Replace the Rockhampton City Two-way system. 2. Integrated regional solution taking in the Gracemere infrastructure.	(1) Jun 16 (2) Jun 18	100% 65%	Contract awarded to a local company – Beaney's Communications Stage 1 completed. Stage 2 delayed for land tenure issues with Mt Pinnacle communications tower.

6. Operational Plan Targets by Section

The following Operational Plan actions and targets are required to be reported to Council on a monthly basis. This data will also form part of the Operational Plan quarterly report to Council:

Operational Plan Ref	Action	Target	Status
2.2.4.1	Council purchases are in line with the Local Preference Policy guiding tender/quote evaluations.	Annual local goods/services spend analysis $\geq 70\%$ local.	Annual review due November 2017 Review period 1 Nov 16 to 31 Oct 17.
2.4.1.1	Implement Council's Smart Way Forward Strategy Action Plan	Complete installation of smart technology (lighting, CCTV, parking, digital banners and free public wi-fi) by 31 May 2018	Stages 1 a, b, f & g completed Stages 1 c & d under construction Stage 2 – under construction Stage 3 a – contract awarded and technology ordered Stage 3 b, c & d – detailed design in progress.
2.5.5.1	Design and fitout the Customs House Smart Hub	Construction completed and Smart Hub opened by late Dec 17.	Design completed Tenders closed 28 Jul 17 – six submissions. Awarded to JM Kelly. Work commencing Sep 25.
2.5.5.2	Implement the annual Smart Hub Operational Plan	Facilitate three smart hub programs: 1. Learn to Earn, Connect and Grow 2. Startup Club 3. Startup Stars	Startup programs progressing on schedule. Startup Club # 1 – final pitch mid-Aug Startup Club # 2 – commences Sep. Startup Stars – commenced Jul, end date Dec 17.
4.3.1.1	Implement ICT Strategic Plan 2015/20, including the eServices Strategy and IT Mobility	Achievement of 2017 - 18 targets as detailed in the ICT Strategic Plan	Strategy actions implementation progressing as scheduled.

7. Capital Projects

As at period ended **August**– 16.6% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Adopted Budget	YTD actual (incl committals)
CORPORATE & TECHNOLOGY CAPITAL WORKS PROGRAM					
Fleet Asset Renewal Program (CP440)	1 Jul 17	30 Jun 18	Asset renewal program progressing on schedule	\$6,682,000	\$3,928,504
IT Asset Renewal & Upgrade Program (CP230)	1 Jul 17	30 Jun 18	IT Asset capital program progressing as directed by ISSG	\$1,250,000	\$103,435
Smart Hub – Customs House – Fitout (CP235)	Jan 17	Dec 17	Work scheduled to commence mid-Sep 17.	\$508,000	\$4,683
Contract award on schedule for mid-August, with work expected to commence late August/early September. BOR funding grant = \$250K					
CBD & Riverfront Smart Technology (CP235)	Dec 16	Jun 18	Stage 1B completed Stage 1 C&D – work in progress Stage 2 (lower bank) – work in progress Stage 3A (East St – Fitzroy to William St) – contract awarded Stages 3 B, C & D – detailed design in progress	\$4,235,000	\$1,855,762
BOR funding grant = \$2.02M					

8. Operational Projects

As at period ended **August** – **16.6%** of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Startup Club programs (1 and 2)	Jun 17	Nov 17	First Startup Club program cohort on schedule for completion mid-Aug 17 (\$15,325 Federal grant funding).	\$30,650	\$15,000
Startup Stars	Jul 17	Dec 17	Program commenced in July, with Seven startup teams (\$17,237 Advance QLD grant funding).	\$34,474	\$17,534

9. Budget

Financial performance as expected for the reporting period

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$	Var %	On target 8.3% of Year Gone
CORPORATE AND TECHNOLOGY							
<i><u>Fleet</u></i>							
Revenues	(263,000)	0	0	(64,856)	(64,856)	25%	✓
Expenses	11,703,938	0	847,425	2,576,708	3,424,133	29%	✗
Transfer / Overhead Allocation	(17,419,500)	0	0	(3,306,871)	(3,306,871)	19%	✓
Total	(5,978,562)	0	847,425	(795,019)	52,406	-1%	✗
<i><u>Property & Insurance</u></i>							
Revenues	(421,782)	0	0	34,811	34,811	-8%	✗
Expenses	3,129,686	0	29,681	2,182,335	2,212,016	71%	✗
Transfer / Overhead Allocation	9,000	0	0	1,034	1,034	11%	✓
Total	2,716,904	0	29,681	2,218,180	2,247,861	83%	✗
<i><u>Corporate & Technology Management</u></i>							
Expenses	913,341	0	19,590	103,314	122,904	13%	✓
Transfer / Overhead Allocation	0	0	0	277	277	0%	✗
Total	913,341	0	19,590	103,592	123,181	13%	✓
<i><u>Information Systems</u></i>							
Revenues	(25,000)	0	0	(2,682)	(2,682)	11%	✗
Expenses	6,831,822	0	256,739	2,229,101	2,485,840	36%	✗
Transfer / Overhead Allocation	19,399	0	0	2,230	2,230	11%	✓
Total	6,826,221	0	256,739	2,228,649	2,485,388	36%	✗
<i><u>Procurement & Logistics</u></i>							
Expenses	1,781,875	0	46,711	312,906	359,617	20%	✗
Transfer / Overhead Allocation	(14,244)	0	0	(10,209)	(10,209)	72%	✓
Total	1,767,631	0	46,711	302,697	349,409	20%	✗
<i><u>Customer Service</u></i>							
Revenues	(201,000)	0	0	(25,945)	(25,945)	13%	✗
Expenses	1,680,435	0	584	309,289	309,873	18%	✗
Total	1,479,435	0	584	283,344	283,928	19%	✗
<i><u>Smart Regional Centre</u></i>							
Revenues	(18,000)	0	0	(455)	(455)	3%	✗
Expenses	315,856	0	16,049	46,417	62,466	20%	✗
Total	297,856	0	16,049	45,962	62,011	21%	✗
Total Section:	8,022,826	0	1,216,779	4,387,405	5,604,185	70%	✗

10. Section Statistics

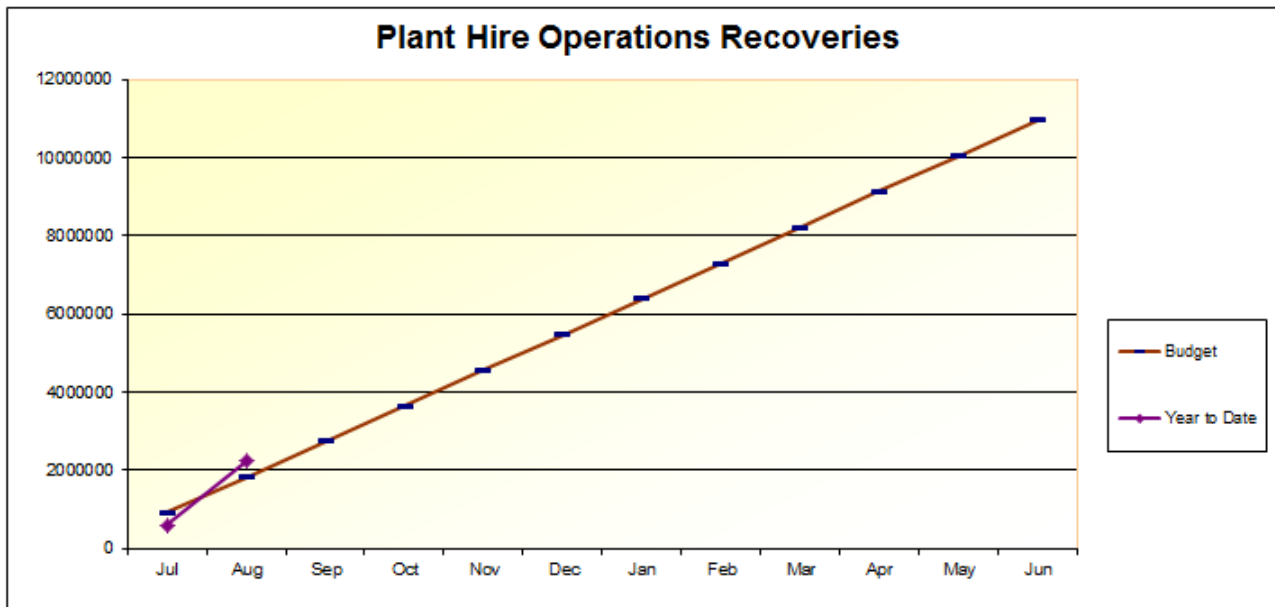
The following programs and activities were undertaken during this month:

Program/Activity	Date(s) Held	Visitor/Participation Numbers	Comments
GOVHACK 2017	28 to 29 July 2017	24 participants 3 teams submitted entries for judging in the QLD cohort of entries.	International event staged in the temp Smart Hub (212 Quay) GovHack 2017 was run in partnership with Startup Capricorn, CQUni, RRC and LSC.

11. Whole of Council Statistics

Fleet Services

Ensure internal plant hire operations deliver budgeted net surplus.



Plant Hire Operations Budget (Surplus)	\$ 10,947,538
Year to Date (Surplus)	\$ 2,240,812

Procurement & LogisticsContracts Awarded for August – **13**

TEN12555 - S & I New Pumps for GLLWPS - Dowdens Group Pty Ltd - \$552,053
TEN12640 - Chemical Analysis for Potable Water, Raw Water and Treated Effluent - Enviro-Check Enterprises Pty Ltd - SOR
TEN12641 - Microbiological Analysis for Potable Water, Raw Water and Treated Effluent - Ecoscope Environmental Pty Ltd - SOR
QUO12653 - Design and Construction of Gateway Entry Structures - Skope Group Pty Ltd - \$139,744
TEN12656 - Supply of Stationery - Davnic Holdings T/A Sisleys Office Choice - SOR
TEN12658 - D&C Replacement Electrical Switchboards at Sewerage Pump Stations - Intalect Pty Ltd - Package 1 \$230,030, Rocky Industrial Controls - Package 2 - \$165,128
TEN12665 - Supply of Internal Corporate Uniform - The Workwear Group Pty Ltd - SOR
QUO12714 - Removal of Contaminated Stockpile - Frenchville Road - JAL Concrete Works Pty Ltd - \$10,450
QUO12726 - Replacement of Switchboard Enclosures at Showgrounds - S & A Reed Investments Pty Ltd T/A Rocky Industrial Controls - \$58,460
QUO12735 - Construct Amenity Block at Boyd Park Mt Morgan - Warner Building Group Pty Ltd - \$103,664
QUO17236 - Archer Park Rail Museum Roof Replacement -Justin Roth Plumbing Pty Ltd - \$263,780
QUO12741 - Painting of Archer Park Railway Station - Swadling International Industrial Coatings Pty Ltd - \$159,495

Tenders / quotes in progress: **28**

Customer Requests Completed Monthly & Top 5 Customer Requests

	September	October	November	December	January	February	March	April	May	June	July	August
Requests Logged	3429	3163	3011	2565	3241	3235	3912	2884	2742	3521	3429	3907
Same month Completed	2903	2604	2449	1839	2525	2564	2929	2180	2914	2870	2671	3112
% completed same month	84%	82%	81%	71%	77%	79%	75%	75%	77%	81%	77%	79%
Completed Total for Month	4029	3169	3041	2383	2973	3121	3379	2194	3742	3656	3417	3848
Total Pending	1572	1607	1195	1419	1704	1844	2331	2107	2158	1992		1778
Top 5 Requests for Month	An/Dogr P/Gen W/Leak D/Plan M/Mtce	An/Dog T/Trim Bin RRC W/Leak D/Plan	An/Dog W/Leak D/Plan P/Gen W/Ani	W/Leak An/Dogr T/Trim W/Animal D/Plan	W/Leak An/Dogr P/Gen T/Trim W/Animal	W/Leak D/Plan T/Trim An/Dogr P/Gen	T/Trim W/Leak S/Blockage Bin RRC Misc Road	W/Leak P/Gen Misc Road O/Grown An/Dog	P/Gen Food Eng W/Leak An/Dogr W/Animal	Food Eng W/Leak An/Dogr Wan Ani PK Gen	An/Dog Food Eng W/Animal W/Leak P/Gen	AN/Dog W/Animal P/Gen W/Leak M/Maint

Total uncompleted customer requests up to 3 months old:	1374
Total uncompleted customer requests between 3 to 6 months old:	280
Total uncompleted customer requests greater than 6 months old:	349

Conquest Work Order & Investigation Long Term up to 3 months	524
Conquest Work Order & Investigation Long Term between 3 to 6 months old:	236
Conquest Work Order & Investigation Long Term greater than 6 months old:	133

Request Completed: Requested task or action has been completed (not just work order raised), or complaint has been investigated, action taken and correspondence finalised.

Conquest Work Order: A Work Order has been raised for maintenance, repair or future planned action.

Investigation Long Term: Requested task, action or complaint assigned to internal or external investigation, may include, but not limited to: Insurance, Planning, Legal, Civil or Domestic matter

Key:	T/Trim - Tree Trimming	Pk Gen - Parks General Request	An/Dogr - Dog Registration Enquiry
	M/Maint - Meter Maintenance	Food Eng - Food Enquiry	W/Leak - Water Leak
	Bin RRC - Replace Bin RRC	D/Plan - Duty Planner (New Eng)	S/Blockage - Reactive Sewerage Block

**CORPORATE SERVICES DEPARTMENT -
MONTHLY OPERATIONAL REPORT AUGUST
2017**

**Workforce & Strategy Monthly Report - August
2017**

Meeting Date: 26 September 2017

Attachment No: 2



Monthly Operations Report

Workforce and Strategy Section

Period Ended August 2017

1. Highlights

A Pulse Survey was provided to all Council staff for completion in May. 576 surveys were completed giving an overall completion percentage of approximately 66%

The results below were considered by Leadership team on 28 July and a summary follows:

Self-Awareness

- 93% of all staff are aware of the Values
- 94% of all staff understand the Values
- 93% are committed to culture and Values
- 89% are working towards aligning behaviour

Organisationally

- 61% agree that we are improving the culture
- 82% have participated in a culture activity

Awareness of others

- 58% have observed leaders aligning their behaviour
- 57% have observed others aligning their behaviour

The following actions were endorsed

- All employees to undertake awareness sessions on the culture journey facilitated by our Culture Champions.
- Introduction of Our Plan in 2018 to allow external teams to discuss objectives and behaviours aligned to Values.
- CEO/GMs/Managers to visit three toolbox talks/meetings in another area each year - called 'Val-You' interactions.
- Continued reinforcement of Accountability.
- CEO and GMs to provide information each month to be communicated at toolbox talks/meetings.
- CEO message presentation will be played at toolbox talks and meetings throughout the year.
- Staff will be invited to comment on what the Values mean to them. This will then be communicated across Council.
- Next CEO forum will be on leadership and communication.
- Units will be encouraged to combine leadership levels at meetings e.g. Coordinators and Supervisors attend the one meeting to reduce meetings and improve communication.
- Continuation of bureaucracy breakthroughs.

- Cultural Leadership program will continue through 2017.
- Investigate feasibility of LED signs at depots to display corporate and cultural messages.
- Look into restarting computer pops up messages to communicate corporate and cultural messages as well as highlighting any special occasions/events

2. Innovations, Improvements and Variations

(Operational Plan Ref:

5.3.2.1 Identify at least one operational saving per section of responsibility

5.4.26. Identify at least two improved processes per section of responsibility)

Operational Savings	Action
Workforce & Strategy Directorate	
Human Resources & Payroll	
Safety & Training	
Industrial Relations & Investigations	
Corporate Improvement & Strategy	
The cost of the documentation design being outsourced	Council's Corporate and Operational Plans were designed in-house.
Improved Process	Action
Workforce & Strategy Directorate	
Communications Committee	Establishment of committee to identify and implement initiatives to improve communication across all of Council
Workforce and Strategy Administration	Improvements made to recordkeeping processes, reducing paperwork and filing requirements for W&S and records.
Human Resources & Payroll	
MYPlan Performance Review	MYPlan implemented for 17/18 year to replace current Performance Review Form. Focus of new form is to encourage regular conversations; discuss value based behaviours and encourage professional and personal development.
Safety & Training	
Industrial Relations & Investigations	

Corporate Improvement & Strategy

Corporate Delegations

Human Resource Delegations Policy replaced Corporate Delegation Bands with delegation levels now included in relevant policy document/s.

3. Customer Service Requests

(Operational Plan Ref: 4.1.1.1 Provide timely and accurate response to requests)

Response times for completing customer requests in this reporting period for August are within the set timeframes.

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Administrative Action Complaints	0	0	0	0	0	0	36	● 0.00	● 0.00	● 0.00	0.00
W&S - Complaints Management Process (NOT CSO USE)	12	12	8	5	3	0	30	● 2.80	● 12.25	● 10.71	8.94

COMMENTS

Matters are being addressed within the set timeframes.

4. Service Delivery

(Operational Plan Ref: 4.1.1.2 Provide effective delivery of Council Services)

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Corporate Improvement and Strategy			
Policies reviewed within 10 working days	100%	100%	Operational
Industrial Relations and Investigations			
Assess and initiate action of corrupt conduct matters, public interest disclosures and administrative action complaints within 3 business days upon receipt of a complaint.	100%	100%	Operational
Human Resources and Payroll			
Employee pays processed and paid within 3 working days after the period end date	100%	100%	Operational
Payroll accuracy	100%	99.69%	Operational
Acknowledge job applications within 2 working days of the advertising close date. (as per policy/procedure)	100%	100%	Operational
	July 2017	Aug 2017	YTD
Number of job applications processed for current reporting period	200	164	364
Number of positions advertised for current reporting period	18	29	47

5. Legislative Compliance and Standards (including Risk and Safety)

(Operational Plan Ref: 5.2.1.1 Comply with legislative requirements)

Legislative Compliance and Standards

Legislative Compliance Matter	Due Date	% Completed	Comments
Corporate Reporting			
2016/17 Operational Plan report as at 30 June 2017	August 2017	100%	The annual (Quarter 4) assessment as at 30 June 2017 was presented at the Ordinary Council meeting in August 2017.
2017/18 Operational Plan quarterly	October	0%	The report template has now

Legislative Compliance Matter	Due Date	% Completed	Comments
status report	2017		been finalised. The 1 st quarter report as at 30 September 2017 will be presented at the Ordinary Council meeting in October 2017.
2018/19 Operational Plan	30 June 2018	0%	Plan to be prepared and adopted with the 2018/19 budget. Planning to commence late January 2018.
Safety			
Update of Workplace Health & Safety documents to meet the new legislative requirements		Ongoing	Updates to documents are ongoing in accordance with legislative changes.
Report breaches of the Workplace Health & Safety Act and Regulation as necessary to the division within specified legislative timeframes	Immediately after becoming aware that a notifiable incident has occurred	100%	Council has been compliant for the current reporting period.
Workplace Health and Safety Audit (WHSQ External Audit)	2017	75%	All required documentation has been submitted for the Workplace Health and Safety Queensland Audit. Site attendance and inspection by Auditor scheduled for 11-13 October 2017.
WHS Infringement Notices issued to Council are remedied within required timeframes	As per notice	100%	

Risk Management Summary (excludes risks accepted/ALARP):

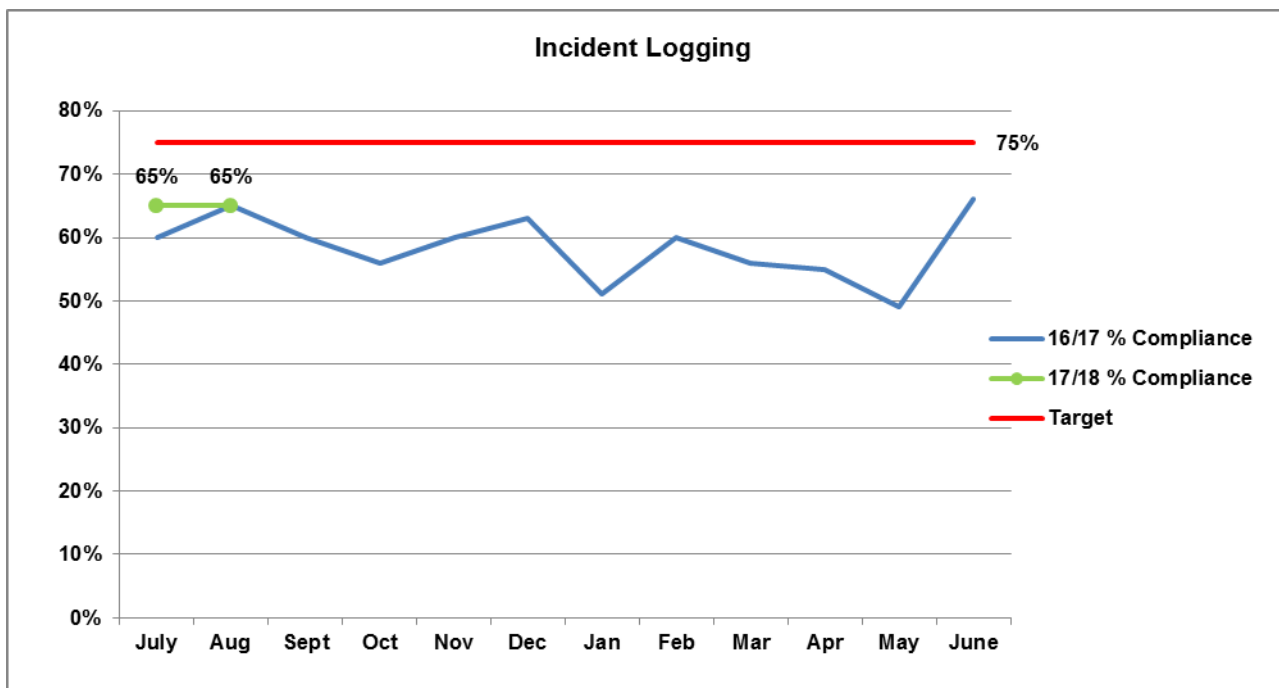
Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Comp	Comments
Corporate Risks					

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Comp	Comments
<p>A legislatively compliant SafePlan is not implemented, monitored and reviewed effectively, for the whole of council, its workers and contractors, to achieve the acceptable compliance level with annual WH&S audits resulting in: increased worker injuries, legislative breaches/legal action, reputational damage, reduced service levels, increased costs and non-compliance with a key council objective.</p>	<p>Low</p>	<p>Work continues to rectify the actions from the 2016 Safety Audit.</p> <p>Rectifications resulting from the Workplace Health & Safety system audit will be addressed and assessed in the annual internal audit of the Workplace Health & Safety system.</p>	<p>Recommendations due for completion by April 2018</p>	<p>82%</p>	<p>53 recommendations from the 2016 LGW Audit.</p> <p>26 are complete, 18 are in progress, 9 have not yet commenced.</p>

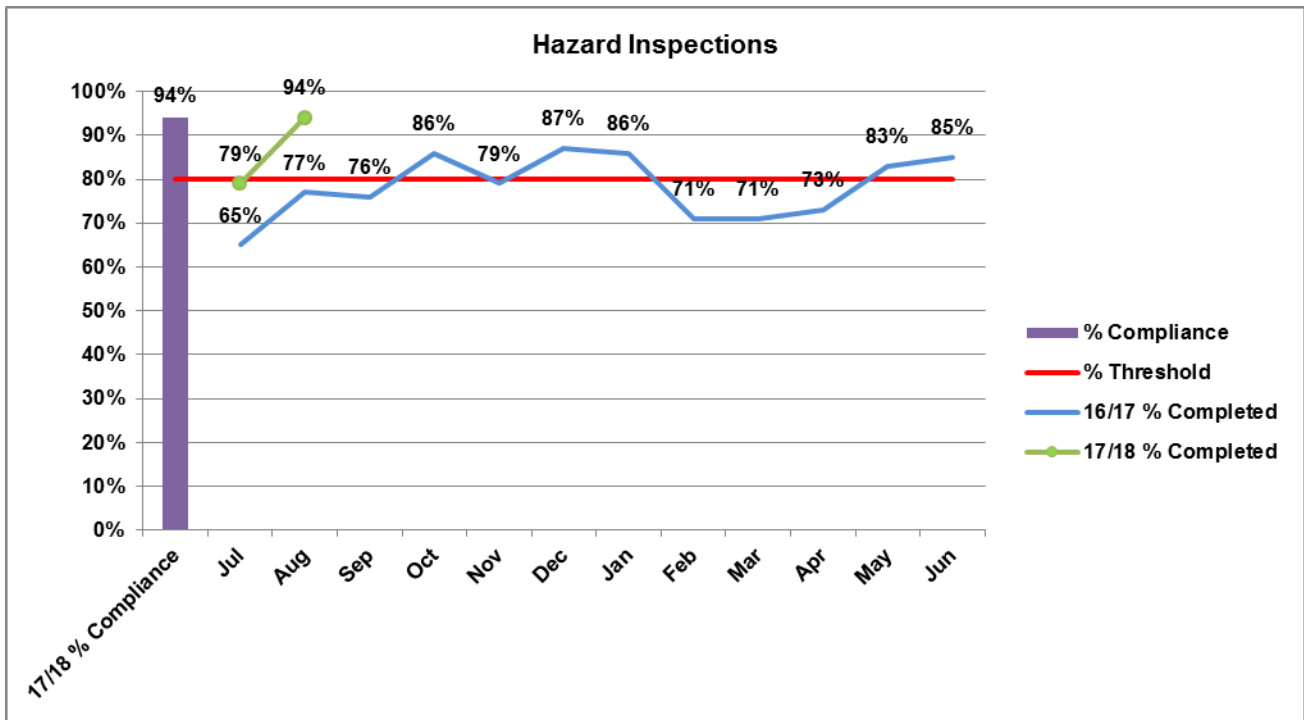
6. Operational Plan Targets by Section

The following Operational Plan actions and targets are required to be reported to Council on a monthly basis. This data will also form part of the Operational Plan quarterly report to Council:

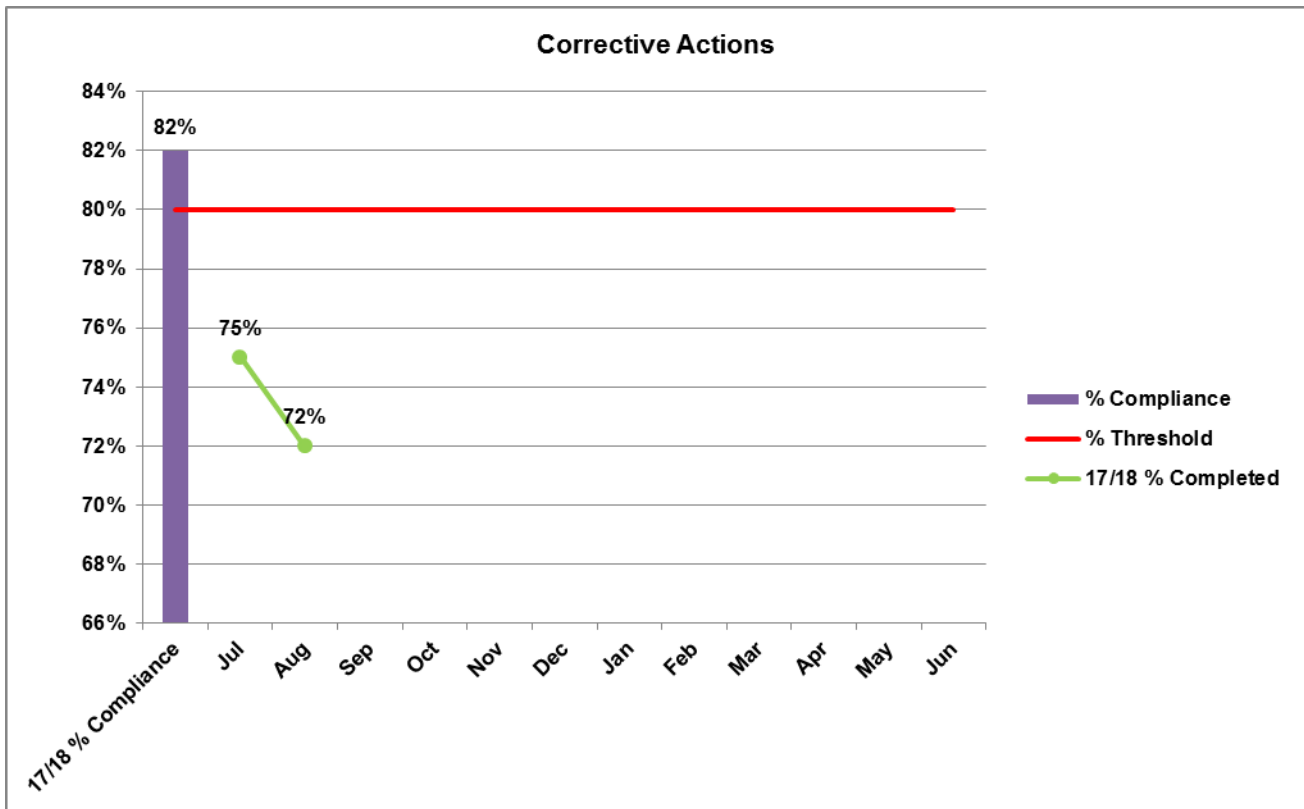
Operational Plan Ref	Action	Target	Status
1.3.4.1	Provide a safety management system that minimises the risk to all people and property	Achievement of KPIs in accordance with the Workplace Health & Safety Management System Plan	Specific KPI targets and actual performance detailed below and shown in graphical form
KPI	Incidents logged in Riskware by end of next business day	17/18 Target	75% Actual 65%



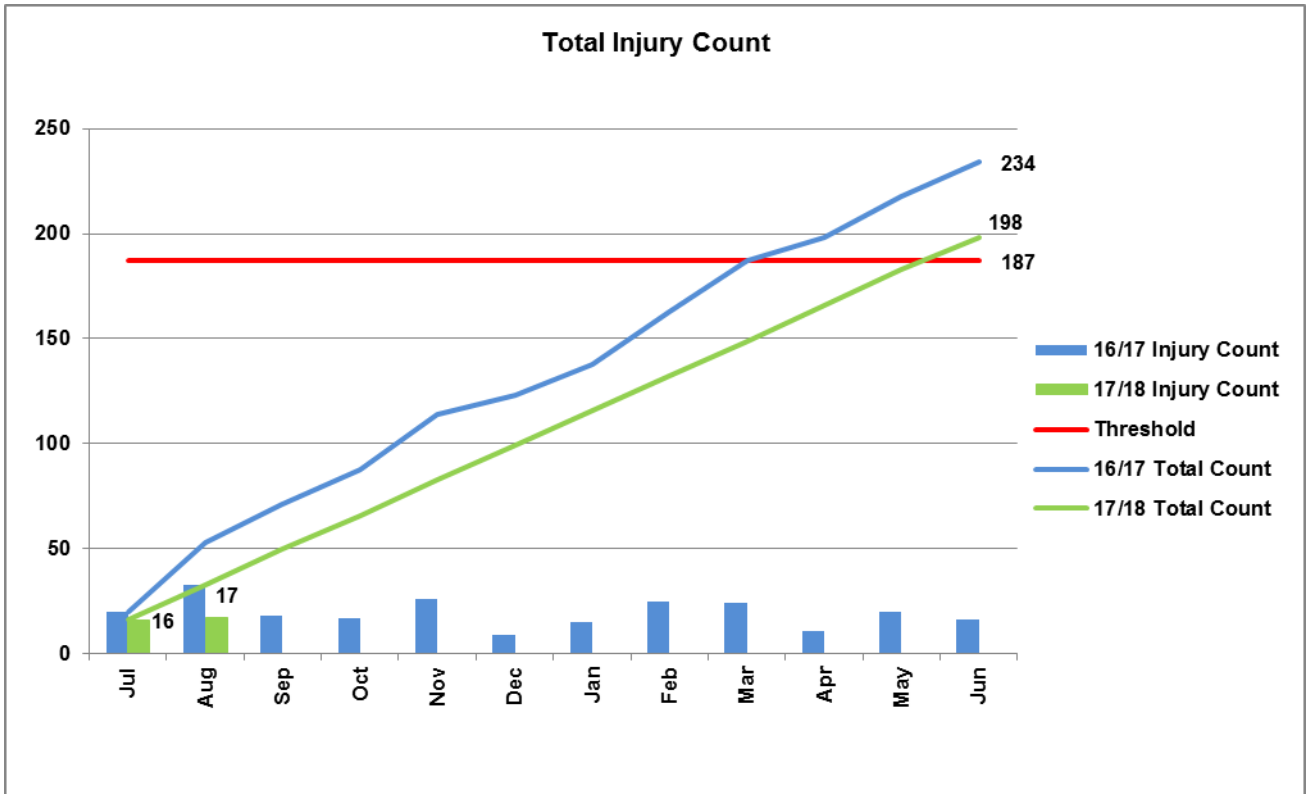
KPI	Completion of scheduled hazard inspections	17/18 Target	80%	Actual	94%
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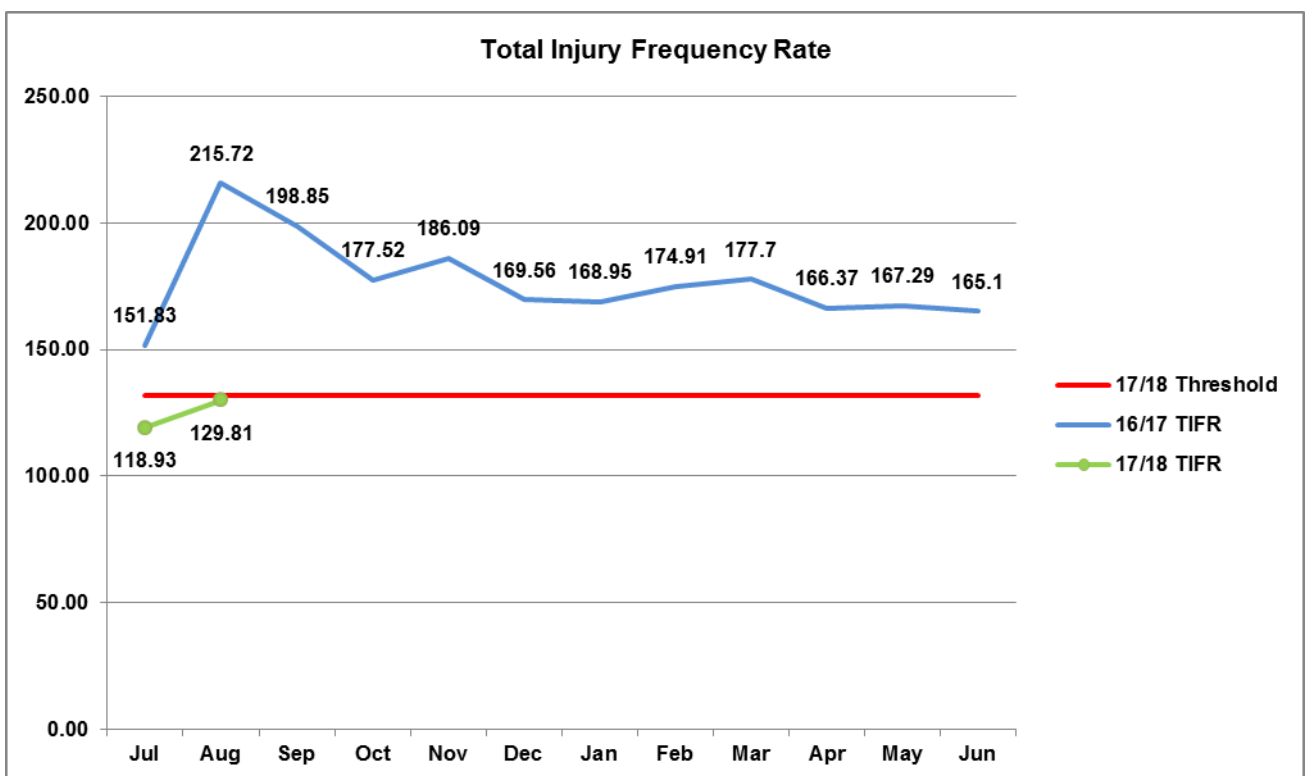
KPI	Completion of corrective actions by nominated due date	17/18 Target	80%	Actual	72%
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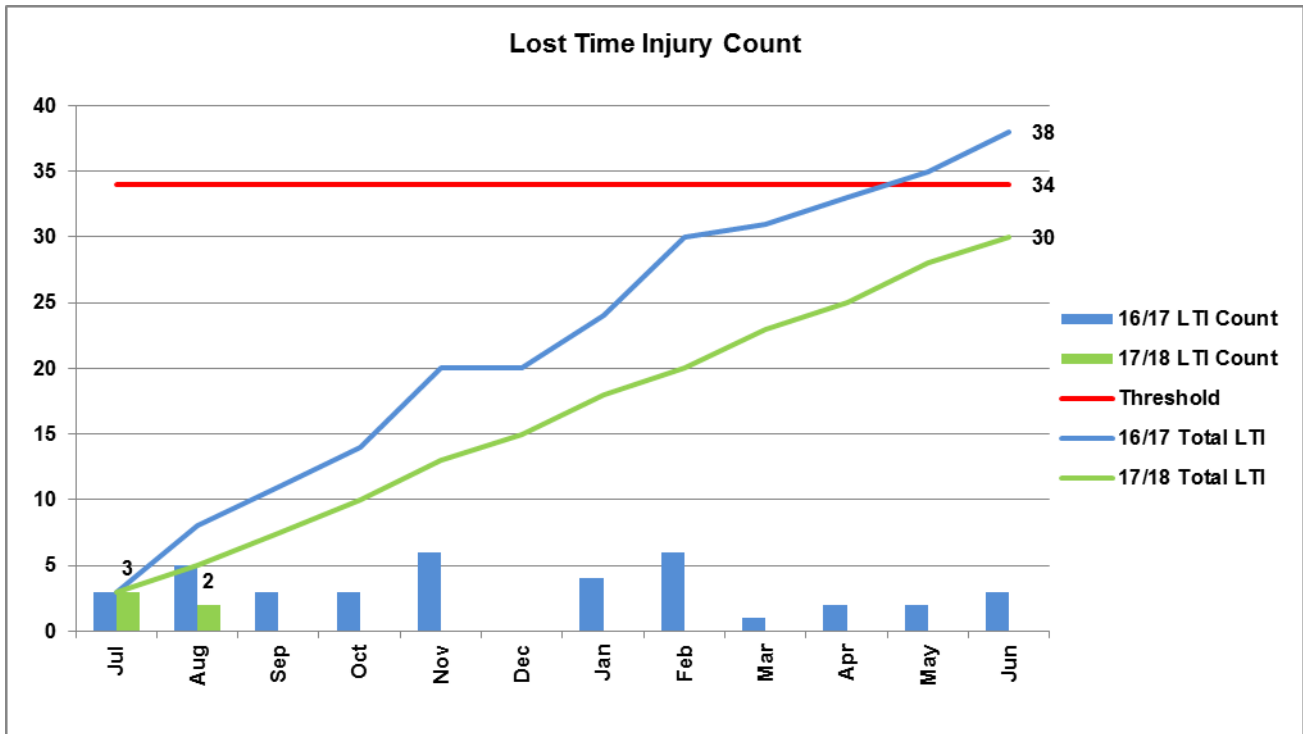
KPI	Total Injury Count	17/18 Target	187	Actual (YTD)	33
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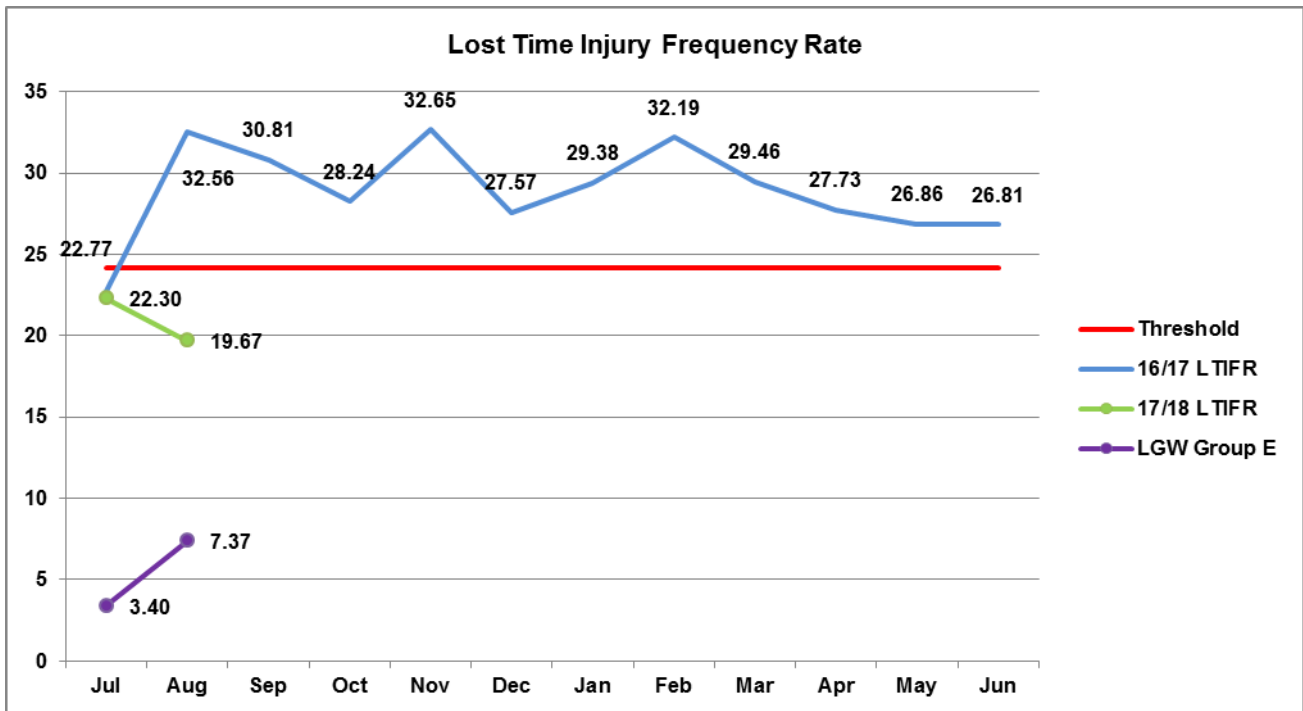
KPI	Total Injury Frequency Rate	17/18 Target	132.08	Actual	129.81
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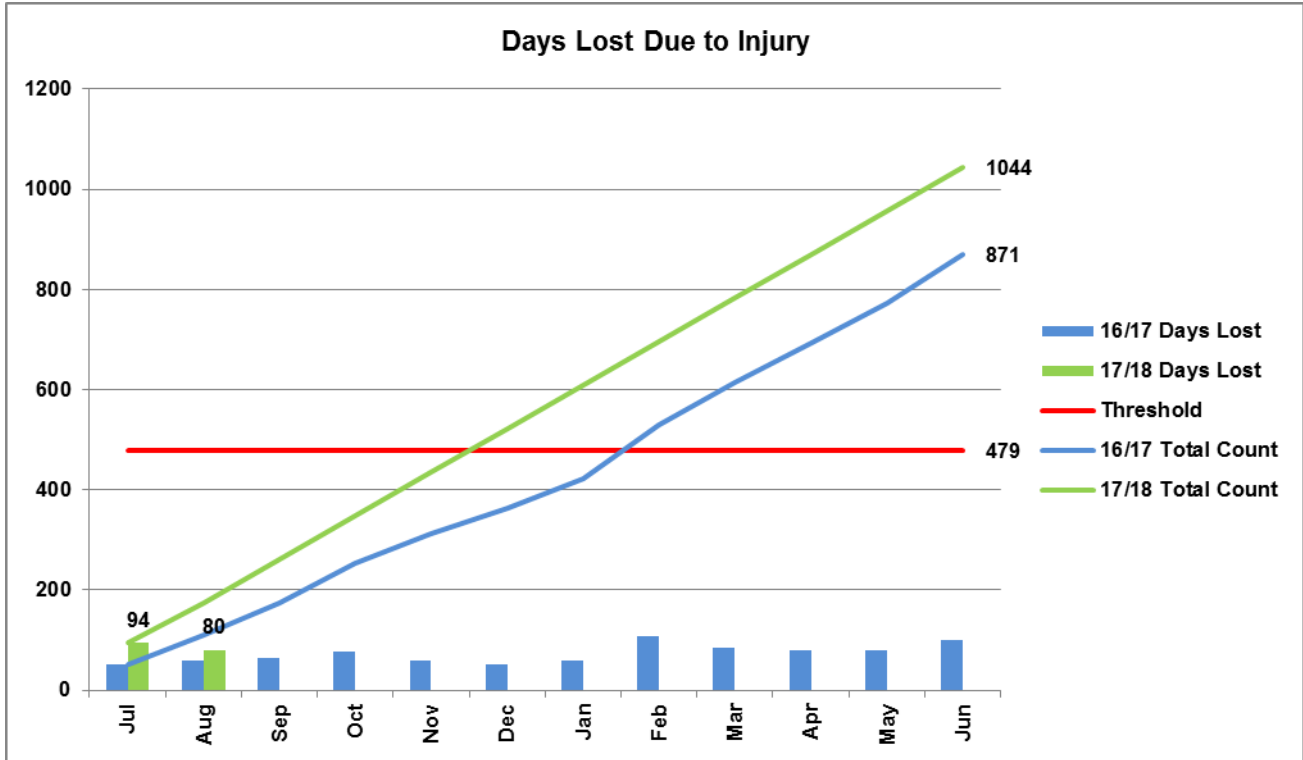
KPI	Lost Time Injury Count	17/18 Target	34	Actual (YTD)	5
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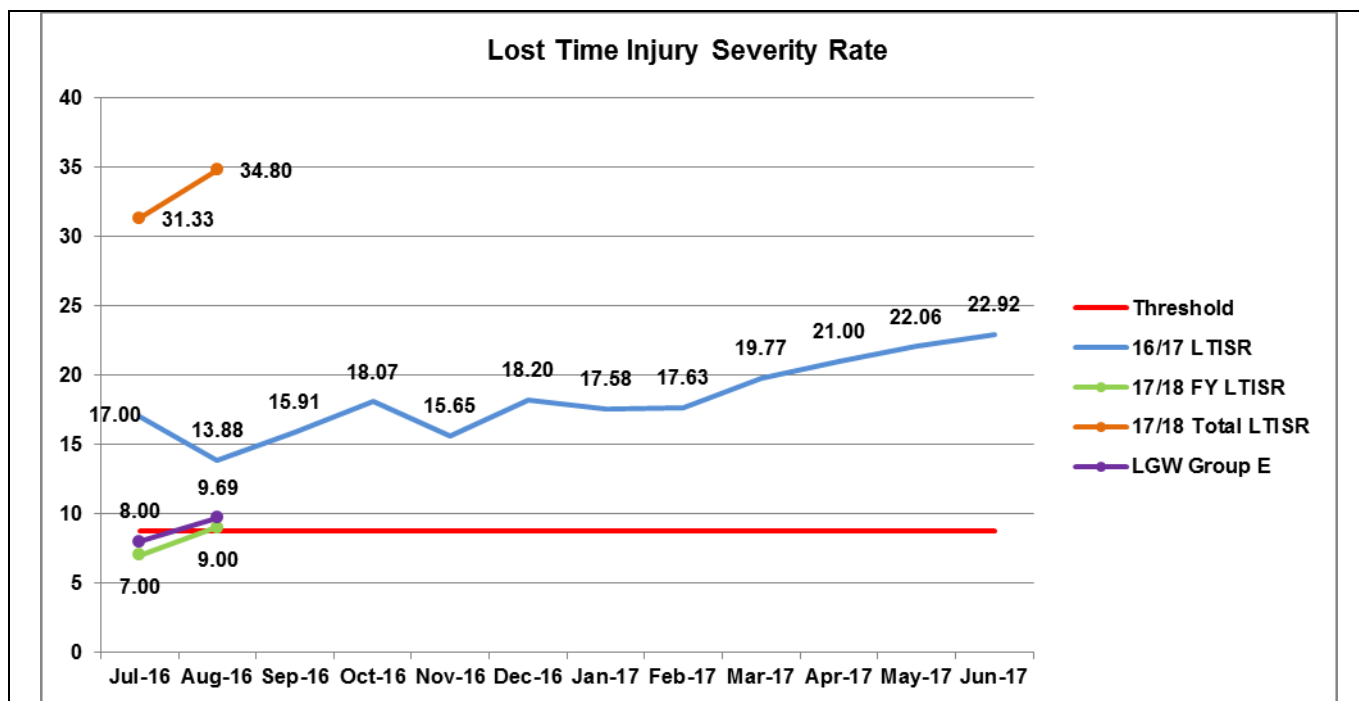
KPI	Lost Time Injury Frequency Rate	17/18 Target	24.13	Actual	19.67
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KPI	Days Lost due to Injury	17/18 Target	479	Actual (YTD)	174
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KPI	Lost Time Injury Severity Rate	17/18 Target	8.71	Actual	34.80
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Operational Plan Ref	Action	Target	Status
4.3.3.1	Implement a rehabilitation fitness for work program	90% of workers on fit for work programs are placed within their own department	Progressing at 100%
5.2.1.5	Manage employee complaints and grievances in accordance with legislation and policy requirements.	100% actioned in accordance with Council policy and procedure	All complaints received within the reporting period have been assessed and actioned pursuant to applicable statutory and policy obligations.
5.4.4.2	Implement Improved internal communication strategies to ensure all staff are informed.	Staff newsletter is distributed to all staff on a monthly basis	Progressing at 100%

7. Capital Projects

No capital projects are relevant to the Workforce and Strategy Section.

8. Operational Projects section

As at period ended **August** – 16.7% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Corporate Improvement and Strategy					
Create a system to automate the delegation and authorisation process (5.4.2.3)	July 2017	30 June 2018	Data has been entered into a master spreadsheet. The automated process within external and internal registers has been designed and is yet to be implemented. Discussions are underway with LGAQ in relation to a new delegation process they are in the process of developing.	Labour Only	Labour Only for W&S
Simplify and streamline the approval process - Develop a Delegations Policy, incorporating Corporate Delegation Bands. (5.4.2.4)	July 2017	30 December 2017	Corporate Delegation Bands are being relocated from the Corporate Delegations Reference Table and incorporated into relevant policy document/s. Approximately 45% of delegated authority / powers have been processed.	Labour Only	Labour Only for W&S
Strategic Framework Project (5.2.1.2)	July 2017	30 June 2018	Currently researching the governance framework of other Councils.	Labour Only	Labour Only for W&S
Ensure legislative updates are communicated and implemented in areas on responsibility - Undertake a legislative compliance review project (4.2.2.2)	July 2017	30 June 2018	A scope is being developed for leadership endorsement.	Not known at this stage	
Industrial Relations and Investigations					
Undertake Certified Agreement negotiations that consider the application of the new Queensland Local Government Industry Award – State 2017 and the <i>Industrial Relations Act 2017</i> (5.4.2.2)		30 June 2018	Industrial Relations Project: Management meetings have progressed. Planning and preparations of management's preferred certified agreement position and costing models are continuing.	Labour Only	Labour Only for W&S
Human Resources and Payroll					
Aurion Project (5.4.3.1)		31 December 2017	Aurion web recruitment consultant commencing scoping, requirements and design 16 th -17 th October 2017.	Funded by IT	W&S Labour only when supporting testing processes &

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
					installation
Implement programs that support leadership development (4.3.2.1) - Development and implement mentoring program and performance review system by 30 June 2018		30 June 2018	My Plan for officers award employees launched in July for use in 17/18 year. Our Plan for external staff to be implemented in 2018	Labour Only	Labour Only for W&S
Safety and Training					
WHS Data Management System (1.3.4.1)			V2.14.6 has now been applied to production. First upgrade since June 2016.	Funded by IT	W&S Labour only when supporting testing processes & installation
Implement programs that support leadership development (4.3.2.1) - Deliver leadership program every six months			Program has recently been updated to ensure currency of information delivered. The next round of the program is scheduled for delivery in February 2018	Labour Only	Labour only for W&S

9. Budget

Financial performance as expected for the reporting period



End of Month Job Costing Ledger - (Operating Only) - CORPORATE SERVICES

As At End Of August

Report Run: 05-Sep-2017 13:47:22 Excludes Nat Accs: 2802,2914,2917,2924

	Adopted Budget	Revised Budget	EOM Commitments	YTD Actual	Commit + Actual	Variance	On target
	\$	\$	\$	\$	\$	%	16.7% of Year Gone
CORPORATE SERVICES							
WORKFORCE & STRATEGY							
<i>Human Resources and Payroll</i>							
Expenses	1,431,756	0	565	204,998	205,563	14%	✓
Transfer / Overhead Allocation	11,126	0	0	2,978	2,978	27%	✗
Total Unit: Human Resources and Payroll	1,442,882	0	565	207,976	208,542	14%	✓
<i>Safety & Training</i>							
Revenues	(42,500)	0	0	(13,919)	(13,919)	33%	✓
Expenses	1,167,500	0	65,114	175,503	240,616	21%	✗
Transfer / Overhead Allocation	(20,410)	0	0	1,099	1,099	-5%	✗
Total Unit: Safety & Training	1,104,590	0	65,114	162,683	227,796	21%	✗
<i>Corporate Improvement & Strategy</i>							
Revenues	0	0	0	(231)	(231)	0%	✓
Expenses	376,640	0	11,000	64,535	75,535	20%	✗
Total Unit: Corporate Improvement & Strategy	376,640	0	11,000	64,304	75,304	20%	✗
<i>Workforce & Strategy Management</i>							
Expenses	785,243	0	31,958	45,829	77,786	10%	✓
Total Unit: Workforce & Strategy Management	785,243	0	31,958	45,829	77,786	10%	✓
<i>Investigations and Industrial Relations</i>							
Expenses	304,945	0	5	42,605	42,610	14%	✓
Total Unit: Investigations and Industrial Relations	304,945	0	5	42,605	42,610	14%	✓
Total Section: WORKFORCE & STRATEGY	4,014,301	0	108,642	523,397	632,038	16%	✓
Total Department: CORPORATE SERVICES	4,014,301	0	108,642	523,397	632,038	16%	✓
Grand Total:	4,014,301	0	108,642	523,397	632,038	16%	✓

10. Section Statistics

Establishment – Workforce and Strategy

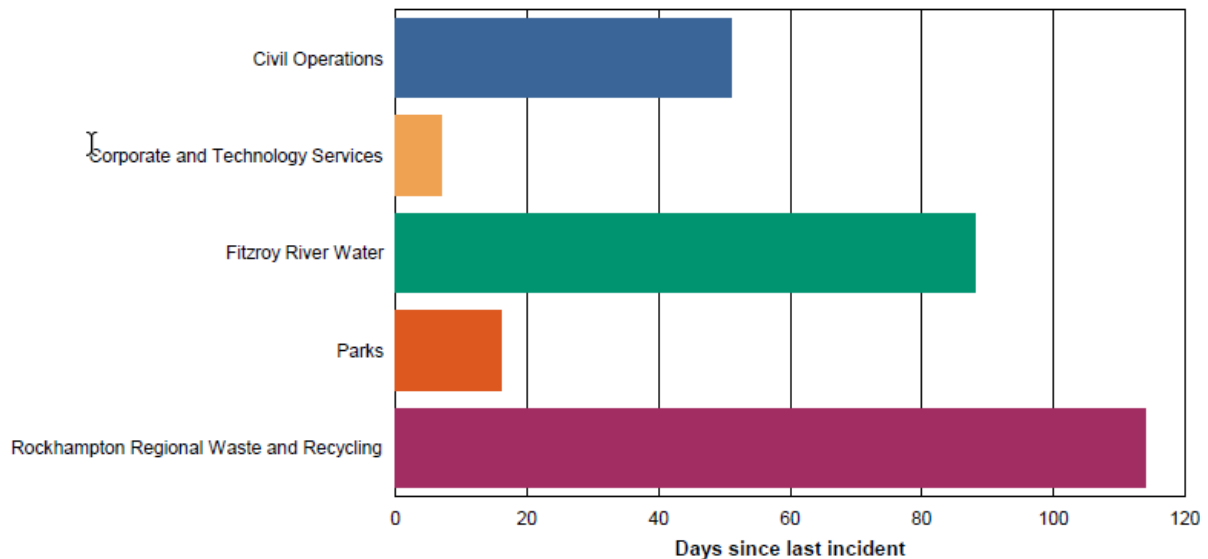
FTE Positions	Period	Workforce & Strategy
Starting Point	1 January 2014	30.05
Same Time Previous Year	31 August 2016	34
Previous Month	31 July 2017	34
Current Month	31 August 2017	34

11. Whole of Council Statistics

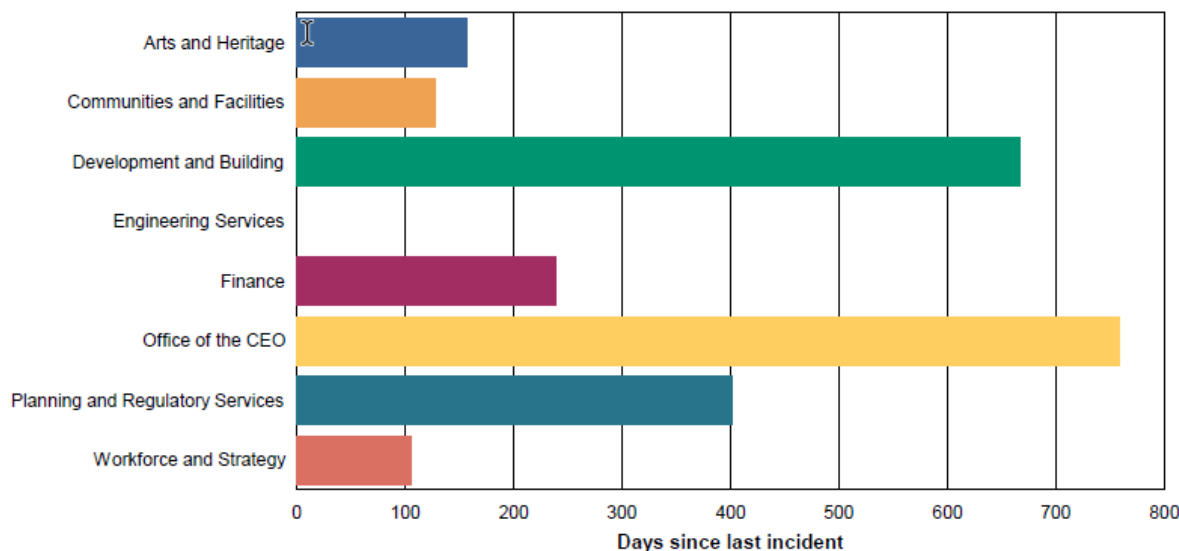
Safety Statistics

The following graphs show the number of lost time injury free days since the last workplace incident by section. These results reflect our employee’s commitment to safety and recognise the organisations effort in the implementation of safe work practices.

Lost time injury free days as at 31 August 2017 (sections identified as High Risk)



Lost time injury free days as at 31 August 2017 (Sections identified as Low Risk)



Establishment

Establishment – Whole of Council

FTE Positions	Period	Council
Starting Point	1 January 2014	838.9
Same Time Previous Year	31 August 2016	876.13
Previous Month	31 July 2017	898.47
Current Month	31 August 2017	906.47

FTE Positions is the total full time equivalent positions approved and recorded in Aurion excluding casual positions and including approved vacancies.

FTE positions include 50.37 supplementary positions which have been created for a number of reasons including: short term projects, co-op students and funded positions. All of these positions have an end date and will reduce the FTE once the tenure has been completed.

The FTE positions also include the following apprentices and trainees across Council:

Apprentices	Trainees
13	8

Changes to Council Establishment

- One new Supervisor Development Advice created in accordance with structure proposal endorsed on 25 July 2017.
- Seven new fixed term full time Labourer positions created to carry out projects associated with the Works for Queensland government projects.
- One permanent full time Supervisor position abolished.
- Electrical Projects Officer position transferred from Regional Development and Aviation to Regional Services, Program Delivery.
- One fixed term full time Mechanical Fitter position created.

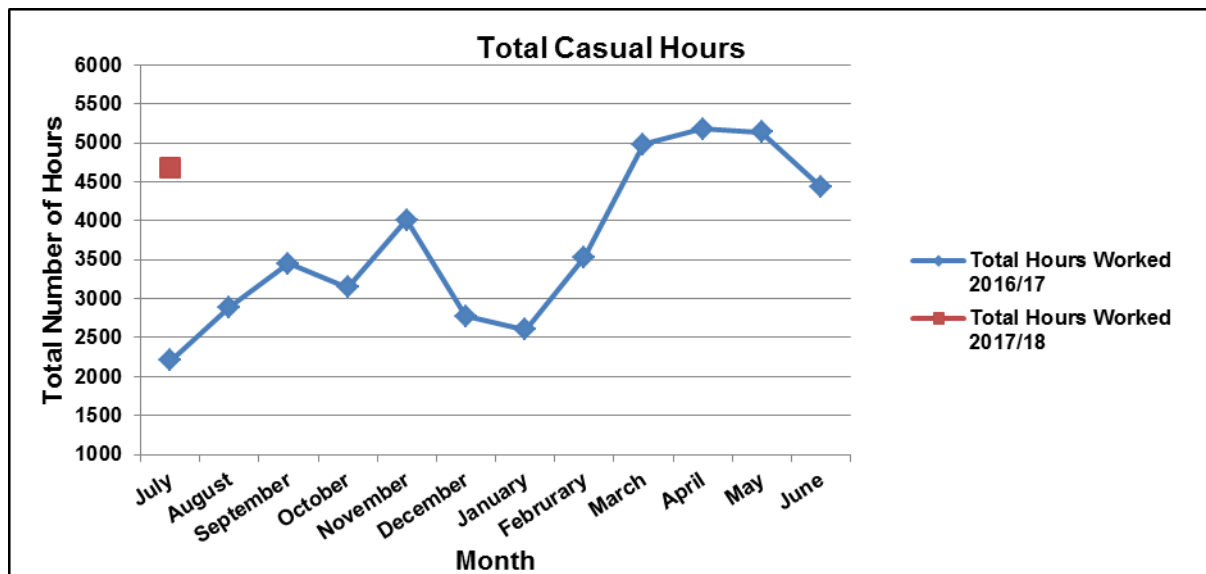
FTE Positions Internal / External Split

The percentage split for approved full time equivalent positions excluding casual positions and including approved vacancies currently sits at 58% (527.73) internal and 42% (378.74) external. The internal definition is based on staff appointed in accordance with RRC’s Internal Certified Agreement and it should be noted that there are a number of supervisors and technical staff on this award that work predominately in the field.

	Feb 2014	Jul 2017	Aug 2017
External	371.91	370.74	378.74
Internal	465.68	527.73	527.73
TOTAL	837.44	898.47	906.47

Casual Hours – July 2017 (reported one month in arrears)

All casual hours worked will now be reported one month in arrears so that actual hours worked can be accurately reported. There are currently a total of 67 casuals actively employed by Council of which 66 were engaged during the reporting period. The engaged casual employees collectively have worked the total number of 4686.07 hours during the month of August 2017.



Casual Hours by Section – July 2017 (reported one month in arrears)

The following list shows the total number of hours worked by casual employees by Section and Unit in the reporting period as provided by the responsible operational area. A significant increase in casual hours is a result of the development of casual pools for labourers and gardeners. This initiative has been implemented to provide access to trained resources during periods of staff shortages or high work demands as well as reduce the use of external labour hire.

Section	Unit	Commentary	No. of hours	Percentage of cost recovery
Arts and Heritage	Art Gallery	To assist with the delivery of ongoing programs. Expenditure is in some cases offset by earned income but not directly recovered.	567.25	0%

Section	Unit	Commentary	No. of hours	Percentage of cost recovery
Arts and Heritage	Heritage Services	Assist in Food and Beverage roles for catered function - all wages costs are generally recovered as a fee for service operation.	206.08	100%
Arts and Heritage	Major Venues	Casual staff used by hirers, wages costs in box office and production departments are fully recovered. Across this period casual staff have been engaged to back fill a vacant full-time position.	855.5	96.11%
Communities and Facilities	City Child Care Centre	Backfilling for staff leave to maintain required child to staff ratios.	23	
Communities and Facilities	Client Services	Backfilling for RDOs, staff leave and some training.	348.25	
Communities and Facilities	Facilities	Backfilling for RDOs, leave and cleaning of the Library on a Saturday.	268.85	
Parks	Parks and Visitor Services	Cemeteries: Covering employee on suitable duty plan and employee participating in training. Zoo: Covering leave/RDOs. Kershaw: Backfilling employee on suitable duty plan.	518.44	
Parks	Parks Operations	Backfilling for employee on suitable duties plan.	308.47	
Planning and Regulatory Services	Local Laws	Backfilling for staff absences.	42.75	
Corporate Services	Workforce and Strategy	Backfilling vacancies within the area.	33	
Corporate and Technology	Customer Services	Training new HEROs in customer service	61	
Corporate and Technology	Property and Insurance	Backfilling vacancy and carrying out the administrative duties of vacant position.	30	

Section	Unit	Commentary	No. of hours	Percentage of cost recovery
Regional Development and Promotions	Regional Promotions and Tourism	Assisting with content writing relating to major Council projects occurring across the region, and marketing publications across events and regional development	20.5	
Strategic Planning		Assist with River festival and community engagement associated with CBD Revitalisation Projects.	81.5	
Governance Support	Committee Support	Backfilling for staff absences due to leave.	64.5	
Office of the Mayor		Backfilling for staff absences and providing assistance with organisation and conduct of civic events.	33.5	
Civil Operations	Urban Operations	Assist in finishing some blackspot projects and backfilling for employees off on sick leave.	201.65	
Civil Operations	Rural Operations	Working on funded projects and backfilling for employees on long term sick leave.	281.95	
Fitzroy River Water	Mechanical, Electrical and General Maintenance	Backfilling for employee on suitable duties plan and for injured employee.	206.6	
Fitzroy River Water	Network Operations	Backfilling for long term sick leave.	393.25	
Rockhampton Regional Waste and Recycling	Collections	Backfilling for annual leave periods, sick leave and long term sick leave absences.	140.03	
TOTAL			4686.07	

It should be noted that labour hire is also utilised in addition to casual labour in some areas of the organisation to support staff shortages and special project requirements or events and also to avoid increasing the FTE.

Volunteer Hours by Section – August 2017

The following list shows the total number of hours worked by volunteers by Section and Unit in the reporting period as provided by the responsible operational area.

Section	Unit	No. of Hours
Arts & Heritage	Art Gallery	544.85
Arts & Heritage	Heritage Village	4088
Arts & Heritage	Pilbeam Theatre	189.25
Communities & Facilities	Libraries	195
Parks	Rockhampton Zoo	193
TOTAL		5210.10

Work Experience Placements – August 2017

Work Experience Applications Received During the Month of August 2017		6
Placement Type	Section	Placed
Mechanical engineering	Fleet	Yes
General duties	Heritage Village	No
Mechanical	Fleet	Yes
Water Treatment	Fitzroy River Water	Yes
Landscaping	Parks	Received 31/8
Work Experience Placements Occurring During the Month of August 2017		1
Placement Type	Section	Dates
Civil Engineering	Civil Operations	7-11 August
Electrician	Facilities	14-18 August
Library	Library	14-25 August
Gardening	Parks	14-18 August
Mechanical	Fleet	14-18 August

**CORPORATE SERVICES
DEPARTMENT - MONTHLY
OPERATIONAL REPORT AUGUST 2017**

Finance Monthly Report - August 2017

Meeting Date: 26 September 2017

Attachment No: 3



Monthly Operations Report

Finance Section

August 2017

1. Highlights

Audit of Draft Financial Statements is near complete with the Audit Committee to review the External Audit Results on the 6th October 2017.

A budget revision is planned during October that will update the budget for the increased grants expected in 2017/18 as well as any other major project impacts at that stage.

Planning has commenced for the budget timing and scheduling for the upcoming financial year.

2. Innovations, Improvements and Variations

A concept brief has been put forward for a Rate Modelling System which will allow Councillors much more user friendly information for budget rate modelling.

As part of the Asset Management System review, the potential exists to also standardise Council's Chart of Accounts with the 'One Council Chart of Accounts'. This process will lay the platform for system change into the future.

3. Customer Service Requests

Response times for completing customer requests in this reporting period for July are within set timeframes.

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Rates Enquiry	6	6	91	85	5	1	3	● 0.88	● 1.16	● 1.50	0.99

4. Service Delivery

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Unpaid rates and charges are managed in accordance with the Revenue Management Policy, achieving an overdue balance of less than 3% at its lowest point.	<3%	9.81% achieved in August	Operational
Rates are levied within one week of dates stipulated in the Revenue Statement.	100%	100%	Operational

5. Legislative Compliance and Standards (including Risk and Safety)

Legislative timeframes

Item	Due Date	Compliant?	Status
Updates to be presented to Council in sectional monthly reports.	Ongoing	100%	
Council's annual financial statements are "unqualified"	31/10/17	85%	Awaiting final report from External Audit.
There are no internal controls as rated by the QAO deemed "ineffective".	31/10/17	85%	Awaiting final report from External Audit.
The timelines of the annual financial statements as rated by the QAO is not "untimely"	31/10/17	30%	There was a delay with asset information, but this will not lead to a delay in the total project.
The quality of financial statements is not rated "below average" by the QAO	31/10/17	85%	Awaiting final report from External Audit.
Long Term Financial Forecast updated at each budget and budget revision.	Ongoing	100%	Undertaken at 17-18 Budget Adoption. Will be updated again during October.
Annual Operating Surplus Ratio between 0% & 10%	Ongoing	100%	Compliant at 17-18 Budget Adoption. 4.37% report in draft Financial Statements

Item	Due Date	Compliant?	Status
Annual Net Financial Asset/Liability Ratio not greater than 60%	31/10/17	90%	34.77% reported in 16/17 draft Financial statements.
Annual Interest Cover Ratio between 0% & 5%	31/10/17	100%	2.77% in 17/18 Adopted Budget
Annual Debt Service Cover Ratio greater than two times	31/10/17	100%	2.2 times reported in Adopted Budget
Annual Review of asset management plans by 30 June 2018.	30/06/18	Yes	Planning has commenced
Annual asset sustainability ratio is greater than 90%	31/10/17	90%	86.45% reported in 16/17 Draft Financial Statements

6. Operational Plan Targets by Section

The following Operational Plan actions and targets are required to be reported to Council on a monthly basis. This data will also form part of the Operational Plan quarterly report to Council:

Operational Plan Ref	Action	Target	Status
5.2.1.8	Monitor and review non-compliance of legislative requirements	Report on legislative non-compliance included in sectional reports presented to Council on a monthly basis.	Nothing to report
5.3.2.4	Financial systems and processes are managed to meet the appropriate audit requirements and community expectation	The required asset revaluations are completed by 28 February 2018 and integrated into asset management and relevant financial plans.	0%
5.3.4.1	Conduct review of viability in keeping Rockhampton Region Waste and Recycling commercialised	Review undertaken and options presented to Council by 30 June 2018.	30%

7. Capital Projects

N/A

8. Operational Projects

N/A

9. Budget

Financial performance as expected for the reporting period.

End of Month Job Costing Ledger - (Operating Only) - CORPORATE SERVICES

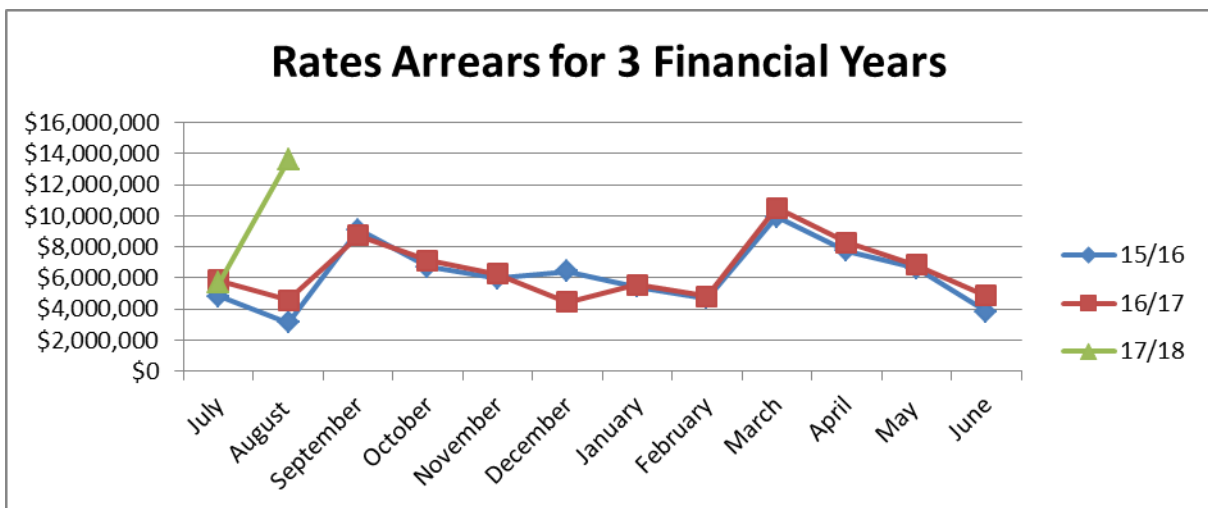
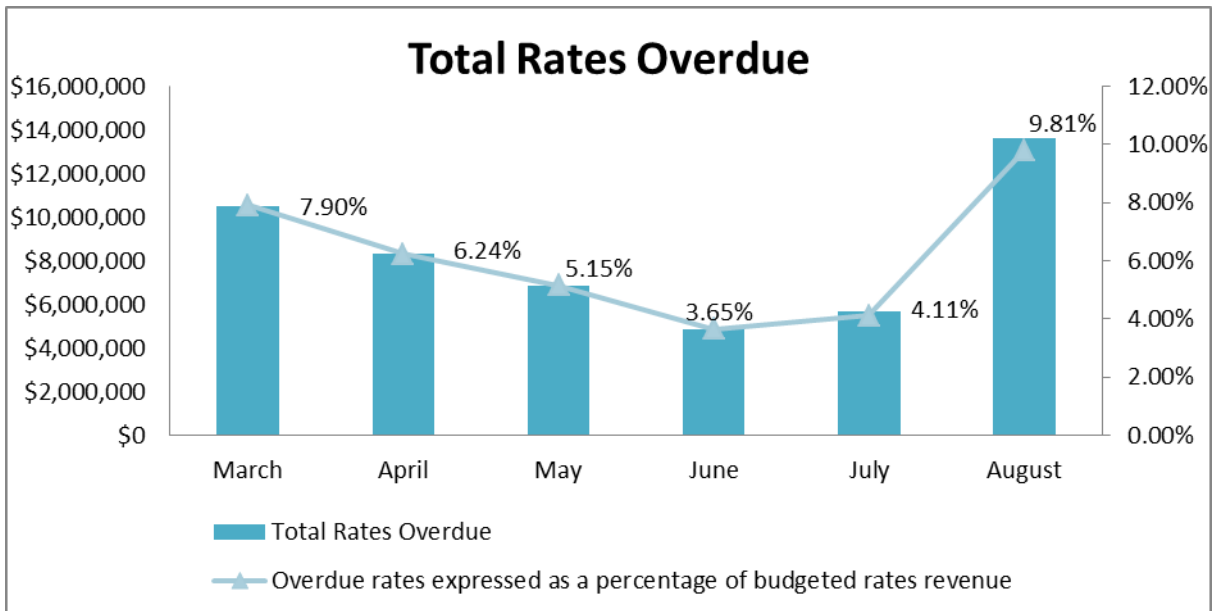
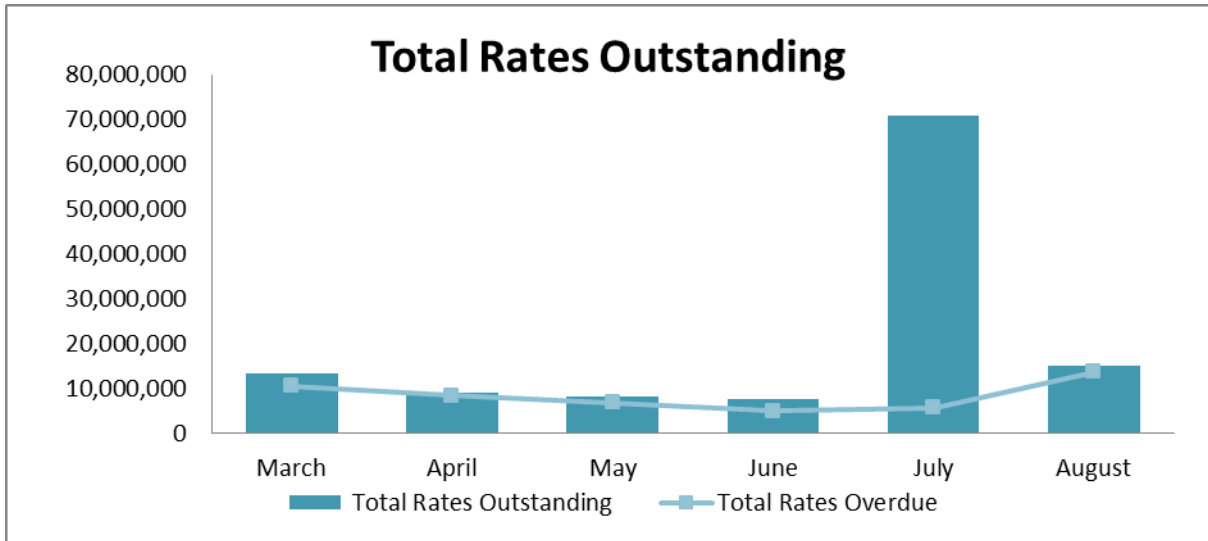
As At End Of August

Report Run: 12-Sep-2017 08:18:15 Excludes Nat Accts: 2802,2914,2917,2924



	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$	Variance %	On target 16.7% of Year Gone
CORPORATE SERVICES							
FINANCE							
<u>Finance Management</u>							
Expenses	562,938	0	98,379	98,045	196,423	35%	*
Transfer / Overhead Allocation	0	0	0	277	277	0%	*
Total Unit: Finance Management	562,938	0	98,379	98,322	196,701	35%	*
<u>Accounting Services</u>							
Expenses	1,255,726	0	0	230,406	230,406	18%	*
Total Unit: Accounting Services	1,255,726	0	0	230,406	230,406	18%	*
<u>Financial Systems</u>							
Expenses	380,690	0	0	67,704	67,704	18%	*
Transfer / Overhead Allocation	600	0	0	555	555	92%	*
Total Unit: Financial Systems	381,290	0	0	68,259	68,259	18%	*
<u>Assets & GIS</u>							
Revenues	0	0	0	(822)	(822)	0%	✓
Expenses	1,967,851	0	44,842	332,653	377,494	19%	*
Transfer / Overhead Allocation	37,251	0	0	7,673	7,673	21%	*
Total Unit: Assets & GIS	2,005,102	0	44,842	332,504	384,345	19%	*
<u>Rates & Revenue</u>							
Revenues	(446,132)	0	0	(40,402)	(40,402)	9%	*
Expenses	1,809,043	0	396,879	258,291	655,170	36%	*
Transfer / Overhead Allocation	750	0	0	0	0	0%	✓
Total Unit: Rates & Revenue	1,363,661	0	396,879	217,889	614,768	45%	*
Total Section: FINANCE	5,568,717	0	540,100	954,379	1,494,478	27%	*
Total Department: CORPORATE SERVICES	5,568,717	0	540,100	954,379	1,494,478	27%	*
Grand Total:	5,568,717	0	540,100	954,379	1,494,478	27%	*

10. Section Statistics



Rates for August month end are due to the discount date being the 30th August and many last minute payments not being recorded in the month end figures.

11. Whole of Council Statistics***Safety Statistics***

The safety statistics for the reporting period are:

	Injury Summary		
	June	July	August
Number of Lost Time Injuries	0	0	0
Number of Days Lost Due to Injury	0	0	0
Total Number of Incidents Reported	0	0	0
Number of Incomplete Hazard Inspections	0	0	0

Risk Management Summary

All Finance's Risks are now ALARP.

11.9 REGIONAL DEVELOPMENT - OPERATIONAL REPORT AUGUST 2017

File No: 12614
Attachments: 1. Regional Development Units - August 2017
Authorising Officer: Scott Waters - General Manager Regional Development and Aviation
Author: Chris Ireland - Manager Regional Development and Promotions

SUMMARY

The monthly operations report for the Regional Development Unit over the month of August 2017 is presented for Councillor's information.

OFFICER'S RECOMMENDATION

THAT the Regional Development Operational Report for August 2017 be received.

COMMENTARY

The attached report provides details of the core areas of activity during August by the Regional Development and Promotions Unit. These activities are continuation of tasks that have been allocated as a result of priorities driven throughout the Council and also regional economy. Leading into a new financial year, budget, corporate and operational plan, the activities and deliverables of the unit will now become more targeted through KPI's that align with the following:

- Corporate and Operational Plan
- Budget
- Economic Development Action Plan

These areas of alignment now provide clear direction from the resolution of Council to the deliverables that officers will work towards and be measured against.

BACKGROUND

Council's Regional Development and Promotions Unit provide monthly reporting to Council. The following report and attachment provides details of actions undertaken and deliverables during July.

CONCLUSION

It is recommended that Council receive the attached report.

REGIONAL DEVELOPMENT - OPERATIONAL REPORT AUGUST 2017

Regional Development Units – August 2017

Meeting Date: 26 September 2017

Attachment No: 1



Monthly Operations Report

Regional Development & Promotions, and Strategic Planning
August 2017

1. Highlights

Regional Development and Promotions

- Rockhampton Recreational Fishing Development Strategy
- Explore Rockhampton Region Visitor Guide – First Print Run
- Advance Rockhampton Newsletter, delivery of first edition of electronic newsletter

2. Innovations, Improvements and Variations

Regional Development and Promotions & Strategic Planning

Operational Plan Ref	Operational Action	Target	Department	Action
5.3.2.1	Continually review operational expenditure	Identify at least one operational saving per section of responsibility	RDA	Reduction of promotional items
5.4.2.6	Pursue improved processes through all levels of Council	Identify at least two improved processes per section of responsibility	RDA	New marketing procedure New corporate gift procedure

3. Customer Service Requests



Response times for completing customer requests in this reporting period for August 2017

	Balance B/F	Completed In Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Community Engagement	1	0	0	0	1	0	3	● 0.00	● 18.00	● 8.00	34.00
Marketing Enquiries	0	0	0	0	0	0	1	● 0.00	● 35.00	● 35.00	35.00

	Balance B/F	Completed In Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Strategic Planning Enquiry	0	0	1	1	0	0	3	● 2.00	● 2.00	● 1.93	1.18

4. Service Delivery

Regional Development and Promotions & Strategic Planning

Operational Plan Ref	Operational Action	Target	Current Performance	Service Level Type
4.1.1.1	Provide timely and accurate responses to requests	In accordance with unit's customer service standards or adopted service levels		
4.1.1.2	Provide effective delivery of Council services	In accordance with unit's customer service standards and service levels		

5. Legislative Compliance and Standards (including Risk and Safety)

Regional Development and Promotions & Strategic Planning Operational Plan Targets

Operational Plan Ref	Operational Action	Target	Item	Due Date	Status
5.2.1.1	Comply with legislative requirements	Updates to be presented to Council in sectional monthly reports	Expired licences	1/10/2017	Nil
5.2.1.4	Operational risks are monitored and managed in accordance with legislative requirements	Risk registers are presented to Council on a quarterly basis	Risk Register	1/10/2017	Monitoring of risks on an ongoing basis
5.2.1.8	Monitor and review non-compliance of legislative requirements	Report on legislative non-compliance included in sectional reports presented to Council on a monthly	Out of date certification	1/10/2017	Working at heights; awaiting availability of course

6. Section Statistics / Updates

Regional Development

Completion Status	Deliverables
In Progress	<p>“Gear Up Rocky” Initiative</p> <ul style="list-style-type: none"> 60 business participants attended the “Gear Up Rocky” business readiness seminars at Rockhampton and Gracemere. These seminars were facilitated by LSC Solutions Pty Ltd (Sharyn Grant). Overall satisfaction with the seminars rated by participants was 3.4 out of 5. Customised workbooks were created to step businesses through the current and upcoming

	<p>opportunities in CQ coupled with pertinent advice to help businesses gear up for mentioned opportunities.</p> <ul style="list-style-type: none"> • Succinct videos to showcase the information of the workbook are being created. These videos will feature on the Advance Rockhampton website and will be promoted via social media. • With Small Business Solutions delivery of schedule Certificate IV in Small Business Management has commenced in Rockhampton. • Courses will continue to be delivered in September, October, November and December. • Adani Regional Content Manager continues to strongly endorse the “Gear Up Rocky” campaign and Advance Rockhampton economic development initiative both publicly and to Statewide EDO’s. • Work continues to maximise supply chain opportunities for local businesses coming from the Adani, Carmichael Mine. • Further development of a FIFO workforce engagement plan to prepare local workforce and engage with new arrivals to secure them as Rockhampton residents. A range of strategies and incentives have been scoped out. • Ongoing engagement with Adani officers including the Regional Content Manager and Indigenous Engagement Manager to ensure our strategies are aligned with Adani timelines, portals (EconomX and uWorkIn) and processes. • Further engagement with Dept. of State Development (DSD) to identify opportunities to align “Gear Up Rocky” strategies with their supply chain specialists and seminars (e.g. Supply Chain Opportunities workshops and Growth Seminars).
In progress	<p>Rockhampton Recreational Fishing Development Strategy</p> <ul style="list-style-type: none"> • Rockhampton Recreational Fishing Industry Forum conducted over two days. • In total, 44 participants from across Queensland attended the forum. • The forum was officially opened by Hon Bill Byrne, Minister for the Department of Agriculture and Fisheries. • Bus tour of recreational fishing assets and opportunities in Rockhampton undertaken. • There was widespread media coverage of the forum. • It was noted by participants from outside the Region that Council is leading the way with the development of recreational fishing in the designated Net Free Zones. • Construction work has commenced on the North Rockhampton Boat Ramp. • Preliminary planning completed for the implementation of the Fishing Voluntary Code of Practice. Note that the Council is believed to be the first in Australia to endorse such a code. • Liaison work undertaken with the Department of Transport and Main Roads on boat ramp options for Port Alma.
In Progress	<p>Advance Rockhampton</p> <ul style="list-style-type: none"> • Advance Rockhampton brand and associated “Gear Up Rocky” jointly promoted through major forums (as above), online, brochures and media campaigns to raise awareness of Advance Rockhampton as our economic development entity.
In Progress	<p>Carbine Resources Mount Morgan Gold and Copper Project</p> <ul style="list-style-type: none"> • Along with Senior Executive Trade & Investment continued to identify opportunities to link potential international investors with Carbine Resources. • Ongoing liaison with Carbine Resources and other stakeholders to progress the project, in particular on the road use program and community engagement.
In Progress	<p>Capricornia Business Awards 2017</p>

	<ul style="list-style-type: none"> • Planning for 2017 awards progressing with the event to be conducted on Friday 3 November 2017 at Rockhampton Leagues Club.
In Progress	<p>Aquaculture Development</p> <ul style="list-style-type: none"> • Further work on aquaculture development areas has been undertaken to refine identification of potential sites and a report forwarded to DAF for consideration. • DAF is currently reviewing refined sites with on-going dialogue continuing between DAF and Council.
In Progress	<p>Development Incentives Policy</p> <ul style="list-style-type: none"> • Submitted report to 8 August 2017 Council meeting • Brochure material sent to Marketing & Engagement
In Progress	<p>Rockhampton Region METS servicing businesses</p> <ul style="list-style-type: none"> • Added further businesses to database
In Progress	<p>Capricorn Highway and other east-west roads</p> <ul style="list-style-type: none"> • Attended IQRAP teleconference • Meeting with CQ DTMR Regional Director to explain proposed developments of the Capricorn, Burnett and Leichhardt Highways
In Progress	<p>Bowen Basin Mining Club</p> <ul style="list-style-type: none"> • Further discussions about 21 September 2017 lunch • Weekly encouragement of attendance at Rockhampton lunch
In Progress	<p>Defence activities</p> <ul style="list-style-type: none"> • Liaised with Graeme Mickelberg about Defence KPIs
In Progress	<p>NBL Clash – Cairns Taipans v Brisbane Bullets</p> <ul style="list-style-type: none"> • Organised five businesses to take corporate boxes • Took part in five overseeing committee meetings
In Progress	<p>Drive Inland Promotions Association</p> <ul style="list-style-type: none"> • Attended meeting on 18 August 2017 • Dealt with actions which resulted from meeting
In Progress	<p>Agricultural Investment Project</p> <ul style="list-style-type: none"> • It is at final stage to select the consulting firm. • With water access pilot project, ED and Internal Engineering team identified potential lots and had a meeting with DAF. Through the meeting there was a need identified to have a subsequent meeting with DAF and DNRM which will be in the second week of October due to the annual leave of the responsible officer from DNRM.
In Progress	<p>Northern Australia Ag Trade and Investment Conference</p> <ul style="list-style-type: none"> • It is waiting for a Council submission for approval.
In Progress	<p>Study Rockhampton and relevant education delegations</p> <ul style="list-style-type: none"> • The final outcome for Qld Grant submission will be announced within the next 2-3 weeks. • Study Rockhampton will then be officially launched in Brisbane with the grant support. • Two MOUs were signed for Meat Processing Training and Horse Racing Training with the Korean Government agencies. • One Chinese education agency visited Rockhampton with a view to develop a relationship

	with Rockhampton for International Education, trade and investment facilitation between China and the region.
In Progress	Zhenjiang <ul style="list-style-type: none"> In the lead up to 23 September, work has been in progress to finalise meetings and the program with Zhenjiang.
Completed	Australian Entrepreneurs Association of Southwestern <ul style="list-style-type: none"> This Chongqing delegation visited the region with a view to work with regional R&D research partnership for beef breeding and their participation in the Beef Australia 2018. Currently in communication with the firms to progress

Marketing, Tourism and Events




Completion Status	Deliverables
Overarching Marketing	
Ongoing	Wayfinding Implementation <ul style="list-style-type: none"> Gateway Entrance Signage Tender Amendment to Parks signage
Completed	Advance Rockhampton Newsletter <ul style="list-style-type: none"> Delivery of first edition of electronic newsletter
Ongoing	Gear Up Rocky Campaign <ul style="list-style-type: none"> Development and implementation of Gear Up Rock Campaign for Adani
Ongoing	Electronic Communications <ul style="list-style-type: none"> 3599 electronic communications sent in August
Ongoing	My Rockhampton Magazine <ul style="list-style-type: none"> Content creation for next edition due out at 1 October 2017
Ongoing	Regional Promotions Websites <ul style="list-style-type: none"> Information collation regarding updates to website. Basic update done to current website
Started	Marketing processes <ul style="list-style-type: none"> Initial review of internal marketing processes Documentation of new way forward developed and approved.
Started	Local Story and achievements <ul style="list-style-type: none"> Working into current publications and platforms
Unit Specific Marketing	
Completed	Gracemere Library Opening <ul style="list-style-type: none"> Marketing and communication support
Completed	Library Program of Events
Started	Dog Registrations Due










Completed	Rockhampton Zoo and Botanic Gardens Branding <ul style="list-style-type: none"> Finalisation and approval of new branding
Ongoing	Major Projects <ul style="list-style-type: none"> Project videos initiated Website updates started
Start	Open Cities Transition <ul style="list-style-type: none"> Started process of migrating Art Gallery and See It Live website over into new Open Cities content management system
Event	
Started	How to Guide <ul style="list-style-type: none"> Review and audit of information currently out there Documentation of internal processes
Launched	Lively Quay Street Activation program launched
Started	Battle of Polygon Wood <ul style="list-style-type: none"> Initiated planning for event request by State Government
Ongoing	Utilisation of Public Spaces <ul style="list-style-type: none"> 49 Park Bookings
Tourism	
In Progress	Drive Inland Promotions Association <ul style="list-style-type: none"> Integrating Leichardt Highway and Australia's Country Way content into Explore Rockhampton content
Complete	Wallaby 2017: Singapore Armed Forces – Welcome <ul style="list-style-type: none"> Prepared welcome packs (Visitor Guide, Rockhampton Map, Bus Timetables, Postcard and CQUniversity insert) through scheduled support from Tropic of Capricorn Spire Visitor Information Centre Volunteers.
Complete	Explore Rockhampton Region Visitor Guide – First Print Run <ul style="list-style-type: none"> Developed inaugural Rockhampton Region Visitor Guide for distribution to Singaporean Armed Forces and updating/reprinting to wider market
Complete	Tourism Planning Day for Marketing Team - 01/08/2017 <ul style="list-style-type: none"> Conducted tourism planning day / educational session for Marketing team
In progress	Tropic of Capricorn Spire Visitor Information Centre Telephone listings Review of phonebook and online telephone listings for Tropic of Capricorn Spire Visitor Information Centre. Topic: Announcement of \$50,000 funding to upgrade Visitor Information Centre and update of Council projects. Extremely well received.
Completed	Ibusuki, Japan Sister City Exchange Students 21/8/2017 – 25/08/2017 <ul style="list-style-type: none"> Prepared itinerary for and hosted students and accompanying Councillors.














7. Operational Plan Targets by Section

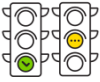










The following Operational Plan actions and targets are required to be reported to Council on a monthly basis. This data will also form part of the Operational Plan quarterly report to Council:


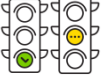






Regional Development & Promotions

Legend for traffic lights		
	On track / completed	
		
	Ongoing / not completed in full	To be commenced

Operational Plan Ref	Action	Target	Status
1.5.2.1	Implement the Wayfinding Strategy across the Region	Update reports on implemented staged levels presented to Council on a quarterly basis	
1.5.3.1	Implement two-way conversation opportunities with the community	Update reports on facilitating departmental client community engagement strategies and marketing strategies presented to Council on a quarterly basis	
1.5.3.3	Position Council and My Rockhampton website event calendars as the go-to place for the Region	All Council and key local events listed on the website	
1.5.3.5	Implement data collection tactics for direct communication with residents	Electronic direct mail out messages increase of 10%	
1.5.3.6	Implement and deliver the My Rockhampton magazine and associated platforms	Three magazines designed and distributed per annum	
1.6.1.1	Inclusiveness in key projects and events	Report on programs undertaken and present to Council on a quarterly basis	
1.6.3.2	Deliver and support major Regional events	Deliver the Rockhampton River Festival with a 10% increase in attendance numbers from 2016, drawing a 5% increased number of out of Region visitors	
		Deliver Wholly Cow Month with a 10% increase in attendance numbers from 2017, drawing a 5% increased number of out of Region visitors	
1.6.3.3	Encourage and facilitate community capacity to deliver a large variety of	Develop an Event How to Guide, which incorporates venue hire information, by 31 December 2017	

	events	Conduct two information sessions for the public on organising and running events, one in 2017 and the other in first half of 2018	
		Review current approval requirements/ processes and implement improvements by 31 December 2017	
1.6.4.4	Develop and implement a strong arts program as part of the Rockhampton River Festival	Three arts programs incorporated into the annual River Festival	
		Ensure art developed as part of the Rockhampton River Festival is designed to be long lasting and integrated as public art in line with Council policy and procedures	
1.6.5.1	Implement key local resident stories and achievements into Council publications and platforms	My Rockhampton magazines incorporate profiles including Who's New in the Zoo, Why Rockhampton, Who to Follow, What are they doing now?	
Operational Plan Ref	Action	Target	Status
2.1.1.1	Engage with stakeholders to develop and implement a Destination Management Plan for the Rockhampton Region	Finalise development of the Destination Management Plan by 30 September 2017	
		Implement Destination Management Plan in accordance with timeframes detailed in the Plan	
2.1.1.2	Develop and implement strategies and initiatives to promote and improve Regional tourism opportunities	Scope work to be conducted to develop a holistic Regional tourism attraction with results being endorsed by Council by 31 March 2018	
		Develop a new tourism product 'History Tour of Rockhampton' by 31 March 2018	
		Review current regional branding and present findings to Council by 30 September 2017	
		Review and implement a regional visitor app by 31 December 2017	
2.1.2.1	Undertake a feasibility study for the development of a multipurpose sport and entertainment precinct	Study to be finalised and endorsed by Council by 30 June 2018	
2.1.2.2	Deliver or support the staging of national, state, regional and local sporting	Develop a Capabilities Statement by 31 December 2017 which includes incentives for events linked to the Commonwealth Games	



	events		
2.1.3.1	Review current multilayered marketing plans for Advance, Explore and Live Rockhampton	Implement marketing plans by 30 June 2018	
2.2.1.1	Work with key industry stakeholders to develop investment profile opportunities for national and international investors	Industry stakeholder engagement and opportunities as per the Economic Development Action Plan update reports presented to Council on a quarterly basis	
2.2.2.1	Work with educational providers to position Rockhampton as a leading study destination	Deliver two international education focused delegations to the Region	
		Update reports on research capabilities and potential markets for health and aged care training presented to Council on a quarterly basis	
		Study Rockhampton initiative completed by 31 December 2017	
2.2.2.2	Support community training programs/ education workshops held in the Region	Finalise Industry Capability Network (ICN) training and business development courses and annual schedule by 30 September 2017	
2.2.3.1	Support programs that encourage residents to transition away from social support options	Finalise the National Disability Insurance Scheme (NDIS) Strategy by 31 March 2018	
2.4.2.1	Encourage further development of industrial estates to support future growth of a wide range of industries both within and outside of the Region	Update reports on industrial areas within the Rockhampton Region and present to Council on a quarterly basis	
2.5.1.1	Deliver Newsmodo campaign 'Rockhampton is Open for Business'	Council to adopt report by 31 October 2017 and recommendations implemented in accordance with the report	
2.5.1.2	Deliver Advance Rockhampton forums	Deliver at least four sessions	
2.5.2.1	Expand engagement with Asian market for business development opportunities	Deliver one inbound delegation from Asia and one outbound Council delegation to Asia per annum	

2.5.4.1	Provide a mechanism through the My Rockhampton to promote local businesses	Include in website consolidation by 30 September 2017	
2.5.4.2	Support local business to build capacity and encourage growth	Complete Local Supply Chain Analysis by 30 June 2018	
2.5.5.3	Deliver capacity building workshops and small business/entrepreneurial training through key stakeholders	Deliver four workshops and training courses per year	
2.6.1.2	Explore further commercial opportunities by building Rockhampton's role and capacity as a logistics and forward deployment base	Update reports to be presented to Council on a quarterly basis	
2.6.3.1	Maximise opportunities from the Adani Carmichael mining project	Regular updates provided to Council with a formal report presented to Council on a quarterly basis	
2.6.3.2	Engage with the Resource Sector to identify and implement opportunities for the Region	Report to Council on opportunities on a quarterly basis	
Operational Plan Ref	Action	Target	Status
3.2.3.1	Industry engagement and the provision of support for new energy generation options	Update reports presented to Council on a quarterly basis	
Operational Plan Ref	Action	Target	Status
4.4.1.1	Update the Economic Development Action Plan to include engagement initiatives with this sector	Economic Development Action Plan updated by 30 June 2018	

Directorate

Operational Plan Ref	Action	Target	Status
2.1.1.2	Develop and implement strategies and initiatives to promote and improve Regional tourism opportunities	Redevelop My Rockhampton Website to go live by 30 September 2017	
2.6.1.1	Strengthen relationship with Singapore	Successfully deliver Wallaby 17 by 30 November 2017	
2.6.1.3	Actively engage with the ADF/DOD to maintain current levels of military engagement & exercises and advocate for an increase in exercise activity	Update reports to be presented to Council on a quarterly basis	
2.6.2.2	Support the delivery of Beef Australia 2018	Completed by 30 May 2018	
2.6.2.3	Undertake a feasibility study of water services in the Region including irrigated small cropping	Present findings of the feasibility study to Council by 30 June 2018	
Operational Plan Ref	Action	Target	Status
5.1.1.1	Review and audit existing organisations and advocacy groups where Council is represented. Identify any groups where inclusion is considered appropriate and report to Council accordingly	Review undertaken and report to Council by 31 December 2017	
5.1.2.1	Actively source grants, funding and other business opportunities	Update report presented to Council on a monthly basis	

All units of Council

Operational Plan Ref	Action	Target	Status
2.2.3.1	Support programs that encourage residents to transition away from social support options	Consider options in budget planning to support employment programs in 2018/19	
Operational Plan Ref	Action	Target	Status
5.3.1.1	Workforce planning is reviewed to ensure that resourcing levels meet business needs in accordance with budget allocations	Review workforce requirements in accordance with budget schedule	

8. Capital Projects

Nil

9. Operational Projects

As at period ended August – 16.66% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Nil					

10. Budget

Financial performance as expected for the reporting period August 2017.



End of Month Job Costing Ledger - (Operating Only) - REGIONAL DMENT & AVI

As At End Of August

Report Run: 01-Sep-2017 12:40:16 Excludes Nat Accs: 2802,2914,2917,2924

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$	Variance %	On target 16.7% of Year Gone
REGIONAL DEVELOPMENT & AVIATION							
GM REGIONAL DEVELOPMENT & AVIATION							
<i>GM Regional Development & Aviation</i>							
Expenses	576,961	0	0	82,186	82,186	14%	✓
Total Unit: GM Regional Development & Aviation	576,961	0	0	82,186	82,186	14%	✓
Total Section: GM REGIONAL DEVELOPMENT & AVIATION	576,961	0	0	82,186	82,186	14%	✓
ECONOMIC DEVELOPMENT							
<i>Economic Development</i>							
Expenses	1,199,983	0	112,848	151,861	264,709	22%	✗
Total Unit: Economic Development	1,199,983	0	112,848	151,861	264,709	22%	✗
Total Section: ECONOMIC DEVELOPMENT	1,199,983	0	112,848	151,861	264,709	22%	✗
REGIONAL PROMOTIONS & TOURISM							
<i>Regional Promotions</i>							
Revenues	(147,380)	0	0	(88,911)	(88,911)	60%	✓
Expenses	1,200,787	0	10,158	475,760	485,918	40%	✗
Transfer / Overhead Allocation	0	0	0	15,595	15,595	0%	✗
Total Unit: Regional Promotions	1,053,407	0	10,158	402,444	412,602	39%	✗
<i>Marketing</i>							
Revenues	(5,065)	0	0	0	0	0%	✗
Expenses	717,388	0	40,400	87,469	127,869	18%	✗
Transfer / Overhead Allocation	10,350	0	0	121	121	1%	✓
Total Unit: Marketing	722,673	0	40,400	87,590	127,990	18%	✗
<i>Tourism</i>							
Expenses	177,288	0	7,720	19,969	27,689	16%	✓
Transfer / Overhead Allocation	0	0	0	15	15	0%	✗
Total Unit: Tourism	177,288	0	7,720	19,984	27,704	16%	✓
Total Section: REGIONAL PROMOTIONS & TOURISM	1,953,368	0	58,278	510,018	568,296	29%	✗
STRATEGIC PLANNING							
<i>Strategic Planning</i>							
Revenues	(512)	0	0	(20)	(20)	4%	✗
Expenses	1,124,959	0	2,727	63,461	66,188	6%	✓
Transfer / Overhead Allocation	6,249	0	0	935	935	15%	✓
Total Unit: Strategic Planning	1,130,695	0	2,727	64,375	67,103	6%	✓
Total Section: STRATEGIC PLANNING	1,130,695	0	2,727	64,375	67,103	6%	✓
Total Department: REGIONAL DEVELOPMENT & AVIATION	4,861,007	0	173,853	808,440	982,293	20%	✗
Grand Total:	4,861,007	0	173,853	808,440	982,293	20%	✗

11.10 ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

File No:	4107
Attachments:	1. Legislative Delegations 2. Financial Delegations
Authorising Officer:	Lawrie Whouley - Acting Manager Workforce and Strategy
Author:	Allysa Brennan - Coordinator Corporate Improvement and Strategy

SUMMARY

In accordance with s257(4) of the Local Government Act 2009 the legislative delegations to the Chief Executive Officer are presented for Council's annual review.

OFFICER'S RECOMMENDATION

THAT in accordance with s257(4) of the *Local Government Act 2009*, the report containing the annual review of the legislative delegations to the CEO, including local law delegations, as well as the financial delegations be 'received'.

COMMENTARY

This report provides Council's annual review of the current legislative delegations (refer attachment 1) for the Chief Executive Officer (CEO) as per statutory requirements. Attachment 1 contains a summary of legislative and local laws sections delegated previously by Council to CEO at various meetings throughout this year and preceding years. Please note that the full descriptions of the specific powers for the sections identified within the attachment have been viewed and endorsed by Council at the abovementioned meetings.

CEO's financial delegations (attachment 2) are also presented for review.

PREVIOUS DECISIONS

Specified sections of the legislative acts, regulations and local laws as well as the financial delegations contained within the attachments have previously been presented to Council and adopted at various Council meetings.

The last statutory annual review report was presented to the Council meeting 27 September 2016.

LEGISLATIVE CONTEXT

Section 257 *Local Government Act 2009* allows Council to delegate its powers to one or more individuals or standing committees, including to the CEO. Pursuant to section 257(4) *Local Government Act 2009* a legislative delegation to the CEO must be reviewed annually by Council. This annual review ensures that the delegation remains consistent with the local government's policy direction and intent.

To further streamline the decision making process, section 259 of the *Local Government Act 2009* allows the CEO to sub-delegate the powers (including those delegated to him by Council) to another Council employee where appropriate.

The statutory requirement for an annual review is only relevant to the CEO, not other delegates.

Under section 260 of the *Local Government Act 2009*, the CEO must establish a register of delegations. The CEO must record all delegations by the local government, mayor or CEO in the register.

CONCLUSION

For the reasons stated within the report, it is recommended that Council's annual review of the legislative and financial delegations to the CEO be endorsed.

ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

Legislative Delegations

Meeting Date: 26 September 2017

Attachment No: 1

ATTACHMENT 1 - LEGISLATIVE DELEGATIONS

<i>Legislation Title</i>	<i>Sections Delegated to CEO</i>
<i>Aboriginal Cultural Heritage Act 2003</i>	56(1), 61(2), 62, 63, 64, 65, 68(1), 68(4), 76, 91, 96, 99, 100, 101, 103, 106(2) 111, 113(2)
<i>Acquisition of Land Act 1967</i>	4B(2), 7(1), 8(2), 8(2)(b), 8(2A), 9(2), 12(5A), 12(7), 13(1)(b), 15, 15C(1), 15D(1), 15D(3), 16(1), 16(1B), 17(1), 17(5), 19(4), 21(1), 21(1A), 21(2), 29(1), 37(2), 37(5), 38(1)
<i>Animal Care & Protection Act 2001</i>	36(1), 156(2), 157(2), 189(2), 214A(2)
<i>Animal Management (Cats and Dogs) Act 2008</i>	39, 42(4), 49(2), 51(a), 64(1)(b), 74(1), 75(1), 75(3), 75(5), 77(1), 79, 84(1), 84(4)(b), 84(5)(a), 84(5)(b), 87(1), 89, 89(4), 90(1), 92, 94(1), 94(2), 95(1), 95(4), 100(3), 102, 114(1), 212(3), 228(3)
<i>Biosecurity Act 2014</i>	53(1), 59, 105(1), 239(2), 239(3), 246(2)(b), 329(1), 365(1), 366(1), 379(1), 379(3), 380(2), 381(3), 381(5)(a), 381(5)(b)
<i>Body Corporate & Community Management (Accommodation Module) Regulation 2008</i>	159(6)(b)
<i>Body Corporate & Community Management (Commercial Module) Regulation 2008</i>	117(6)(b)
<i>Body Corporate & Community Management (Small Schemes Module) Regulation 2008</i>	95(6)(b)
<i>Body Corporate & Community Management (Standard Module) Regulation 2008</i>	161(6)(b)
<i>Body Corporate and Community Management Act 1997</i>	51(1)(a), 51(1)(b), 51(6), 51(7), 51(8), 51(8)(a), 51A(i)(b), 51A(5), 51A(6), 51A(7), 60(1), 60(4), 316(1), 430(3), 430(4), 430(5)
<i>Building Act 1975</i>	37(2), 51(2), 52, 53(2), 55(3), 63, 65(2), 66(2), 67(3), 68(3), 71(8), 71(9), 71(11), 74(2)(b), 80(2), 92(2), 92(5), 93(1), 95(1)(a)(b), 117(2), 206(1), 207(2), 207(3), 221(2)(a), 221(2)(b), 221(3), 221(4), 222(2), 228(2), 231AL(1), 231AL(3), 231AL(4), 236, 237(1), 237(3), 238(1), 238(2), 242(1)(b), 242(2), 242(3), 245A, 245B(1), 245B(2) (excluding demolishing a building) 245B(3), 245C(1), 245C(2), 245E(2), 245E(3), 246AE(2), 246AF(2), 246AG(1),

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	246AG(5), 246AG(6), 246AG(7), 246X(1), 246X(2), 248(1), 248(2), 248(3), 249(1) (excluding (g) to demolish or remove the building or structure), 249(2), 256(2)(d), 256(2)(e), 256(2)(f), 256(2)(g), 256(2)(h), 256(2)(i), 256(2)(k), 262(3), 266
Building Units and Group Titles Act 1980	8(3)(b), 9(7), 9(8)(b), 10(1), 11(1), 12(1), 22(1), 22(2), 22(7), 24(2), 24(3), 24(4), 24(5), 24(5A), 25(3), 25(4), 25(4A), 26(1), 128
Coastal Protection & Management Act 1995	115B(a), 119(2), 190(5), 193(5)
Disaster Management Act 2003	29, 31, 37, 57(1), 57(2)(g), 59(1), 61
Disaster Management Regulation 2014	5(1)(c)(i), 5(1)(c)(ii), 5(1)(c)(iii), 5(1)(c)(iv), 7(1)(b), 9(1), 9(4), 10(1)
Environmental Protection Act 1994	128(2), 129(2), 130(3), 131(d), 133(1)(b), 134(4), 140(1), 143(2), 145(1), 145(3), 147(3), 150(1)(d), 152(3), 159(2), 159(3), 159(4), 159(5)(b)(i), 159(5)(b)(ii), 159(5)(b)(iii), 160, 161(3), 162(1), 168(2), 168(4), 170(2)(a), 170(2)(b), 171(2)(a), 171(2)(b), 172(2), 173(1), 173(3), 195, 198(2), 198(4), 203(1), 203(2), 204(2), 209(4), 211, 212(2), 212A(2), 212A(3), 212(3), 213(2), 213(3), 214(2), 214(3), 215(1), 215(1)(a), 216, 217, 218, 219(1), 219(3), 220, 221(2)(b), 227A(2), 227A(3), 227A(5), 228(1), 229, 230(2), 233(3), 237(1)(b), 238(3)(a), 238(7), 240(1), 240(2), 240(3), 242(1)(b), 242(3), 247(1), 247(2)(c), 247(3), 248(b), 249, 250C(a), 254(1), 255(1)(b), 255(2), 258(2), 261(2), 264(2)(a), 265, 266(1), 269(a), 269(b)(i), 269(b)(ii), 269(c), 275(a)(ii), 275(b), 278(1), 280(1), 281, 282(1), 282(1)(a), 282(1)(b), 282(3), 283(1), 283(2), 284C, 284F(1)(a)(ii), 284F(1)(b), 287, 292(1), 292(2), 292(3), 295(1), 295(2)(c), 295(4), 296, 299(2), 300, 301(1), 301(2), 304(1), 305(1)(a), 305(1)(b), 305(3), 305(5), 306(1), 306(3), 306(6), 308(2), 310(1), 311, 312, 314(2), 314(3), 314(5), 315(1), 320DB(1), 320DB(2), 322(1), 322(2), 323(1), 323(2), 326B(1), 326B(2), 326BA(1), 326BA(2), 326F(2), 326G(4), 326G(5), 326G(7), 326G(7)(a), 326G(8), 326H, 326I(2), 326I(3), 332(1), 332(2), 334A(1), 336(1), 336(2), 336(3), 336(4), 336A(1), 337(1), 337(2), 338(1), 339(1), 339(2), 340(1), 340(2)(b), 340(2)(c), 340(3), 342(2), 343A(2)(B), 344(3), 344(4), 344A(2), 344A(3), 344B, 344C(1), 344C(2), 344E(1), 344E(1)(b), 344E(2)(a), 344F(2)(a), 344G(2), 352(1), 355(1), 357E(1), 357E(2), 357F, 357J, 358, 359, 463(1)(c), 448, 451(1), 454(1), 454(3)(b), 458(2), 490, 502A(2), 507(1), 507(3), 507(4), 509(1), 510, 511, 512(1), 512(2), 512(4), 512(5), 512(6), 512(7), 513(2), 521(2)(a)(ii), 521(5), 521(8), 531(1), 568, 620(2), 620(5)(b), 621(1), 621(2), 621(4), 623(2), 626(3)(a), 634(1), 671(2), 697(1), 698(1), 698(2), 698B, 699(4), 699(5), 701(2)
Environmental Protection (Water) Policy 2009	24(2)

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Environmental Protection Regulation 2008	19C, 51(1), 51(2), 52(1), 53(1), 53(2), 58(2), 63(2), 81U(1)b), 81W(1), 81X(1), 81Y(1), 81ZF(1)(b), 81ZF(2), 81ZG(1)(a), 81ZH(1)(a), 81ZH(2)(a), 81ZI(2), 81ZI(2)(a)(i), 81ZI(2)(a)(ii), 81ZJ(2), 81ZK(2)(a), 81ZK(2)(b), 81ZL(1), 81ZL(1)(a), 81ZL(1)(b), 81ZL(4), 81ZM, 81ZQ(1), 81ZR(2)(b), 133, 150(3), 151(2), 153(2)
Fire and Emergency Services Act 1990	104SG(2), 104SI(2)(b)(ii), 105(1) "Prescribed property" paragraph (b), 112(2), 113(6), 117(3), 121(2), 126(1), 134(2), 140, 146(2)
Food Act 2006	55, 56(1), 56(2), 57, 58(a), 58(b), 59(1)(a), 59(1)(b), 60(2), 62(1), 62(2), 62(3), 64, 67, 68(1), 68(2), 69(1)(e), 69(2)(b), 69(3), 71, 72(3), 72(4), 72(5), 73(3), 73(4), 73(5), 74(3), 74(4), 74(5), 74(6), 74(7), 75(1), 78(2), 79(1)(a), 79(2), 80(2), 81, 82(1)(b), 82(2)(a), 82(2)(b), 82(3), 83, 83(2), 83(4), 91(1)(b), 91(2), 92(2), 97(1), 97(2), 97(3), 97(5), 103(1), 103(2), 104, 105(1), 106(2), 107(4), 108(1), 108(2), 108(3), 109(2), 109(2)(a), 109(3), 110(1), 110(2), 110(3), 110(4), 112(4), 112(5), 112(6), 113(1), 114(1), 114(2), 114(3)(c), 115(2), 118(1), 119(2), 120, 121(1)(b), 121(2), 121(3), 222(b), 223, 238(2), 239, 239(1), 255(1)(b), 258(1), 258(2), 277
Food Production (Safety) Act 2000	83(1)c
Health (Drugs & Poisons) Regulation 1996	290(3)(a), 291(3)(b)
Housing Act 2003	25(1), 26(2)(b), 65
Housing Regulation 2015	15(1), 18(2), 19(3)
Information Privacy Act 2009	29, 33(a), 33(c), 33(d)(i), 34(1), 44(3), 49(2), 50(2), 50(5)(b), 52(1)(b), 52(2), 53(2), 53(5), 54(2), 54(3), 54(5)(b), 55(1), 55(3), 56(1), 56(3)(b), 56(3)(c), 56(3)(d), 56(4), 57(2), 57(2)(b), 59(2), 60(1), 61(1), 61(1)(b), 61(1)(c), 61(6)(b), 62(3), 63(3), 65(a), 65(b), 66(2), 68(1), 69(2), 70, 71(2), 72(1), 73(1), 74, 76(3)(b), 76(5), 76(5)(b), 81(1), 82(2), 82(3), 87(1), 87(2), 88(1), 88(2), 88(3), 89(c), 90(c), 91(2), 91(3)(a), 91(3)(b), 92(2), 94(2), 97(2), 97(3), 102(2), 106(1)(b), 112(2), 114(2), 114(3), 115(1), 127(1), 131(1), 132(1), 157(1), 159(1), 159(3)(b), 161(1), 172(1), 171(2), Schedule 3, 2(5)(b), 7(3)(a), 10(1)(b), 10(1)(d), 11(1)(c), 11(1)(e), 11(1)(f)(iv)
Integrity Act 2009	71(4)

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Land Act 1994	12(3), 12(4), 13A(4), 13AC(1)(a), 13B(1), 13B(2), 13B(6), 18(1), 18(2), 18(3), 23A(1), 23A(6), 24(3), 25(2), 26(2), 26(4), 26B(8), 31C(1), 31C(2), 31C(3), 31D(1), 31D(2), 31D(3), 34(1), 34(2), 34(3), 34H(1), 34I(1), 34I(3), 34I(4), 38A(1), 38A(2), 38A(3), 38A(4), 38G(1), 44(4), 48(1)(a), 49, 52(1), 52(5), 55(1), 55A(1), 55A(2), 55A(3), 55H(1), 66(1), 82, 84(1), 94(2), 99(1), 99(3), 99(4), 99(6), 109A(1), 109A(3), 109B(1), 109B(4), 120A(1), 136(5), 140(1), 140(2), 140(4), 154(1), 155A(2), 155B(2), 155BA(2), 155DA(4), 158(1), 160(3), 164C(1), 164C(7), 164H(1)(b), 166(1), 168(5), 169(a), 169(b)(i), 176(1), 176E, 176K(1), 176Q, 176UA(2), 176XA, 177A(1), 177A(2), 179(2), 180(2), 180A(1), 180A(2), 180A(4), 180A(5), 180H(1), 210(1), 210(2), 212(1), 212(3), 212B(5), 214(3), 214A(4), 214F(3), 226(5), 232(5), 239(4), 240E(1), 240G(1), 240I(3), 240I(4), 243(1A), 321(1), 322(1B), 322(6), 327, 327A, 327B, 327C(1), 327C(2), 327C(3), 327I(1), 330(c), 332(1)(a)(i), 332(8), 339(1), 339B(1), 339B(3)(a)(i), 339B(3)(b), 339B(3)(c), 358(1), 358(2), 360C(1), 360C(2), 360C(3), 360D(2), 360D(3), 368(2)(a), 371(2), 371(3), 373B(1)(a), 373C(2)(a), 373D(2), 373L(a), 389H(1), 415(1), 420, 420CB(1), 423, 425(1), 427, 431V(3), 431W(6)(a), 431X(1)(b)(ii), 442(4), 442(9), 481A, 481B(1), 481B(3), 481B(4), 481B(5), 481J(1), 492(1), 521ZE(2), 521ZL(2), 521ZM(2)
Land Title Act 1994	50(1)(b)(i), 54(1), 60(1), 64, 67(1), 68(1), 69(1), 82(1), 83(1)(b), 83(2)(b), 87(a), 90(1), 91(1), 95(7)(c), 96A(5), 96C(6), 97A(1), 97C(1), 97D(1), 97E, 97K(1), 97O(1)(a), 97P(c), 97S(1), 104, 105(2), 106, 108A(2), 116, 121(1), 122(1), 124(2)(b), 125, 126(2), 127(1), 128(1), 139(1), 140(1), 141(2)(b), 142, 144(1), 169(1), 172(1)
Liquor Act 1992	105B(1), 105B(4), 117(2), 117A(2), 173C(1), 173C(2), 173D(6), 173E(1), 173N(4), 173NH(2)(d)
Local Law 1 (Administration) 2011	8(1), 9(1), 9(2), 9(4), 10(1), 10(3), 12(1), 14(4), 14(6), 14(8), 14(9), 15(4), 15(6), 15(7), 15(8), 15(9), 15(11), 16(3), 16(4), 16(5), 16(6), 18(2), 18(3), 18(4), 18(5), 19(1), 19(2), 22(3), 23(1), 23(3), 35(3)
Subordinate Local Law 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011	Schedule 1: 7(1), 8(1), 8(2)
Subordinate Local Law 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011	Schedule 1: 7(1), 8(1), 8(2)

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<i>Subordinate Local Law 1.3 (Establishment or Occupation of Temporary Homes) 2011</i>	Schedule 1: 7(1), 8(2)
<i>Subordinate Local Law 1.5 (Keeping of Animals) 2011</i>	Schedule 1: 7(1), 8(1)
<i>Subordinate Local Law 1.9 (Operation of Cemeteries) 2011</i>	Schedule 1: 7(1), 8(1)
<i>Subordinate Local Law 1.12 (Operation of Temporary Entertainment Venues) 2011</i>	Schedule 1: 7(1), 8(1)
<i>Subordinate Local Law 1.13 (Undertaking Regulated Activities Regarding Human Remains) 2011</i>	Schedule 1: 7(1), 8(1)
<i>Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas) 2011</i>	Schedule 1: 7(1), 8(1)
<i>Subordinate Local Law 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011</i>	Schedule 1: 7(1), 7(2), 8(1), 8(2), 8(3)
<i>Subordinate Local Law 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011</i>	Schedule 1: 7(1), 8(1)
<i>Subordinate Local Law 1.18 (Use of a Vehicle on an Airside Area) 2011</i>	Schedule 1: 7(2), 8(1)
<i>Local Law 2 (Animal Management) 2011</i>	32(1), 32(6),

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Local Law 4 (Local Government Controlled Areas, Facilities and Roads) 2011	9(1), 11(a), 11(b)
Local Law 5 (Parking) 2011	7(1), 8(1)
Local Law 7 (Aerodromes) 2011	5(1), 6(1), 7(1), 13, 14(7), 16(2), 21(1), 26(1)
Rockhampton Regional Council made Rockhampton Regional Council Gates and Grids (Application of Continuing Local Law) Local Law 2009	4(2), 5(1), 7(1), 8(1), 9(1), 10, 11(1), 12
Local Government Act 2009	29(1), 61(1), 61(5), 62(6), 62(7), 64(4), 65(1), 65(3), 65(4)(a), 65(4)(b), 66(4), 67(1), 67(2), 67(3), 68(4), 69(1), 69(2)c, 69(4), 69(5), 70(3), 70(4), 70(7)(a), 71(2), 71(4)(a), 72(1)(b), 72(2), 72(3), 74(4), 75(2), 75(4), 77(1), 77(3)(b), 77(4), 78(4), 78(5), 79(4)(e)(i), 95(3)(a), 133(3), 133(4), 137(2)(a), 138(4), 140(1)(a), 140(2), 142(6), 143(1), 146(1), 146(2), 147(3)(a), 176A(2), 176A(3), 195, 198(2), 219(2), 236(1), 240(1), 250(1)(b), 262(2), 268A
Local Government Act 2009	The power to enter into contracts on behalf of Council, of a value up to the level of financial limits specified in Council's Financial Delegations Policy.
Local Government Act 2009	The power to enter into community based employment agreements subject to existing financial delegation.
Local Government Act 2009	The authority to verify documents pursuant to section 250(1)(b).
Local Government Regulation 2012	55(4), 58(2)(b), 138(3), 143(2), 194(a), 201(2), 225(3), 225(4), 228(8), 228(9), 232(2), 232(4)
Mineral and Energy Resources (Common Provisions) Act 2014	39(3)(b), 42(1), 44(1), 45(1), 45(2), 45(3), 47(1)(a)(i), 47(1)(a)(ii), 48(2), 52(1), 53(1), 53(4), 57(3), 59(2), 59(4)(b), 59(7), 60(1), 63(1)(b)(i), 63(1)(b)(ii), 64(1), 67(b)(iv)(A), 70(1), 72(1), 83(1), 85(1), 87(2), 88(2)(a), 88(2)(b), 89(4), 89(7), 90(4), 90(7), 91(2), 94(1), 96(2), 100(1), 101(2)

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Mineral Resources Act 1989	19(1), 19(2), 19(3), 20(3), 20(6), 26(3), 26(9)(a)(i), 32(2), 34(1), 46(1), 47(1), 47(2), 47(4), 51(2)(a), 54(a), 65(1)(a), 71(1), 71(2), 71A(1), 85(1)(a), 125(9)(a)(i), 125(10), 129(3)(a), 129(6), 167(1), 181(8)(a), 190(7), 190(8)(a), 216(1), 237(2)(d)(i), 237(2)(d)(ii), 238(1)(a), 260(1), 260(4), 261(1), 279(1)(a), 280(1), 283A(2), 317(10), 335F(1), 335F(2)(a), 335G(1), 335G(2), 335H(1), 335L(1), 403(1)(e), Schedule 1, 2(1)(a), 3(1)(a), 3(3), 4
Neighbourhood Disputes (Dividing Fences and Trees) Act 2011	88(1)(d), 88(3), 88(4), 88(5A)
Peaceful Assembly Act 1992	4 - definition of "representative" - paragraph (b), 10(2)(b), 11(1), 11(4), 11(5), 12(1), 13(1)(b), 13(1)c, 13(1)(d), 13(3), 15(1)
Planning Act 2016	18(3), 18(6), 19(1), 20(2), 21, 22(1), 25(2), 26(4)(a), 26(4)(b), 29(4)(a), 29(4)(b), 29(6), 29(7), 30(5), 32(3), 46(2)(a), 46(3)(a), 51(2), 51(4)(a), 51(4)(b), 51(4)(c), 51(4)(d), 52(3), 53(3), 53(4)(a), 53(10), 54(5), 55(1), 55(2)(a), 55(2)(b), 55(4), 56(1)(a), 56(1)(b), 56(1)(c), 56(2)(a), 56(2)(b), 56(2)(c), 56(3), 60(2)(a), 60(2)(b), 60(2)(c), 60(2)(d), 60(3)(a), 60(3)(b), 60(5), 63(1), 63(4), 64(6)(a), 64(6)(b), 67, 75(4)(b)(ii), 75(4)(b)(iii), 76(1), 76(2), 76(6), 79(2)(a), 79(2)(b), 79(2)(c), 79(2)(d), 80(3), 80(5)(a), 80(5)(b), 81(3)(a), 81(3)(b), 81(4)(a), 81(4)(b), 81(7), 83(1), 83(1A), 86(3)(a), 86(3)(b), 86(3)(c), 86(3)(d), 87(1), 87(2)(a), 87(2)(b), 87(3), 88(3), 89(1)(a), 105(3), 109(a), 109(b), 115(2), 119(2), 119(6), 123(1)(a), 123(1)(b), 125(2), 125(3), 131(2), 140(1), 140(3), 142(3), 167(1)(a), 167(1)(b), 167(2), 167(4), 167(5)(b), 168(1), 168(4)(a), 168(4)(b), 168(4)(c), 169(2)(a), 169(3), 169(5), 174(1), 175(1)(a), 175(1)(b), 176(10)(a), 176(10)(b), 178(1)(b), 180(1), 180(11), 180(13)(a), 180(13)(b), 181(4), 239(1), 240(1), 241(2), 265(3), 304(4)(b), 304(4)(c), 312, 314(6)
Plumbing and Drainage Act 2002	84(3), 85(3), 85(6), 85(7), 85(8), 85(10), 85A(2), 85C(2)(b)(i), 85C(2)(b)(ii), 85D(2)(b)(i), 85D(2)(b)(ii), 85D(2)(b)(iii), 85E(4)(b), 86(5), 86(6), 86(7), 86(8), 86(9), 86(10), 86(12), 86(13), 86AA(2), 86A(3)(b), 86A(4), 86A(5), 86A(6), 86A(8), 86B(3), 86D(3), 86E(3), 86G(1), 107(1), 115(1), 116(1), 116(2), 117(1), 117(2), 127A, 128, 128OA, 128P(2), 128P(4), 143B, 143C
Prostitution Act 1999	26(2), 52(2), Schedule 4 – definition of ‘authorised officer of a relevant local government’
Public Health Act 2005	17(2), 24(1), 24(2), 25(1), 27(2)(b), 32(3), 36(5), 57B, 376(2), 378, 378(a), 379(1)(b), 379(2), 393(2), 407(3), 446(1), 446(2)

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Public Health (Infection Control for Personal Appear Services) Act 2003	33, 34, 35(1), 36, 37(1), 38(1), 38(2), 38(3), 39(4), 40(2), 41(1)(c), 41(2)(b), 41(3), 44(4), 44(5), 44(6), 44(7), 45(1), 47(3), 47(4), 47(5), 47(6), 47(7), 48(1), 49(3), 49(4), 49(5), 49(6), 49(7), 50(1), 51(2), 52(1), 52(2), 53(2), 54(1), 54(3), 55(1), 55(3), 55(4), 56(1), 56(2)(a), 56(2)(c)(i), 62(1), 62(2), 62(3), 62(4), 65(3), 68(1)(b), 68(2), 70(1), 70(2), 72(1), 105(1), 105(2), 121(2), 122(1), 122(2), 140(1), 140(2), 147, 153(3), 154(3), 155(2)
Public Health Regulation 2005	21(2)(c)
Public Interest Disclosure Act 2010	30(1), 30(1)(b), 30(1)(d), 30(2), 30(3), 31(1), 31(3), 31(4), 32(1), 32(4), 60(3)
Public Records Act 2002	10(1)(a), 16(1)(a), 16(1)(A), 16(2), 16(2)(b)(i), 16(3)(a), 18(2)(b), 19(2), 19(3), 19(4), 26(1), 28, 39
Queensland Competition Authority Act 1997	13C(2), 13C(2)(b), 13C(2)(c), 13C(3), 13C(3)(b), 13C(3)(c), 18B(1), 19(5)(b), 36A(4), 84(3)(b)
Queensland Heritage Act 1992	82(1)(b), 82(1), 117(1), 118
Residential Services (Accreditation) Act 2002	29(2)(a), 29(3), 189(3)(a)
Residential Tenancies and Rooming Accommodation Act 2008	62(1), 62(3), 64(3), 65(2), 66(2), 67, 68(2), 69, 77(4)(h), 78, 81(1)(b), 88(3), 88(5), 91(2), 97(3), 98(3)(a), 98(3)(b), 99(2)(a), 102(3), 105(3), 106(2), 106(3), 107(2), 109(3), 116(1)(b), 117(2)(b), 117(3)(b), 118(2)(b), 118(3)(b), 118(4)(a)(ii), 118(4)(b)(ii), 145(1), 145(2)(b), 154(b), 155(3), 160(1), 168(3)(a), 168(4), 192(1)(h), 192(i), 192(j), 192(1)(l), 193(1)(a), 195(1)(b), 195(5), 197(1)(a), 198(1)(a), 203, 211(1)(a), 211(2)(b), 216(2), 220(2), 223, 229(1)(b), 233(2), 237(2), 238(2)(a), 242(1)(a), 242(1)(b), 248(1), 248(2), 255(1), 257(1), 259(2), 259(4), 270(1), 271, 272(4)(b), 273(2), 273(7), 274(7), 277(2), 277(3), 277(7)(b), 277(7)(c), 280(1), 280(2), 281(1), 282(1), 283(2), 284(1), 285(2), 286(1), 287(2), 288(1), 289(2), 290A, 291, 294(1), 295(1), 296(1), 296A(1), 297(1), 297A, 298(2), 299(2), 300(1)(b), 300(2), 325(2)(a), 326(1)(b), 333(1), 333(2)(b), 335(1), 355(1), 357(1), 359(1), 363(2), 363(4), 366(2), 366(7)(b), 366(7)(c), 368(1), 368(2), 368(3)(d), 368(4), 369(1), 369(2)(d), 369(5), 370(1), 370(2)(b), 371, 371(3)(d), 372(1), 372(2), 374(1), 374(2)(d), 375(2), 375(4), 376(2), 377(1), 388(1), 393(2), 393(5), 395(3), 402(1), 402(2), 405(1), 405(2), 408(2), 410(1), 418(1), 419(1), 419(2), 424(1), 429(1), 455(1), 455(3), 527D(1), 527D(4), 527E(1)

Legislation Title	Sections Delegated to CEO
Residential Tenancies and Rooming Accommodation Regulation 2009	2(3), 5(1), 6(1)(b)(v), 8(3)(b)(i), 8(3)(ii), 8(5), 10(1), 13(2), 20, 22(1), 27(2), 29(1)(a), 31(1)(b), 34(1), 36(1)(a), 36(1)(b), 39(1), 40(2)(a), 44(4), 44(6), 2(3), 5(1), 6(1)(b)(v), 8(3)(b)(i), 8(3)(b)(ii), 8(5), 10, 13(2), 14(1)(a), 17(4), 20(1), 22(2), 22(3), 28(2), 30(1)(a), 32(1)(b), 35(1)(a), 36(2), 38(1), 42(1)(a), 42(1)(b), 45(1), 46(2)(a), 50(4), 50(6), 7(3), 7(4), 7(5), 8(4), 9, 10(1), 11(1)(a), 13(2), 14(6), 17, 25, 24(5)(a), 24(5)(b), 25(4), 26(1), 28(1), 31, 33(1)(a), 33(1)(b), 36(1), 37(2)(b), 41(4), 41(6), 42(3), 42(7), 43(2), 45(1), 2(4), 4(2), 6(3)(b)(i) and (ii), 6(5), 8(1), 9(2), 10(2), 11(2), 21(2), 22, 23(1)(a), 23(1)(b), 29(4), 29(6)
Right to Information Act 2009	30(1), 30(2), 32(1)(b), 32(2), 33(2), 33(3), 33(5), 34(2), 35(1), 35(3), 36(1), 36(2), 36(4), 36(7), 37(1), 37(3)(b), 37(3)(c), 37(4), 38(2), 38(2)(b), 40(2), 41(1), 42(1)(a), 42(1)(a)(ii), 42(6), 43(3), 43(3)(b)(ii), 43(3)(b)(iii), 43(3)(c)(ii), 45(a), 45(b), 46(2), 47(3), 48(1), 48(3), 49(1), 49(3), 49(5), 50(1), 50(4), 51(1), 51(3), 52(1)(a), 52(1)(b), 52(2), 54(1), 55(2), 64(1), 66(2), 66(3), 68(4), 72(1), 72(2), 73(1), 73(2), 73(3), 74, 75, 76(2), 77(2), 83(1), 83(2), 83(3), 93(1)(b), 99(2), 114(1), 118(1), 119(1), Schedule 4, 1(3).
River Improvement Trust Act 1940	3(3), 5(1)(a), 5(1A)(a), 5A(1), 5K(2), 6(1A), 12A(1), 14(1B)
Standard Plumbing and Drainage Regulation 2003	14(6), 14D(3)(c)(ii), 15(2), 18(2), 20(2)(a), 22(6), 22(7)(b)(i), 27, 29(1)(b), 29(3), 29A(2), 29B(2), 29B(4)(c), 29B(4)(d), 29B(10), 30(3)(b), 30(4), 32, 34(1), 34(2), 34(3), 34(3)(b), 35(1), 35(2), 35(3), 38(2), 39(1)(d), 39(7)(a), 39(8), 39(9), 41(1)(a), 41(2)(b), 41(3), 44(1)(a), 44(2)(b), 44(3), 45(1), 47(1), 47(2), 52(2), 53(2)(a), 53(3)(a), 54(3)(a), 54(3)(b), 54(3)(c), "Competent person"
State Penalties Enforcement Act 1999	15(1), 23(3)(b), 23(5), 28(1), 28(2)(a), 33(1), 33(2)(b), 57(5), 150(2)(a)(ii), 157(2), 162
Statutory Bodies Financial Arrangements Act 1982	62
Sustainable Planning Act 2009	96(1), 96(2), 96(4), 97, 98(4), 223(1), 224, 225, 226, 227(2), 256(1), 261(1)(a)(ii)(A)(B), 262(5)(a), 262(5)(b), 263, 266(1), 267(2), 272(b), 274(2)(b), 276(1), 277(1), 277(3), 280(2)(b), 282(1), 282(2), 284(1), 284(3), 285(2), 287, 288(1)(a), 290(1)(a), 290(1)(b)(i), 290(1)(b)(ii), 290(2), 291(2), 292, 297(1), 302(1)(a), 302(1)(b), 303(2), 303(3), 304(1), 305(3), 313(2), 313(3), 314(2), 314(3), 315(1), 316(4), 317, 318(1), 318(2), 318(4), 324(1), 327(1), 331(6), 334(1), 337(1), 337(2), 348, 350(1)(b), 350(2), 354(1)(b), 354(4), 355(4), 357(2), 362, 363(1), 363(5), 364(2), 368(3), 369, 371, 371(d), 371(e), 373(1)(a), 374(1) and (2), 375(1)(a) and (b), 375(5), 376(1), 378(3), 378(7), 378(9), 378(9)(a),

Legislation Title	Sections Delegated to CEO
	378(9)(b), 381(a) and (b), 383(4), 385(a), 385(b), 387(1), 387(3), 389, 402(4), 402(5)(a), 402(5)(b), 405(1), 405(2) and (3), 405(5), 407(1)(a), 407(1)(b), 408(3)(b)(i), 408(3)(b)(ii), 412(3), 412(4), 412(5), 412(6), 412(9), 413(2)(a), 413(2)(c), 413(3), 456(1), 456(2), 461(1), 462(1), 463(2), 464(2), 465(1), 466(1), 467(1), 479(1), 485(4), 485(9)(c), 485(10)(b)(ii), 487(4), 488, 498(1), 510(3), 512, 513(3), 515(1), 515(4), 520(2), 521(2)(a)(ii), 528, 529(1), 530(1)(a)(ii), 531(1), 537(1), 543(4), 543(5), 544(c), 545(b)(ii), 546(c), 547(3)(b), 560(1), 562(1) and (2), 568, 588(1), 588(2), 588(3), 590(1), 590(9), 591(2), 592(2), 597(1), 601(1)(a), 601(1)(b), 601(1)(c), 626(3)(a), 632(2), 635(2), 639(1)(a) and (b), 642, 643(1), 643(4), 646(2), 647(2), 650, 651(2), 655(3), 657(3), 660(1), 660(3), 660(5)(b), 661(1), 662(3), 662(4), 664(2), 669(2)(b), 674(1), 677(1)(a) and (b), 678(3), 678(4), 679(2), 691(8), 695(1), 695(3)(a), 695(3)(b), 709(1), 710(1), 710(2)(a), 714(2), 715(1), 716(3), 716(5), 741, 746(1), 749(2), 750, 750(b), 994B(4), 994B(5)
Tobacco & Other Smoking Products Act 1998	26ZO(3), 26ZPD(3), 28(2), 28(3)
Transport Infrastructure Act 1994	25(b), 27(3)(b), 41, 42(1), 43(1), 55(b), 105C(1), 105G(1), 105GB(1), 253(1), 307(1), 309(1), 358(1), 420(3), 421, 423(1), 424, 426(1)
Transport Operations (Road Use Management - Road Rules) Regulation 2009	179(1)(c), 301(4)
Transport Operations (Road Use Management) Act 1995	69(1), 69(2), 69(3), 69(4), 74(2), 75(1), 76(1), 100(1)(b)(ii), 100(3), 100(8), 101(1), 102(1)
Waste Reduction and Recycling Act 2011	52(2), 110(1), 110(2), 111(1), 111(2), 112(3), 128(3)(c), 168(1), 170(2), 173B(1), 173D(1)(e), 173I(1), 173J(2), 173Q(1), 173S(1), 173Y(3)(f), 173ZA, 175, 176(2), 177(2), 178(1)(a), 178(1)(b), 183(1), 187, 246(1), 246(2), 246(3), 248(1), 249(2), 253(1), 256(1), 278(1), 279(3), 281(3), 287(1), 290(3), 293(3)(e)
Waste Reduction & Recycling Regulation 2011	7(b)
Water Act 2000	33(2)(b), 46(2)(c), 54(2)(c), 61(2)(c), 72(2)(c), 73(1)(a), 73(1)(b), 73(1)(c), 99(1), 99(2), 101(1), 102(1), 102(3), 107(4), 108(1), 112(3), 112(6), 121(1), 123(2), 123(5), 134(4), 136(1), 137(1), 146(2), 147(4), 149, 154(2), 154(3), 155(2), 155(3)(b), 155(4), 155(5), 157(1), 159(1), 161(1), 162(1), 162(2), 161(3), 164(3), 166(1)(b), 166(1)(c), 166(5), 175, 178(1), 181(1), 181(2), 184(1), 186, 187(1), 187(2), 188(2)(a)(i), 188(2)(a)(ii), 193(1), 193(2), 193(4), 195(2), 197(2), 198(3), 199(3), 200(1), 200(6), 201(2), 201(4), 202(1),

Legislation Title	Sections Delegated to CEO
	211(1), 212(3), 213(1)(a), 215(1), 216(1), 218(1), 218(3), 223(1), 227(1), 235(1), 236(1), 238(1), 239(1), 434(3), 556, 598A, 700A(1)(a)(i), 700A(1)(b), 779, 862(1), 863(3), 877(1)
Water Regulation 2016	34(1), 34(3)(b)(i), 34(3)(b)(ii), 37(2), 58(2), 61(2), 61(2)(a), 61(2)(b), 63, 113(1)(a), 113(1)(b), 114(a), 114(b), 119(3)
Water Supply (Safety & Reliability) Act 2008	20(1), 21(1)(c)(ii), 23(1), 23A(2), 25A(1), 26(2), 26(8), 28(1), 28(4)(b), 33(2), 33(4), 34(2), 35(1), 36(2)(b), 41(1), 41(3), 43(1), 44(1), 44(2), 44(3), 44(4), 45(1), 45(2), 52(2), 52(3), 54(1), 54(2), 54(3), 54(5), 57(2), 58(1), 58(2), 59(2), 60(1), 60(2), 61(1), 95(1), 99A(1), 100(2), 102(2), 102(3), 102A(2), 102A(3), 103(2), 107(2)(b), 109(1), 115(3), 142(2)(a), 142(2)(b), 142C(2), 145(1), 166(3), 167(2), 168(1), 168(2)(c), 169(1), 169(2), 180(1), 180(3), 180(4), 180(5), 181(1), 182, 183(1), 183(2), 183(3), 183(4), 184(1), 184(2), 184(3), 185(2), 191, 192(1), 192(2), 193(3), 195(1), 195(2), 196AA(1), 196AD(1), 196AE(1), 202(1), 203(1)(b), 208(2), 208(5), 209(1), 212(2), 212(3), 215(1), 215(3), 215(7), 230(2), 230(4), 230(6)(b), 230(9), 259(2)(b), 259(4), 259(6), 270(2), 270(4), 271(2), 271(4), 303(3)(e), 303(4), 306(1), 307(2), 333(2), 352F, 352G(1), 352G(4), 352O(2)(c)(ii), 352P, 352T(2), 352T(2)(b), 352T(3)(a), 352T(3)(b), 352U(3), 354(3)(b), 359(3), 359(4), 371C, 371H(2), 372(2), 373, 374(2), 375, 378, 379(1), 379(2), 379(3), 381(1), 381(4), 381(6), 383(2), 383(2)(b), 384(3), 391(3), 392, 446(2), 447, 463(1)(d), 475(2)(b) and (c), 475(5), 476(1), 496, 498(1), 512(1), 513(3), 517(1), 524(2), 524A(2), 526, 573, 670(2), 670(3), 671(2), 671(3)(a)
Work Health and Safety Act 2011	38(1), 38(4)(b), 52(1), 52(4), 53(1), 53(2), 54(1), 55(3), 56(3), 57(1), 57(2), 58(1), 71(5), 73(1), 73(2), 76(1), 76(5), 77(c), 82(2), 87, 89, 141, 224, 229

ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

Financial Delegations

Meeting Date: 26 September 2017

Attachment No: 2

ATTACHMENT 2
FINANCIAL DELEGATION

- (a) Formally approve any operating expenditure within budget, with the following limitation:
Where a natural disaster and/or extraordinary emergent event has been declared in the local government area, the CEO can exercise the delegation to formally approve expenditure necessary which does not cause a variation of greater than 5% from budget.
- (b) Formally approve any capital expenditure within budget, with the following limitation:
Where a natural disaster and/or extraordinary emergent event has been declared in the local government area, the CEO can exercise the delegation to formally approve expenditure necessary which does not cause a variation of greater than 5% from budget.
- (c) Formally approve the investment or borrowing of money in accordance with Council's approved policy.
- (d) Formally approve Act of Grace payments, on a case-by-case basis, as an equitable remedy to persons who may have been unintentionally disadvantaged by the effects of Council legislation, actions or omissions and who have no other viable means of redress, to the value of not more than \$2,000.
- (e) Formally approve the waiver of debt where all practical means to recover the debt have been exhausted and such debt is less than \$1000.
- (f) Formally approve the refund of fees and charges, on a case by case basis, to the value of not more than \$5,000 unless other wise specified within Council's various Fees and Charges Refund Policies.

11.11 COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER**File No:** 12660

- Attachments:**
1. Instrument of Delegation - Biosecurity Regulation 2016
 2. Instrument of Delegation - Prostitution Regulation 2014
 3. Instrument of Delegation - Planning Regulation 2017
 4. Instrument of Delegation - Development Assessment Rules - Planning Act 2016
 5. Instrument of Delegation - Planning Act 2016
 6. Instrument of Delegation - Information Privacy Act 2009
 7. Instrument of Delegation - Right to Information Act 2009
 8. Instrument of Delegation - Coastal Protection and Management Act 1995
 9. Instrument of Delegation - Water Regulation 2016
 10. Instrument of Delegation - Land Act 1994
 11. Instrument of Delegation - Prostitution Act 1999
 12. Instrument of Delegation - Environmental Protection Act 1994

Authorising Officer: Lawrie Whouley - Acting Manager Workforce and Strategy**Author:** Allysa Brennan - Coordinator Corporate Improvement and Strategy

SUMMARY

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

OFFICER'S RECOMMENDATION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of the Instruments attached to this report:
 1. *Biosecurity Regulation 2016;*
 2. *Prostitution Regulation 2014;*
 3. *Planning Regulation 2017;*
 4. *Development Assessment Rules - Planning Act 2016;*
 5. *Planning Act 2016;*
 6. *Information Privacy Act 2009;*
 7. *Right to Information Act 2009;*
 8. *Coastal Protection and Management Act 1995;*
 9. *Water Regulation 2016;*
 10. *Land Act 1994; and*
 11. *Prostitution Act 1999*

2. Council resolves as per section 518(1)(b) of the *Environmental Protection Act 1994* to delegate its powers as the 'administering authority' to the Chief Executive Officer, the exercise of powers contained in schedule 1 of the Instrument of Delegation attached to this report:

12. *Environmental Protection Act 1994*

3. Council resolves as per section 518(2)(b) of the *Environmental Protection Act 1994* to permit the sub-delegation of the 'administering authority's' power to Council officers.
4. These powers must be exercised subject to any limitations contained in schedule 2 of the attached Instruments of Delegation.

COMMENTARY

MacDonnells Law has identified new powers under the Acts listed within the Officer's Recommendation. Subsequently, the Instruments of Delegation containing the new legislative updates for the Acts have been prepared for Council's consideration and are attached to this report.

Listed below are the titles of the Acts and the relevant sections that have been identified as either new or additional delegable powers to be delegated from Council to the position of the Chief Executive Officer (CEO) in the Instruments of Delegation.

New Legislation Added

Attachment 1 – Biosecurity Regulation 2016 ('BIOR')

The BIOR supplements the *Biosecurity Act 2014*. The BIOR and has been amended by the *Biosecurity (White Spot Syndrome Virus) Amendment Regulation 2017*. The amendment has resulted in changes to the Table of Delegable Powers. Powers have not previously been delegated to the CEO under this Regulation. The General Manager Community Services has recommended that section 94C(2) should remain with Council.

Attachment 2 – Prostitution Regulation 2017 ('PROR')

As a result of the new *Planning Regulation 2017* a delegation under the PROR has been provided. The General Manager Community Services has recommended the delegation of the power to the CEO.

Attachment 3 – Planning Regulation 2017 ('PLAR')

New delegable powers under the PLAR haven been provided. The General Manager Community Services has reviewed the powers and advised the sections relating to koala habitats are not applicable and all other powers are recommended for delegation to the CEO.

Attachment 4 – Development Assessment Rules under the Planning Act 2016

The Development Assessment Rules are not an act or regulation, however the rules contain powers that are capable of delegation in accordance with the *Local Government Act 2009*. The General Manager Community Services has recommended all powers to be delegated to the CEO.

Changes to Existing Delegable Powers

Attachment 5 - Planning Act 2016 ('PLAA')

The PLAA has been amended by the *Local Government Electoral (Transparency and Accountability in Local Government) and Other Legislation Amendment Act 2017*. The amendment has resulted in minor changes to the Table of Delegable Powers. The addition of sections 45(5)(b), 45(7), 51(5), 78(3)(a), 78(3)(c), 78(5), 264(1)(a), 264(2), 264(5) and 264(6). The General Manager Community Services has recommended that sections 45(5)(b) and 45(7) should remain with Council.

Attachment 6 - Information Privacy Act 2009 ('INPA')

The INPA has been amended by the *Court and Civil Legislation Amendment Bill 2017*. The amendment has resulted in changes to the Table of Delegable Powers, including amendments to sections 88(3) and 115(1) and the deletion of sections 89(c), 90(c) and 2(5)(b).

Attachment 7 - Right to Information Act 2009 ('RTIA')

The RTIA has been amended by the *Revenue and Other Legislation Amendment Act 2016*, *Rail Safety National Law (Queensland) Act 2017*, *Child Protection (Offender Reporting) and Other Legislation Amendment Act 2017* and the *Court and Civil Legislation Amendment Act 2017*. The amendments has resulted in minor wording changes to section 73(3) and the addition of section 75B(2) to the Table of Delegable Powers in relation to access to documents.

Attachment 8 - Coastal Protection and Management Act 1995 ('CPMA')

The CPMA has been amended by the *Planning (Consequential) and Other Legislation Amendment Act 2016*. The amendment has resulted in changes to the Table of Delegable Powers as a result of the provisions of the new *Planning Act 2016*. Sections 164A(1) and 206(5) have been added and wording amended to section 115B(5)(a). General Manager Community Services has recommended the previous delegation of sections 115B, 119(2), 190(5), 193(5) are to remain with Council and have therefore been strike through, along with the new section 206(5).

Attachment 9 – Water Regulation 2016 ('WATR')

The WATR has been amended by the *Natural Resources and Mines Legislation (Fees) Amendment Regulation 2017*, *Planning (Consequential) and Other Legislation Amendment Regulation 2017* and *Water and Other Legislation Amendment Regulation (No. 1) 2017* resulting in a change to section 58(2) and the addition of section 58(1).

Attachment 10 – Land Act 1994 ('LANA')

The LANA has been amended by the *Planning (Consequential) and Other Legislation Amendment Act 2016*. The amendment has resulted in the addition of sections 372(2), 372(3), 373A(1) and 373A(2) relating to easements and covenants to the LANA as a result of the new *Planning Act 2016*.

Attachment 11 – Prostitution Act 1999 ('PROA')

A review of the delegable powers under the PROA has been undertaken and updates made. Removal of sections 26(2) and 52(2). The addition of sections 64C(5) and power to authorise a Council officer and sections 71(1)(a) and 150(2)(a), which the General Manager Community Services has recommended for the powers to remain with Council. Section 63B has been reworded, this section remains with Council as resolved previously on 28 April 2015.

Attachment 12 - Environmental Protection Act 1994 ('EPA')

The EPA has been amended by the *Planning (Consequential) and Other Legislation Amendment Act 2016*. The amendment has resulted in minor amendments to the Table of Delegable Powers as a result of the provisions of the new *Planning Act*. Wording amendments have been made to sections 173(3) and 332(1).

BACKGROUND

Without powers being delegated to the CEO and subsequently sub-delegated to relevant positions, Council operations would be impeded significantly as separate resolutions would be required to allow decisions to be made for a vast number of operational activities that are undertaken on a daily basis.

In relation to the legislation listed, Council's legal advisor, MacDonnells Law, provides a regular service of updates/amendments for relevant state legislation to Council.

PREVIOUS DECISIONS

The previous Instruments of Delegation for the Acts listed within this report were last considered and adopted by Council at the following meeting:

Legislation	Meeting Date
<i>Biosecurity Regulation 2016</i>	N/A - NEW
<i>Prostitution Regulation 2014</i>	N/A - NEW
<i>Planning Regulation 2017</i>	N/A - NEW
<i>Development Assessment Rules - Planning Act 2016</i>	N/A - NEW
<i>Planning Act 2016</i>	26 April 2017
<i>Information Privacy Act 2009</i>	11 July 2017
<i>Right to Information Act 2009</i>	26 April 2017
<i>Coastal Protection and Management Act 1995</i>	25 November 2014
<i>Water Regulation 2016</i>	21 March 2017
<i>Land Act 1994</i>	23 May 2017
<i>Prostitution Act 1999</i>	28 April 2015
<i>Environmental Protection Act 1994</i>	10 January 2017

LEGISLATIVE CONTEXT

Section 257 of the *Local Government Act 2009* allows Council to delegate its powers to one or more individuals or standing committees, including to the CEO. Pursuant to section 257(4) of the *Local Government Act 2009* a delegation to the CEO must be reviewed annually by Council.

To further streamline the decision making process, section 259 of the *Local Government Act 2009* allows the CEO to sub-delegate the powers (including those delegated to him by Council) to another Council employee where appropriate.

Section 518 of the *Environmental Protection Act 1994* allows Council to delegate its powers to an appropriately qualified entity, being the Mayor, standing committee or chairperson of a standing committee, CEO or an employee having the qualifications, experience or standing appropriate to exercise the power.

To further streamline the decision making process, section 518 of the *Environmental Protection Act 1994* allows the CEO to sub-delegate the powers (including those delegated to him by Council) to another Council employee where appropriate.

LEGAL IMPLICATIONS

Important legal principles which apply to the delegation proposal set out in this report are:-

- Council at all times retains power to revoke the delegation. Accordingly, Council retains ultimate control.
- Council, as delegator, has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations. However, the delegated power cannot be unduly fettered.
- The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.

CONCLUSION

This report includes Instruments of Delegation for the relevant legislative Acts incorporating sections to be delegated from the Council to the CEO.

Once Council has resolved to delegate to the CEO, the exercise of powers contained in schedule 1 of the Instruments of Delegation attached to this report subject to any limitations contained in schedule 2 of the Instruments of Delegation, the sub-delegates will be given specific delegations according to their respective areas of responsibility subject to the same general conditions and, where appropriate, specific limitations.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation – Biosecurity Regulation 2016

Meeting Date: 26 September 2017

Attachment No: 1



INSTRUMENT OF DELEGATION

Biosecurity Regulation 2016

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1

Biosecurity Regulation 2016 ("BIOR")**CHAPTER 2 – BIOSECURITY OBLIGATIONS****Part 6 - Diagnostic Testing**

Entity power given to	Section of BIOR	Description
Person	27(1)	Power to apply to the chief executive in the approved form for a test kit or method approval.

CHAPTER 5 – PREVENTION AND CONTROL MEASURES FOR BIOSECURITY MATTER**Part 1 - Preliminary**

Entity power given to	Section of BIOR	Description
Responsible person	46(1)	In certain circumstances, power to ensure biosecurity matter or a carrier is dealt with in accordance with a risk minimisation requirement for dealing with the biosecurity risk or carrier.

Part 12 - White spot biosecurity zone regulatory provisions

Entity power given to	Section of BIOR	Description
Person	94C(2)	In certain circumstances, power to move a carrier.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation - Prostitution Regulation 2014

Meeting Date: 26 September 2017

Attachment No: 2



INSTRUMENT OF DELEGATION

Prostitution Regulation 2014

Under section 257 of the *Local Government Act*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1

Prostitution Regulation 2014 ("PROR")**Part 6 - Miscellaneous**

Entity power given to	Section of PROR	Description
Assessment Manager or Responsible Entity	25(2)	In certain circumstances, power to assess assessable development against the assessment benchmarks in Schedule 3.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation - Planning Regulation 2017

Meeting Date: 26 September 2017

Attachment No: 3



INSTRUMENT OF DELEGATION

Planning Regulation 2017

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1

Planning Regulation 2017 ("PLAR")**Part 2 - Planning****Division 3 Superseded planning schemes**

Entity power given to	Section of PLAR	Description
Local Government	12(b)	Power to request an extension to the decision making period specific in 12(a).

Schedule 11 Assessment benchmarks for development in koala habitat

Entity power given to	Section of PLAR	Description
Local Government	40(1)	Power to make a requested decision.
Local Government	40(2)	Power to give a notice of a requested decision.
Local Government	40(3)	Power to decide not to make a requested decision and power to give notice of the decision.

Schedule 18 Approving plans of subdivision

Entity power given to	Section of PLAR	Description
Local Government	3(1)	Power to approve a request where compliant with section 2.
Local Government	3(2)	Power to give notice of an approval to request.

Schedule 22 Publically assessable documents

Entity power given to	Section of PLAR	Description
Local Government	1(1)	Power to keep documents prescribed therein for inspection and purchase.
Local Government	2(1)	Power to keep documents prescribed therein available for inspection only.
Local Government	3(1)	Power to publish documents on the local government website.
Assessment Manager	5(1)	Power to keep documents prescribed therein for inspection and purchase.
Assessment Manager	6(1)	Power to keep documents prescribed therein available for inspection only.
Assessment Manager	7(1)	Power to publish documents on the local government website.
Local Government as a referral agency	8(1)	Power to keep documents prescribed therein for inspection and purchase.
Local Government as a referral	9(1)	Power to keep documents prescribed therein available for inspection only.

agency		
Local Government as a referral agency	10(1)	Power to publish documents as a referral agency on the local government website.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation - Development Assessment Rules - Planning Act 2016

Meeting Date: 26 September 2017

Attachment No: 4



INSTRUMENT OF DELEGATION

Planning Act 2016 Development Assessment Rules

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1

Development Assessment Rules under the
Planning Act 2016 ("PLAA")**Part 1 - Application**

Entity power given to	Rule	Description
Assessment Manager	1.1	Power to decide a properly made application.
Assessment Manager	2.2	Power to give a confirmation notice.
Assessment Manager	3.1	Power to give an action notice.

Part 2 - Referral

Entity power given to	Rule	Description
Referral Agency	6.2	Power to decide a properly made application.
Referral Agency	7.1	Power to give a confirmation notice.
Referral Agency	8.1	Power to give an action notice.
Referral Agency	9.2	Power to give a referral agency response.

Part 3 - Information request

Entity power given to	Rule	Description
Assessment Authority	12.1	Power to make an information request.
Assessment Authority	12.5	Power to give advice about an information request.

Part 4 - Public Notification

Entity power given to	Rule	Description
Assessment Manager	17.1	Power to publish, place or give a public notice pursuant to section 53(10) of the PA.
Assessment Manager	19.1	Power to accept a property made submission.

Part 5 - Decision

Entity power given to	Rule	Description
Assessment Manager	22.2	Power to give a copy of a decision notice to each principal submitter.

Assessment Manager	23.1	Power to receive a notice from a concurrence agency.
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Part 6 - Changes to the application and referral agency responses

Entity power given to	Section of DEAR	Description
Assessment Manager	25.1	Power to give a notice of a changed application to a referral agency.
Assessment Manager	26.2(a)	Power to give a confirmation notice of receipt of a changed application.
Assessment Manager	26.2(c)	Power to give a notice that public notification is required with respect to the changed application.
Assessment Manager	26.3	Power to refer a changed application to a referral agency.
Concurrence Agency	28.1	Power to change a referral agency response to any changed application.
Concurrence Agency	28.3	Power to give a late referral agency response before a changed application is decided with the agreement of the applicant.
Concurrence Agency	28.4	Power to give an amended referral agency response to an assessment manager.

Part 7 - Miscellaneous

Entity power given to	Section of DEAR	Description
Referral Agency	29.6	Power to make an information request with respect to a missed referral agency application.
Assessment Manager	34.1	Power to request third party advice from a third party about an application.
Assessment Manager	35.1	Power to give a further advice to an applicant.

Schedule 1 Substantially different development

Entity power given to	Section of DEAR	Description
Assessment Manager	1	Power to determine if a change to an application is a minor change.
Assessment Manager	2	Power to determine if a change would result in a substantially different development

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation - Planning Act 2016

Meeting Date: 26 September 2017

Attachment No: 5



INSTRUMENT OF DELEGATION

Planning Act 2016

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Planning Act 2016 ("PLAA")

CHAPTER 2 – PLANNING

Part 3 - Local Planning Instruments

Division 2 – Making or amending planning schemes

Entity power given to	Section of PA	Description
Local Government	18(1)	Power to propose to make or amend a planning scheme.
Local Government	18(2)	Power to give notice of the proposed planning scheme or proposed amendment to the Chief Executive.
Local Government	18(3)	Power to consult with the Chief Executive about the process for making or amending the planning scheme.
Local Government	18(6)	Power to make or amend the planning scheme by following the process in the notice or amended notice.
Local Government	19(1)	In certain circumstances, power to apply a planning scheme as a categorising instrument in relation to prescribed tidal works.
Local Government	20(2)	Power to amend a planning scheme by following the process in the Minister's rules, instead of complying with section 18.
Local Government	21	In certain circumstances, power to follow the process in the Minister's rules for making or amending an LGIP.
Local Government	22(1)	Power to amend a planning scheme policy by following the process in the Minister's rules.
Local Government	23(1)	Power to make a TLPI if the local government and Minister decide – <ul style="list-style-type: none"> a) there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area; b) the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk; and c) the making of the TLPI would not adversely affect State interests.
Local Government	23(2)	Power to amend a TLPI if the Minister decides the amendment of the TLPI would not adversely affect State interests.
Local Government	24(5)	Power to repeal a TLPI by making, or amending, a planning scheme to specifically repeal the TLPI.
Local Government	25(1)(a)	Power to review planning scheme.
Local Government	25(1)(b)	Power to decide, based on that review, whether to amend or replace the planning scheme.
Local Government	25(2)	Power to: <ul style="list-style-type: none"> a) give written reasons for the decision to the Chief Executive; b) publish a public notice in the approved form about the decision; and c) keep a copy of the public notice in a conspicuous place in the local government's public office for a period of at least 40 business days after the notice is published.
Local Government	25(3)	Power to undertake an LGIP review.

Division 3 – State Powers for local planning instruments

Entity power given to	Section of PA	Description
Local Government	26(3)(c)	Power to make a submission to the Minister about taking the action.
Local Government	26(4)(a)	Power to take action in accordance with Minister's direction under a Notice.
Local Government	26(4)(b)	Power to take other action in accordance with Minister's direction.

Part 4 - Superseded Planning Schemes**Division 1 – Applying superseded planning schemes**

Entity power given to	Section of PA	Description
Local Government	29(4)(a)	Power to accept, assess and decide a development application (a superseded planning scheme application) under a superseded planning scheme.
Local Government	29(4)(b)	Power to apply a superseded planning scheme to the carrying out of development that was accepted development under the superseded planning scheme.
Local Government	29(6)	Power to decide whether or not to agree to a superseded planning scheme request within the period prescribed by, or extended as required under, the regulation.
Local Government	29(7)	Power to give a decision notice to the person who made the superseded planning scheme request.

Division 2 - Compensation

Entity power given to	Section of PA	Description
Local Government	30(5)	Power to prepare a report assessing feasible alternatives for reducing the risk stated in subsection (4)(e), including imposing development conditions on development approvals.
Local Government	32(1)(a)	Power to approve all or part of a compensation claim.
Local Government	32(1)(b)	Power to refuse a compensation claim.
Local Government	32(1)(c)	Power to give a notice of intention to resume the affected owner's interest in premises under the Acquisition Act, section 7.
Local Government	32(2)	Power to decide to amend the planning scheme to allow premises to be used for the purposes that the premises could be used for under the superseded planning scheme.
Chief Executive Officer	32(3)	Power to give the affected owner: <ul style="list-style-type: none"> a) notice of intention to resume; b) a notice that states the local government's decision, any amount of compensation to be paid and the affected owner's appeal rights.

Part 5 - Designation of premises for development of infrastructure

Entity power given to	Section of PA	Description
Designator	35(1)	Power to identify premises for the development of 1 or more types of infrastructure that are prescribed by regulation.
Designator	35(2)	Power to include designation requirements about any of the matter contained in 35(2)(a)-(c).
Designator	36(1)(a)	Power to be satisfied that the infrastructure will satisfy statutory requirements, or budgetary commitments, for the supply of the infrastructure.
Designator	36(1)(b)	Power to be satisfied that there is or will be a need for the efficient and timely supply of the infrastructure.
Local Government	36(7)(e)	Power to make submission to a Designator in relation to making or amending a designation.
Designator	38(1)	Power to:- a) consider properly made submissions; b) decide to make or amend a designation; and c) publish a gazette notice.
Designator	39(2)	Power to extend the duration of a designation, for up to 6 years, by publishing a gazette notice about the extension before the designation stops having effect.
Public Sector Entity	39(4)	Power to discontinue proceedings to resume designated premises.
Designator	40(1)	Power to repeal a designation by publishing a gazette notice that states— a) that the designation is repealed; and b) a description of the designated premises; and c) the type of infrastructure for which the premises were designated; and d) the reasons for the repeal.
Designator	41(4)	Power to: a) repeal the designation; b) decide to refuse the request; and c) decide to take other action that designator considers appropriate in the circumstances.
Designator	41(5)	Power to give a decision notice.
Local Government	42(2)	Power to include a note about the making, amendment, extension or appeal of a designation in the planning scheme.
Local Government	42(4)	Power to include a note in the planning scheme in a way that ensures the other provisions of the scheme that apply to the designated premises remain effective.

CHAPTER 3 – DEVELOPMENT ASSESSMENT**Part 1 - Types of development and assessment**

Entity power given to	Section of PA	Description
Local Government	45(5)(b)	Power to consider and assess against assessment benchmarks and prescribed matters under a regulation and other relevant matters.
Local Government	45(7)	Power to consider amendment or replacement of a statutory instrument or other document before deciding a properly made application.

Local Government	46(2)(a)	Power to give an exemption certificate for a development.
Local Government	46(3)(a)	Power to seek agreement in writing from referral agencies about the giving of an exemption certificate.

Part 2 - Development applications**Division 2 – Making or changing applications**

Entity power given to	Section of PA	Description
Owner	51(2)	Power to give owner's consent.
Assessment Manager	51(4)(a)	Power to be satisfied an application complies with subsections (1) to (3).
Assessment Manager	51(4)(b)	Power to be satisfied an application complies with subsection (2) and (3).
Assessment Manager	51(4)(c)	Power to accept an application that does not comply with subsection (1)(a) or (b)(i).
Assessment Manager	51(4)(d)	Power to accept an application that does not comply with subsection (1)(b)(ii) to the extent the required fee has been waived under section 109(b).
Assessment Manager	51(5)	Power to accept a properly made application.
Assessment Manager	52(3)	Power to assess and decide if a change is a minor change.
Assessment Manager	53(3)	Power to assess and decide a development application even if some of the requirements of the development assessment rules about the notice have not been complied with, if the assessment manager considers any noncompliance has not— <ul style="list-style-type: none"> (a) adversely affected the public's awareness of the existence and nature of the application; or (b) restricted the public's opportunity to make properly made submissions about the application.
Assessment Manager	53(4)(a)	Power to consider submissions about a development application.
Assessment Manager	53(10)	Power to give notice on behalf of an applicant to a referral agency for a fee.

Part 3 - Assessing and deciding development applications**Division 1 – Referral agency's assessment**

Entity power given to	Section of PA	Description
Assessment Manager	54(5)	Power to give a copy of a development application on behalf of an applicant to a referral agency for a fee.
Assessment Manager/ Referral Agency	55(1)	Power to assess the application as required under section 45, as if the agency were the assessment manager.
Referral Agency	55(2)(a)	Power to assess a development application against matters prescribed by the regulation.
Referral Agency	55(2)(b)	Power to have regard to matters prescribed by the regulation for the assessment.

Referral Agency	55(4)	Power to give weight, considered appropriate in the circumstances to any amendment or replacement of the instrument or other document that came into effect after the application was properly made.
Referral Agency	56(1)(a)	Power to decide to tell the assessment manager that the agency has no requirements for the application.
Referral Agency	56(1)(b)	Power to decide to direct the assessment manager to do any or all of the following: <ul style="list-style-type: none"> i. to give any development approval subject to stated development conditions; ii. to give any development approval for only a stated part of the application; iii. to give any development approval only as a preliminary approval; iv. to improve a stated currency period for a development approval given.
Referral Agency	56(1)(c)	Power to decide to direct the assessment manager to refuse the application for stated reasons.
Referral Agency	56(2)(a)	Power to decide to tell the assessment manager that the agency has no requirements for the variation request.
Referral Agency	56(2)(b)	Power to decide to direct the assessment manager to do any or all of the following: <ul style="list-style-type: none"> i. to approve only some of the variations sought; ii. subject to section 61(3) to approve different variations from those sought.
Referral Agency	56(2)(c)	Power to decide to direct the assessment manager to refuse the variation request.
Referral Agency	56(3)	Power to give advice about the application to the assessment manager.

Division 2 – Assessment manager's decision

Entity power given to	Section of PA	Description
Assessment Manager	60(2)(a)	Power to assess and decide the extent to which the application complies with all of the assessment benchmarks for the development.
Assessment Manager	60(2)(b)	Power to decide to approve the application even if the development does not comply with some of the assessment benchmarks.
Assessment Manager	60(2)(c)	Power to impose development conditions on an approval.
Assessment Manager	60(2)(d)	To the extent the development does not comply with some or all the assessment benchmarks, power to decide to refuse the application where compliance cannot be achieved by imposing development conditions.
Assessment Manager	60(3)(a)	Power to decide to approve all or part of the application.
Assessment Manager	60(3)(b)	Power to decide to approve all or part of the application, but impose development conditions on the approval.
Assessment Manager	60(3)(c)	Power to decide to refuse the application.
Assessment Manager	60(5)	Power to give a preliminary approval for all or part of the development application, even though the development application sought a development permit.
Assessment Manager	61(3)(a)(i)	Power to decide to approve all or some of the variations sought.

Assessment Manager	61(3)(a)(ii)	Power to decide to approve different variations from those sought.
Assessment Manager	61(3)(b)	Power to decide to refuse the variations sought.
Assessment Manager	63(1)	Power to give a decision notice.
Assessment Manager	63(4)	Power to publish a notice about the decision on the assessment managers website.
Assessment Manager	64(6)(a)	Power to give an applicant a decision notice which approves the application.
Assessment Manager	64(6)(b)	Power to give an applicant a decision notice which approves the application subject to development conditions.

Division 3 – Development conditions

Entity power given to	Section of PA	Description
Assessment Manager/ Referral Agency	67	Power to make an agreement with an applicant to establish the responsibilities, or secure the performance, of a party to the agreement about a development condition.

Part 5 - Development Approvals

Division 2 – Changing development approvals

Subdivision 1 – Changes during appeal period

Entity power given to	Section of PA	Description
Assessment Manager	75(4)(b)(ii)	Power to provide an applicant with a notice that they do not agree with the change representations.
Assessment Manager	75(4)(b)(iii)	Power to agree with an applicant to a longer period to make change representations.
Assessment Manager	76(1)	Power to assess change representations against and having regard to the matters that must be considered when assessing a development application to the extent those matters are relevant.
Assessment Manager	76(2)	Power to give a negotiated decision notice.
Local Government	76(6)	Power to give a replacement infrastructure charges notice to an applicant.

Subdivision 2 – Changes after appeal period

Entity power given to	Section of PA	Description
Referral Agency	78(3)(a)	Power to consider change application.
Assessment Manager	78(3)(c)	Power to consider change application.
Assessment Manager	78(5)	Power to consider change application referred from Minister.
Responsible Entity	79(2)(a)	Power to be satisfied that an application complies with subsection (1).

Responsible Entity	79(2)(b)	Power to be satisfied the application complies with subsection (1)(b)(iii).
Responsible Entity	79(2)(c)	Power to accept an application that does not comply with subsection (1)(a) or (b)(ii).
Responsible Entity	79(2)(d)	Power to accept an application that does not comply with subsection (1)(b)(i) to the extent the required fee has been waived under section 109(b).
Affected Entity	80(3)	Power to give the person who proposes to make the change application a notice (a pre-request response notice) that states— (a) whether the affected entity objects to the change; and (b) the reasons for any objection.
Affected Entity	80(5)(a)	Power to give a responsible entity and the applicant a response notice that states that the affected entity has no objection to the change.
Affected Entity	80(5)(b)	Power to give a responsible entity and the applicant a response notice that states that the affected entity objects to the change and the reasons for objection.
Responsible Entity	81(3)(a)	Power to assess against, or have regard to, the matters that applied when the development application was made.
Responsible Entity	81(3)(b)	Power to assess against, or have regard to, the matters that applied when the change application was made.
Responsible Entity	81(4)(a)	Power to make the change, with or without imposing development conditions, or amending development conditions, relating to the change.
Responsible Entity	81(4)(b)	Power to refuse to make the change.
Responsible Entity	81(7)	Power to agree with applicant to an extension of time for deciding a minor change application.

Subdivision 3 – Notice of Decision

Entity power given to	Section of PA	Description
Responsible Entity	83(1)	Power to give a decision notice.
Responsible Entity	83(2)	Power to give a decision notice if a negotiated decision notice is not given in relation to the decision.

Division 3 – Cancelling development approvals

Entity power given to	Section of PA	Description
Assessment Manager	84(4)	Power to cancel the development approval and give notice of the cancellation.

Division 4 – Lapsing of and extending development approvals

Entity power given to	Section of PA	Description
Assessment Manager	86(3)(a)	Power to be satisfied that an application complies with subsection (2).
Assessment Manager	86(3)(b)	Power to be satisfied that an application complies with subsection (2)(b)(ii) before an application can be accepted.
Assessment Manager	86(3)(c)	Power to accept an application that does not comply with subsection (2)(a).

Assessment Manager	86(3)(d)	Power to accept an application that does not comply with subsection (2)(b)(i) to the extent the required fee has been waived under section 109(b).
Assessment Manager	87(1)	Power to consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.
Assessment Manager	87(2)(a)	Power to decide whether to give or refuse the extension sought.
Assessment Manager	87(2)(b)	Power to extend the currency period for a period that is different from the extension sought.
Assessment Manager	87(3)	Power to agree to extend the 20 business day period.
Assessment Manager	88(3)	Power to use any security paid under a condition stated in section 65(2)(e) for the purpose stated in the approval or agreement under section 67.

Division 5 – Noting development approvals on planning schemes

Entity power given to	Section of PA	Description
Local Government	89(1)(a)	Power to consider whether a development approval is substantially inconsistent with its planning scheme.

Part 6 - Minister's powers

Division 3 – Minister's call in

Entity power given to	Section of PA	Description
Person	402(2)	Power to make representations about the proposed call in notice.
Decision-maker	105(3)	Power to provide Minister with reasonable help.

Part 7 - Miscellaneous

Entity power given to	Section of PA	Description
Assessment Manager or Referral Agency or Responsible Entity	109(a)	Power to refund all or part of a required fee.
Assessment Manager or Referral Agency or Responsible Entity	109(b)	Power to waive all or part of a required fee, in the circumstances prescribed by regulation.

CHAPTER 4 – INFRASTRUCTURE**Part 2 - Provisions for Local Governments****Division 2 – Changes for trunk infrastructure*****Subdivision 2 – Charges resolutions***

Entity power given to	Section of PA	Description
Participating Local Government for a distribution-retailer	115(2)	Power to enter into an agreement (a <i>breakup agreement</i>) about the charges breakup.

Subdivision 3 – Levying charges

Entity power given to	Section of PA	Description
Local Government	119(2)	Power to give an infrastructure charges notices.
Local Government	119(6)	Power to give an applicant an amended infrastructure charges notice.

Subdivision 4 – Payment

Entity power given to	Section of PA	Description
Local Government	123(1)(a)	Power to make an agreement with recipient of an infrastructure charges notice about whether the levied charge under the notice may be paid other than as required under section 122 including whether the charge may be paid by instalments.
Local Government	123(1)(b)	Power to make an agreement with recipient of an infrastructure charges notice about whether infrastructure may be provided instead of paying all or part of the levied charge.

Subdivision 5 – Changing charges during relevant appeal period

Entity power given to	Section of PA	Description
Local Government	125(2)	Power to consider representations.
Local Government	125(3)	Power to give a negotiated notice to the recipient.

Division 3 – Development approval conditions about truck infrastructure***Subdivision 2 – Conditions for extra trunk infrastructure costs***

Entity power given to	Section of PA	Description
Local Government	131(2)	Power to agree to an alternative payment time.
Local Government	135(3)	Power to make an agreement with a payer in relation to a refund.

Division 4 – Miscellaneous provisions about trunk infrastructure***Subdivision 1 – Conversion of particular non-trunk infrastructure before construction starts***

Entity power given to	Section of PA	Description
Local Government	140(1)	Power to consider and decide the conversion application.
Local Government	140(3)	Power to give the applicant a notice requiring the applicant to give information that the local government reasonably needs to make the decision.
Local Government	142(3)	Power to amend the development approval by imposing a necessary infrastructure condition for the trunk infrastructure.

Subdivision 2 – Other Provisions

Entity power given to	Section of PA	Description
Local Government	144(2)	Power to make an agreement with an applicant in relation to a levied charge.

Part 3 - Provisions for State infrastructure providers

Entity power given to	Section of PA	Description
Local Government	149(2)(b)	Power to agree with the state infrastructure provider and the person who provided the replacement infrastructure about when the amount of the levy charge will be paid.

Part 4 - Infrastructure agreements

Entity power given to	Section of PA	Description
Public Sector Entity	151(2)	Power to tell the entity making the proposal if the recipient agrees to enter into negotiations for an infrastructure agreement.
Public Sector Entity	158(1)(a)	Power to enter into an agreement with a person about providing or funding infrastructure.
Public Sector Entity	158(1)(b)	Power to enter into an agreement with a person about refunding payments made towards the cost of providing or funding infrastructure.

CHAPTER 5 – OFFENCES AND ENFORCEMENT**Part 3 - Enforcement notices**

Entity power given to	Section of PA	Description
Enforcement authority	167(1)(a)	Power to form reasonable belief that a person has committed, or is committing, a development offence.
Enforcement Authority	167(1)(b)	Power to consider giving an enforcement notice for an offence to a person.
Enforcement Authority	167(2)	Power to give a show cause notice.

Enforcement Authority	167(4)	Power to give an enforcement notice to a person if it still considers it appropriate to do so.
Enforcement Authority	167(5)(b)	Power to form reasonable belief that it is not appropriate in the circumstances to give the show cause notice.
Enforcement Authority	168(1)	Power to form reasonable belief a person has committed, or is committing, a development offence, and give an enforcement notice to— (a) the person; and (b) if the offence involves premises and the person is not the owner of the premises— the owner of the premises.
Enforcement Authority	168(4)(a)	Power to form a reasonable belief that it is not possible or practical to take steps to make the development accepted development.
Enforcement Authority	168(4)(b)	Power to form a reasonable belief that it is not possible or practical to take steps to make the works comply with a development approval.
Enforcement Authority	168(4)(c)	Power to form a reasonable belief that the works are dangerous and that it is not possible or practical to take steps to remove the danger.
Enforcement Authority	169(2)(a)	Power to consult with a private certifier about the giving of a notice.
Enforcement Authority	169(3)	Power to form a reasonable belief the works for which the enforcement notice is to be given are dangerous.
Enforcement Authority	169(5)	Power to carry out consultation in the way the enforcement authority considers appropriate.

Part 4 - Offence proceedings in Magistrates Court

Entity power given to	Section of PA	Description
Person	174(1)	Power to bring offence proceedings.
Representative Person	175(1)(a)	With consent, power to bring offence proceedings in a representative capacity on behalf of a body of persons or a corporation.
Representative Person	175(1)(b)	With consent, power to bring offence proceedings on behalf of an individual.
Enforcement Authority	176(10)(a)	Power to take action required under an order.
Enforcement Authority	176(10)(b)	Power to recover the reasonable cost of taking the action as a debt owing to the authority from the defendant.
Enforcement Authority	178(1)(b)	Power to apply to a Magistrate for an order for the payment of expenses.

Part 5 - Enforcement orders in P&E Court

Entity power given to	Section of PA	Description
Person	180(1)	Power to start proceedings in the P&E Court for an enforcement order.
Person	180(11)	Power to apply to the P&E Court for a compliance order.
Enforcement Authority	180(13)(a)	Power to take action required under an order.
Enforcement Authority	180(13)(b)	Power to recover the reasonable cost of taking the action as a debt owing to the authority from the respondent.
Person	181(4)	Power to apply to the P&E Court to cancel or change an enforcement order or interim enforcement order.

CHAPTER 6 – DISPUTE RESOLUTION**Part 1 - Appeal rights**

Entity power given to	Section of PA	Description
Appellant	229(2)	Power to start an appeal within the appeal period.
Assessment Manager	229(5)	Power to apply to the tribunal or the P&E court to withdraw from the appeal if an appeal is only about a referral agencies response.

Part 2 - Development Tribunal**Division 2 – Applications for declaration**

Entity power given to	Section of PA	Description
Person	239(1)	Power to start proceedings for a declaration by a tribunal by filing an application, in the approved form, with the registrar.
Assessment Manager	240(1)	Power to start proceedings for a declaration about whether a development application is properly made.
Responsible Entity	241(2)	Power to start proceedings for a declaration about whether the proposed change to the approval is a minor change.

CHAPTER 7 – MISCELLANEOUS**Part 2 - Taking or purchasing land for planning purposes**

Entity power given to	Section of PA	Description
Local Government	263(1)(a)	Power to consider that taking or purchasing land would help to achieve the outcomes stated in a local planning instrument.
Local Government	263(1)(b)(i)	Power to be satisfied that the development would create a need to construct infrastructure on land or to carry drainage over land.
Local Government	263(1)(b)(ii)	Power to be satisfied that a person with the benefit of the approval has taken reasonable steps to get the agreement of the owner of the land to actions that would facilitate the construction or carriage, but has not been able to get the agreement.
Local Government	263(1)(b)(iii)	Power to be satisfied that the action is necessary for the development.
Local Government	263(3)	In certain circumstances, power to take or purchase land under the Acquisition Act.

Part 3 - Public access to documents

Entity power given to	Section of PA	Description
Local Government	264(1)(a)	Power to keep or keep publically available documents including registers relating to local government functions as prescribed in the regulation.
Local Government	264(2)	Power to keep a copy of each exemption certificate given pursuant to section 46 (2) of the Act and power to keep a register of exemption certificates.
Local Government	264(5)	Power to allow a person to inspect or obtain a copy of a document prescribed in the regulation.
Local	264(6)	Power to decide if a document or information in a document prescribed

Government		under the regulation is not disclosable.
Local Government	265(3)	Power to give a limited, standard or full planning and development certificate for premises.

CHAPTER 8 – TRANSITIONAL PROVISIONS AND REPEAL

Part 1 - Transitional provisions for the repeal of Sustainable Planning Act 2009

Division 3 – Planning

Entity power given to	Section of PA	Description
Local Government	293(5)	Power to make an amendment of a type mentioned in subsection (1) by following the process set out in the rules.

Division 5 – Infrastructure

Entity power given to	Section of PA	Description
Local Government	304(4)(a)	Power to adopt charges under section 113.
Local Government	304(4)(b)	Power to give an infrastructure charges notice under section 119.
Local Government	304(4)(c)	Power to impose conditions about trunk infrastructure under section 128 or 130.

Division 6 – Enforcement and dispute resolution

Entity power given to	Section of PA	Description
Person	312	Power to bring a proceeding under the section of the old Act stated in column 2, after the commencement, whether the matter happened before or after the commencement.

Division 7 – Miscellaneous

Entity power given to	Section of PA	Description
Local Government	314(6)	Power to apply funds received under a funding agreement to fulfil the local government's responsibilities under subsections (3) or (4), as required by the local government's policy under the unamended old Act, section 143(2).

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.
7. Section 29(6) of the *Planning Act 2016* must not be exercised if:
 - (a) there is a conflict between proposed use and the superseded scheme zoning intent; or
 - (b) compensation issues would arise from the superseded development application,in which case the power must be undertaken by Council.
8. Section 60(2)(a), 60(2)(b), 60(2)(c), 60(2)(d), 60(3)(a), 60(3)(b) and 60(5) of the *Planning Act 2016* must not be exercised if:
 - (a) the application was impact assessable and there were submissions;
 - (b) the application is being recommended for refusal; or
 - (c) the proposed development is inconsistent with the intent of the zone,in which case the power must be undertaken by Council.
9. Sections 75(4)(b)(ii) and 75(4)(b)(iii) of the *Planning Act 2016* must not be exercised if the original application was decided by Council in which case the power must be undertaken by Council.
10. Section 76(1) of the *Planning Act 2016* must not be exercised if the original application was decided by Council in which case the power must be undertaken by Council.
11. Sections 87(2)(a) and 87(2)(b) of the *Planning Act 2016* must not be exercised if the decision is to refuse the extension sought in which case the power must be undertaken by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation – Information Privacy Act 2009

Meeting Date: 26 September 2017

Attachment No: 6



INSTRUMENT OF DELEGATION

Information Privacy Act 2009

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Information Privacy Act 2009 ("INPA")

CHAPTER 2 – PRIVACY PRINCIPLES**Part 1 - Compliance with IPPs by agencies**

Entity power given to	Section of INPA	Description
Law Enforcement Agency	29(1)	Power to be satisfied on reasonable grounds that noncompliance with the IPP is necessary in certain circumstances.

Part 3 - Transfer of Personal Information Outside Australia

Entity power given to	Section of INPA	Description
Agency	33(a)	Power to agree with an individual to transfer an individual's personal information to an entity outside Australia
Agency	33(c)	Power to be satisfied on reasonable grounds that the transfer is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare.
Agency	33(d)(i)	Power to form a reasonable belief that the recipient of the personal information is subject to a law, binding scheme or contract that effectively upholds principles for the fair handling of personal information that are substantially similar to the IPPs or, if the agency is a health agency, the NPPs.

Part 4 - Compliance with Parts 1 to 3 by Contracted Service Providers

Entity power given to	Section of INPA	Description
Agency	34(1)	Power to enter into a service arrangement with a service provider.

CHAPTER 3 – DISCLOSURE AND AMENDMENT BY APPLICATION UNDER THIS ACT**Part 2 - Access and amendment applications**

Entity power given to	Section of INPA	Description
Agency	44(3)	Power to consider a person has an appropriate interest in the amendment of the personal information.
Agency	49(2)	Power to consider a search for a document from a backup system is appropriate.

Part 3 - Dealing with Application**Division 1 – Decision-maker**

Entity power given to	Section of INPA	Description
Principal Officer (the CEO)	50(2) ¹	The CEO as the Agency's Principal Officer has the power to delegate the principal officer powers to deal with an application to another officer of the agency.

¹ Section 50(1) of the Act provides that the only the CEO or his/her delegate can exercise this power.

Agency	50(5)(b)	Power to appoint an appropriately qualified health care professional to make a health care decision in relation to the application.
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Division 2 – Preliminary contact with applicant

Entity power given to	Section of INPA	Description
Entity	52(1)(b)	Power to decide that an application is outside the scope of this Act for 1 or more of the following reasons: (i) the document is not a document of an agency, or document of a Minister, for this chapter; (ii) the entity is not an agency for this chapter; (iii) the application is made to the information commissioner, RTI commissioner or privacy commissioner.
Entity	52(2)	Power to give prescribed written notice to the applicant of the decision.
Agency	53(2)	Power to inform a person how an application does not comply with a relevant application requirement.
Agency	53(3)	Power to give a reasonable opportunity to consult with a view to making application in a form complying with all relevant application requirements.
Agency	53(6)	Power to decide that an application does not comply with all relevant application requirements and to give the applicant prescribed written notice of the decision.
Agency	54(2)	Power to make reasonable efforts to inform the applicant of the matters set out in 54(2).
Agency	54(3)	Power to give the applicant a reasonable opportunity to consult as mentioned in 54(2)(c).
Agency	54(5)(b)	Power to consider whether an application is an application that can be made under this Act and power to give the applicant prescribed written notice of the decision.
Agency	55(1)	At any time before a deemed decision is taken to have been made in relation to an access or amendment application, power to ask the applicant for a further specified period to consider the application.
Agency	55(3)	Power to continue to consider the application and make a considered decision in relation to it in certain circumstances.

Division 3 – Contact with relevant third party

Entity power given to	Section of INPA	Description
Agency	56(1) ²	Power to give access to a document of which may reasonably be expected to be of concern to a government, agency or person.
Agency	56(3)(b)	Power to decide: (i) that a document is a document for this chapter; or (ii) that the information is not exempt information or contrary to public interest information.
Agency	56(3)(c)	Power to give prescribed written notice of the decision in 56(3)(b) to the applicant and the relevant third party.
Agency	56(3)(d)	In the specified circumstances, power to defer giving access to a document.

² Must take steps that are reasonably practicable to obtain the views of the relevant third party about whether:

- (a) the document is a document for this chapter; or
- (b) the information is exempt information or contrary to public interest information.

Agency	56(4)	Power to give the applicant written notice when access is no longer deferred under 56(3)(d).
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Division 4 - Transfers

Entity power given to	Section of INPA	Description
Agency	57(2)	In the specified circumstances, power to transfer an access or amendment application to another agency.
Other Agency	57(2)(b)	Power to consent to a transfer.

Part 4 – Refusal to Deal with Access or Amendment Application

Entity power given to	Section of INPA	Description
Agency	59(2)	Power to refuse to deal with an application without having identified any or all of the documents.
Agency	60(1)	Power to refuse to deal with an access or amendment application, or, if the agency or Minister is considering 2 or more access or amendment applications by the applicant, all the applications, if when using the power to consider the work involved in dealing with the application or all the applications would, if carried out: (a) substantially and unreasonably divert the resources of the agency from their use by the agency in the performance of its functions.
Agency	61(1)(a)	Power to give the applicant a written notice regarding its refusal to deal with an application under section 60.
Agency	61(1)(b)	Power to give the applicant a reasonable opportunity to consult with the agency.
Agency	61(1)(c)	Power to give the applicant any information that would help the making of an application in a form that would remove the ground for refusal.
Agency	61(6)(b)	Power to agree upon a longer prescribed consultation period.
Agency	62(3)	In the specified circumstances, power to refuse to deal with the later application to the extent it is for access to a document or documents sought under the first application.
Agency	63(3)	In the specified circumstances, power to refuse to deal with the later application to the extent it is for amendment of a document or documents sought under the first application.

Part 5 - Decision

Division 1 – Access applications

Entity power given to	Section of INPA	Description
Agency	65(a)	In the specified circumstances, power to make a decision (a considered decision): (i) whether access is to be given to the document; and (ii) if access is to be given – whether any access charge must be paid before access is given,
Agency	65(b)	Power to give written notice of a decision.
Principal Officer (the CEO)	66(2)	In the specified circumstances, power to give prescribed written notice of the decision to the applicant.

Agency	68(1)	In the specified circumstances, power to give a prescribed written notice to an applicant.
Agency	69(2)	Power to give a prescribed written notice.

Division 2 – Amendment Applications

Entity power given to	Section of INPA	Description
Agency	70	If a person makes an amendment application for a document, power to: <ul style="list-style-type: none"> (a) consider the application and make a considered decision whether the amendment of the document is to be permitted; and (b) give the person a written notice of the decision.
Principal Officer (the CEO)	71(2)	Power to give prescribed written notice of the decision to the applicant.
Agency	72(1)(a)	Power to refuse to amend a document if the agency is not satisfied: <ul style="list-style-type: none"> (i) the personal information is inaccurate, incomplete, out of date or misleading; or (ii) the information sought to be amended is personal information of the applicant; or (iii) if the application is purportedly made by an agent, that the agent is suitably authorised to make the amendment application.
Agency	73(1)	Power to give a prescribed written notice to the applicant for an amendment application of the decision on the application.
Agency	74	Power to make an amendment by: <ul style="list-style-type: none"> (a) altering the personal information; or (b) adding an appropriate notation to the personal information.
Agency	76(3)(b)	Power to give the applicant written notice of the nature of the notation.
Agency	76(5)	Power to decide the information to which the notice relates is not information in relation to which the applicant was entitled to apply to the agency for amendment of the document.
Agency	76(5)(b)	In the specified circumstances, power to give prescribed written notice to the applicant of the decision.

Part 6 - Charging Regime

Division 3 – Waiver of charges

Entity power given to	Section of INPA	Description
Agency	81(1)	Power to consider whether an access charge for an access application should be waived.
Agency	82(2)	When deciding to waive any access charge for an application, power to consider: <ul style="list-style-type: none"> (a) the applicant is the holder of a concessional card; and (b) the applicant is not making the application for some other person who is seeking to avoid the payment of a charge.
Agency	82(3)	Power to give the applicant a prescribed written notice of a decision under 82(2) before the end of the processing period.

Part 7 - Giving Access

Entity power given to	Section of INPA	Description
Agency	87(1)	In the specified circumstances, power to defer giving access to a document for a reasonable period.
Agency	87(2)	In the specified circumstances, power to give the applicant written notice when access is no longer deferred under section 87(1).
Agency	88(1)	Power to reasonably consider that a document will disclose to the applicant information that is not relevant to the access application for the document.
Agency	88(2)	Power to delete the irrelevant information from a copy of the document and give access to the document by giving access to a copy of the document with the irrelevant information deleted.
Agency	88(3)	Power to decide that it is reasonable practicable to give access to the copy.
Agency	91(2)	Power to consider whether it is consistent with the primary object of this act to give the applicant or a person nominated by the applicant and approved by the agency, a summary of the applicant's personal information; and power to agree with the intermediary or the intermediary and applicant regarding conditions of use or disclosure.
Agency	91(3)(a)	Power to make an agreement with an information giver for the disclosure of information given by that person.
Agency	91(3)(b)	Power to make an agreement with another person other than the applicant, for the disclosure of information, if the summary of information contains personal information about the other person.
Agency	92(2)	Power to direct that access to a document is instead given to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency.

Part 8 - Internal Review

Entity power given to	Section of INPA	Description
Reviewer	94(2)	Power to review a reviewable decision and make a new decision.
Agency	97(2)	Power to notify an applicant of a decision.
Agency	97(3)	Power to give a prescribed written notice of the decision to the applicant.

Part 9 - External Review**Division 2 – Application**

Entity power given to	Section of INPA	Description
Local Government / Agency	102(2)	In the specified circumstances, power to apply to the information commissioner to participate in the external review.

Division 3 – After application made

Entity power given to	Section of INPA	Description
Agency	106(1)(b)	Power to apply to the commissioner to allow the agency further time to deal

		with the access or amendment application.
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Division 5 – Powers of information commissioner on external review

Entity power given to	Section of INPA	Description
Agency	112(2)	Power to give the applicant for external review and the commissioner an additional statement.
Agency	114(2)	Power to give the commissioner a written transcript of words recorded or contained in the document.
Agency	114(3)	Power to give the commissioner a written document created using the equipment.
Agency	115(1)	Power to conduct a particular further search, or to conduct further searches, for a document.

Part 10 - Vexatious applications

Entity power given to	Section of INPA	Description
Agency	127(1)	Power to apply to the information commissioner that a person be declared a vexatious applicant.

Part 11 - References of questions of law and appeals

Entity power given to	Section of INPA	Description
Participant in an external review	131(1)	Power to request the commissioner to refer a question of law arising on an external review to QCAT.
Participant in an external review	132(1)	Power to appeal to the appeal tribunal against a decision of the information commissioner on the external review.

CHAPTER 4 – INFORMATION COMMISSIONER AND PRIVACY COMMISSIONER

Part 5 - Waiving or Modifying Privacy Principles Obligations in the Public Interest

Entity power given to	Section of INPA	Description
Agency	157(1)	Power to apply to the information commissioner for an approval under this section.

Part 6 - Compliance Notices

Entity power given to	Section of INPA	Description
Agency	159(1)	If given a compliance notice, power to ask the information commissioner to extend the time within which it must take the action stated in the compliance notice.
Agency	159(3)(b)	In the specified circumstances, power to give the commissioner an undertaking to take the stated action within the extended period.
Agency	161(1)	Power to apply to QCAT for a review of the decision of the information commissioner.

CHAPTER 5 – PRIVACY COMPLAINTS**Part 3 - Mediation of privacy complaints**

Entity power given to	Section of INPA	Description
Respondent	172(1)	Power to agree on a resolution of the complaint.
Respondent	172(2)	Power to ask the information commissioner to prepare a written record of the agreement.

SCHEDULE 3 – INFORMATION PRIVACY PRINCIPLES

Entity power given to	Section of INPA	Description
Agency	7(3)(a)	Power to consider it is not required to amend personal information included in a document under the agency's control in a way asked for by the individual the subject of the personal information.
Agency	10(1)(b)	Power to be satisfied on reasonable grounds that the use of the information for the other purpose is necessary to lessen or prevent a serious threat to the life, health, safety, or welfare of an individual, or to public health, safety or welfare.
Agency	10(1)(d)	Power to be satisfied on reasonable grounds that the use of the information for the other purpose is necessary in certain circumstances.
Agency	11(1)(c)	Power to be satisfied on reasonable grounds that the disclosure is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of an individual, or to public health, safety or welfare.
Agency	11(1)(e)	Power to be satisfied on reasonable grounds that the disclosure of the information is necessary in certain circumstances.
Agency	11(1)(f)(iv)	Power to be satisfied on reasonable grounds that the relevant entity will not disclose the personal information to another entity.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation – Right to Information Act 2009

Meeting Date: 26 September 2017

Attachment No: 7



INSTRUMENT OF DELEGATION

Right to Information Act 2009

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Right to Information Act 2009 ("RTIA")

CHAPTER 3 – DISCLOSURE BY APPLICATION UNDER THIS ACT

Part 3 - Dealing with Application

Division 2 – Preliminary contact with applicant

Entity power given to	Section of RTIA	Description
NOTE	30(1)	Power to deal with all access applications made to a local government as an agency under this Act, is given directly to the Chief Executive Officer as the Council's "principal officer".
Principal Officer	30(2)	The CEO as the Council's Principal Officer has the power to delegate the principal officer powers to deal with an application to another officer of the agency.
Entity	32(1)(b)	Power to decide the application is outside the scope of this Act.
Entity	32(2)	Power to give a prescribed written notice to the applicant of the decision.
Agency	33(2)	Power to inform the person how the application does not comply with the relevant application requirement.
Agency	33(3)	Power to consult with the applicant with a view to making an application in a form complying with all relevant application requirements.
Agency	33(6)	Power to decide the application does not comply with all relevant application requirements and give the applicant prescribed written notice of the decision.
Agency	34(2)	Power to, within 15 business days after the application is received, inform the applicant that: <ul style="list-style-type: none"> (a) the application could have been made under the Information Privacy Act without any application fee or processing charge being payable; and (b) the applicant may either: <ul style="list-style-type: none"> (i) ask for the application to be dealt with under the Information Privacy Act; or (ii) confirm the application as an application under this Act.
Agency	35(1)	In the specified circumstances, power to ask the applicant for a further specified period to consider the application.
Agency	35(3)	In the specified circumstances, power to continue to consider the application and make a considered decision relating to it.
Agency	36(1)	If a person makes an access application, power to: <ul style="list-style-type: none"> (a) consider whether a processing charge or access charge is payable in relation to the application; and (b) before the end of the processing period for the application, give the applicant: <ul style="list-style-type: none"> (i) a schedule of relevant documents for the applicant unless the applicant waives the requirement; and (ii) a charges estimate notice.
Agency	36(2)	Power to consult with the applicant with a view to narrowing the application to reduce the applicable charges.
Agency	36(4)	Power to give the applicant a new charges estimate notice.
Agency	36(7)	Power to agree to extend the prescribed period.

Division 3 – Contact with relevant third party

Entity power given to	Section of RTIA	Description
Agency	37(1)	Power to give access to a document that contains information the disclosure of which may reasonably be expected to be of concern to a government, agency or person (relevant third party) only after taking steps that are reasonably practicable to: <ul style="list-style-type: none"> (a) obtain the views of the relevant third party about whether: <ul style="list-style-type: none"> (i) the document is a document to which this Act does not apply; or (ii) the information is exempt information or contrary to public interest information; and (b) inform the relevant third party that if access is given to the document because of an access application, access may also be given to the document under a disclosure log.
Agency	37(3)(b)	Power to decide: <ul style="list-style-type: none"> (i) the document is a document to which this Act does apply; or (ii) the information is not exempt information or contrary to public interest information.
Agency	37(3)(c)	Power to give prescribed written notice of the decision to the applicant and relevant third party.
Agency	37(4)	Power to give the applicant written notice when access is no longer deferred under subsection (3)(d).

Division 4 – Transfers

Entity power given to	Section of RTIA	Description
Agency	38(2)	In the specified circumstances, power to transfer an application to another agency.
Agency	38(2)(b)	Power to consent to the transfer of an application.

Part 4 - Refusal to Deal with Application

Entity power given to	Section of RTIA	Description
Agency	40(2)	Power to refuse to deal with the application without having identified any or all of the documents.
Agency	41(1)	Power to consider that the work involved in dealing with an application or all of the applications would substantially and unreasonably divert the resources of agency from their use, and subsequently the power to refuse to deal with an access application, or if there are 2 or more, all of the applications.
Agency	42(1)(a)	Power to give the applicant a written notice: <ul style="list-style-type: none"> (i) stating an intention to refuse to deal with the application; and (ii) advising that, for the prescribed consultation period for the notice, the applicant may consult with the agency with a view to making an application in a form that would remove the ground for refusal; and (iii) stating the effect of subsections (2) to (6).
Agency	42(1)(a)(ii)	Power to consult the applicant with a view to making an application in the form that would remove the ground for refusal.
Agency	42(6)	Power to agree to a longer prescribed consultation period.
Agency	43(3)	In the specified circumstances, power to refuse to deal with a later application to the extent it is for access to a document or documents sought under the first

		application.
Agency	43(3)(b)(ii)	Power to decide that the application is for a document to which this Act does not apply.
Agency	43(3)(b)(iii)	Power to decide that the document or documents sought are documents access to which was refused under section 47.
Agency	43(3)(c)(ii)	Power to decide that the application is for a document to which chapter 3 of the Information Privacy Act does not apply.

Part 5 - Decision

Entity power given to	Section of RTIA	Description
Agency	45(a)	In the specified circumstances, power to make a considered decision: <ul style="list-style-type: none"> (i) whether access is to be given to the document; and (ii) if the access is to be given – whether any charge must be paid before access is given.
Agency	45(b)	Power to give the person written notice of the decision under section 54.
Principal Officer	46(2)	In the specified circumstances, power to give prescribed written notice of the decision to the applicant.
Agency	47(3)	In the specified circumstances, power to refuse access to a document of the agency.
Agency	48(1)	For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.
Agency	48(3)	Despite section 48(1), power to decide to give access to all or part of a document.
Agency	49(1)	For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.
Agency	49(3)	Power to consider on the balance, disclosure of information would be contrary to the public interest.
Agency	49(5)	Despite section 47(3)(b), power to decide to give access to all or part of a document.
Agency	50(1)	For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.
Agency	50(4)	Despite section 47(3)(c), power to decide to give access to all of part of a document.
Agency	51(1)	For an access application made for a document, power to decide to give access to the document unless disclosure would, on balance, be contrary to the public interest.
Agency	51(3)	Despite section 47(3)(d), power to decide to give access to all or part of a document.
Agency	52(1)(a)	Power to be satisfied that a document does not exist.
Agency	52(1)(b)	Power to be satisfied that: <ul style="list-style-type: none"> (i) the document has been or should be in the agency's possession; and (ii) all reasonable steps have been taken to find the document but the document cannot be found.
Agency	52(2)	In the specified circumstances, power to consider the document has been kept in, and is retrievable from, the backup system.

Agency	54(1)	For the specified purposes, power to give a prescribed written notice to an applicant for an access application.
Agency	55(2)	In the specified circumstances, power to give a prescribed written notice.

Part 6 - Charging Regime

Division 3 – Waiver of charges

Entity power given to	Section of RTIA	Description
Agency	64(1)	Power to consider that the likely associated costs to the agency would be more than the likely amount of the charge, and waive a processing or access charge.
Agency	66(2)	In the specified circumstances, power to decide to waive any processing charge, or access charge for the application.
Agency	66(3)	Power to give the applicant a prescribed written notice of a decision under subsection (2) before the end of the processing period.

Part 7 - Giving Access

Division 1 – Giving access to applicant

Entity power given to	Section of RTIA	Description
Agency	68(4)	In the specified circumstances, power to refuse access in a particular form and to give in another form.
Agency	68(8)	Power to give access to a document in another form if agreed to by the applicant.
Agency	72(1)	In the specified circumstances, power to defer giving access to a document for a reasonable period.
Agency	72(2)	Power to give the applicant written notice when access is no longer deferred under section 72(1).
Agency	73(1)	Power to reasonably consider whether information in a document is not relevant to the access application for the document.
Agency	73(2)	Power to delete irrelevant information from a copy of a document and give access to the document by giving access to a copy of the document with the irrelevant information deleted.
Agency	73(3)	Power to decide that it is reasonably practicable to give access to the copy.
Agency	74(2)	In the specified circumstances, power to give access.
Agency	75(2)	In the specified circumstances, power to give access.
Agency	75B(2)	In the specified circumstances, power to give access.
Agency	76(2)	In the specified circumstances, power to consider whether it is consistent with the primary object of the Act to give the applicant, or a person nominated by the applicant and approved by the agency (an <i>intermediary</i>), a summary of the person information on conditions of use or disclosure agreed between the agency and the intermediary, or between the agency, the intermediary and the applicant.
Agency	76(3)	Power to: <ul style="list-style-type: none"> (a) consult with the information giver; (b) consult with the other person.
Agency	77(2)	In the specified circumstances, power to direct that access to the document is to be given instead to an appropriately qualified healthcare professional nominated by the applicant and approved by the agency.

Part 8 - Internal Review

Entity power given to	Section of RTIA	Description
Agency	83(1)	Power to decide an internal review application.
Agency	83(2)	Power to notify the applicant of the decision in the circumstances specified.
Principal Officer	83(3)	Power to give prescribed written notice of the decision to the applicant.

Part 9 - External Review**Division 3 – After application made**

Entity power given to	Section of RTIA	Description
Agency	93(1)(b)	Power to apply to the commissioner to allow further time to deal with the access application.

Division 5 – Powers of information commissioner on external review

Entity power given to	Section of RTIA	Description
Agency	99(2)	Power to give an additional statement to the commissioner and the applicant, containing further and better particulars of the reasons for the decision.

Part 10 - Vexatious applicants

Entity power given to	Section of RTIA	Description
Agency	114(1)	Power to apply to the information commissioner to request a declaration that a person is a vexatious applicant.

Part 11 - References of questions of law and appeals

Entity power given to	Section of RTIA	Description
Participant in an external review	118(1)	Power to request the commissioner refer a question of law arising on an external review to QCAT.
Participant in an external review	119(1)	Power to appeal to the appeal tribunal against the decision of the information commissioner on the external review.

SCHEDULE 4**Part 4 - Factors favouring nondisclosure in the public interest because of public interest harming disclosure**

Entity power given to	Section of RTIA	Description
Prescribed entity	1(3)	Power to make an application to the information commissioner to extend the 10 year period if the commissioner considers the extension in the public interest.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation – Coastal Protection and Management Act 1995

Meeting Date: 26 September 2017

Attachment No: 8



INSTRUMENT OF DELEGATION

Coastal Protection and Management Act 1995

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Coastal Protection and Management Act 1995 ("CPMA")

CHAPTER 2 – COASTAL MANAGEMENT**Part 6 - Land Surrender and Artificial Waterways****Division 3 – Land Surrender*****Subdivision 4 – Giving effect to surrender***

Entity power given to	Section of CPMA	Description
Local Government	115B(5)(a)	Power to endorse the plan of subdivision with the local government's acceptance of the trusteeship of the reserve.

Division 4 - Matters about Artificial Waterways***Subdivision 3 - Plans of Subdivision***

Entity power given to	Section of CPMA	Description
Local Government	119(2)	In the specified circumstances, the power to certify on a plan of subdivision that shows an artificial waterway that- (a) the waterway, and any access channel associated with the waterway, is constructed in accordance with the development approval for the waterway; and (b) if the waterway is not a canal – you are satisfied arrangements have been made, or will be made, for the maintenance and management of the waterway.

CHAPTER 5 – ADMINISTRATION**Part 2A - Planning and Environment Court declarations**

Entity power given to	Section of CPMA	Description
Person	164A(1)	Power to bring a proceeding in the Planning and Environment Court for a declaration about a matter done, to be done or that should have been done, for chapter 2, part 3, division 2.

CHAPTER 6 - TRANSITIONAL PROVISIONS**Part 4 - Transitional Provisions for Environmental Protection and Other Legislation Amendment Act 2004**

Entity power given to	Section of CPMA	Description
Local Government	190(5)	In the specified circumstances, the power to elect not to be the assessment manager for an application to amend.

Part 5 - Transitional provisions for Sustainable Planning Act 2009

Entity power given to	Section of CPMA	Description
Local Government	193(5)	In the specified circumstances, power to elect not to be the responsible entity for making the permissible change.

Part 8 - Transitional provisions for Planning (Consequential) and Other Legislation Amendment Act 2016

Entity power given to	Section of CPMA	Description
Local Government	206(5)	In the specified circumstances, power to elect not to be the responsible entity for the change application.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation – Water Regulation 2016

Meeting Date: 26 September 2017

Attachment No: 9



INSTRUMENT OF DELEGATION

Water Regulation 2016

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Water Regulation 2016 ("WATR")

Part 4 - Matters relating to water licenses

Division 3 – Transfer, amendment or amalgamation of water licenses – Act, section 126

Subdivision 2 – Process for dealing with application

Entity power given to	Section of WATR	Description
Person	34(1)	Power to apply to the Chief Executive for a transfer, amendment or amalgamation of an original license.
Holder of original license	34(3)(b)(i)	Power to give a statutory declaration by the holder of the original license.
An interested entity	34(3)(b)(ii)	Power to give written consent to proposed transfer, amendment or amalgamation.
Applicant	37(2)	Power to give the Chief Executive notice in the approved form (a transfer notice).

Part 5 - Water allocation

Division 2 – Seasonal water assignments

Subdivision 1 – Seasonal water assignments for water allocations not managed under resource operations licence

Entity power given to	Section of WATR	Description
Holder of a Water Allocation	58(1)	Power to apply to the Chief Executive for a seasonal water assignment for the water allocation for the water year in which the application is made.
Holder of a Seasonal Water Assignment Notice for a Water Allocation	58(2)	Power to apply to the Chief Executive for a seasonal water assignment for the seasonal water assignment notice for the water year in which the application is made.

Subdivision 2 – Seasonal water assignments for water allocations managed under resource operations licence

Holder of a Water Allocation	61(2)	Power in certain circumstances, to enter into an arrangement for a seasonal water assignment in relation to the allocation.
Holder of a Resource Operations Licence	61(2)(a)	Power to consent to the arrangement for a seasonal water assignment.
Distribution Operations Licence Holder	61(2)(b)	Power to consent to the arrangement for a seasonal water assignment

Division 3 – Water allocation dealing rules applying to the whole of the State**Subdivision 2 – Process for applying for and deciding particular water allocation dealings**

Entity power given to	Section of WATR	Description
Applicant for a water allocation	63	Power to apply for a water allocation in the approved form.

Part 11 - Metering**Division 4 – Reading meters**

Entity power given to	Section of WATR	Description
Holder of the metered entitlement	113(1)(a)	Power to give a notice to the Chief Executive of the reading of the meter.
Owner of the works	113(1)(b)	Power to give a notice to the Chief Executive of the reading of the meter.
Holder of the metered entitlement	114(a)	Power to make an application to the Chief Executive to read a meter.
Owner of the works	114(b)	Power to give the Chief Executive notice that the owner has decided to stop using the works

Division 6 – Ownership

Entity power given to	Section of WATR	Description
Holder or owner	119(3)	Power to give written notice to the Chief Executive of refusal to accept the transfer.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation – Land Act 1994

Meeting Date: 26 September 2017

Attachment No: 10



INSTRUMENT OF DELEGATION

Land Act 1994

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Land Act 1994 ("LANA")

CHAPTER 1 - PRELIMINARY**Part 4 - Tidal and non-tidal boundaries and associated matters**

Entity power given to	Section of LANA	Description
Registered owner	12(3)	Power to suitably indicate where the boundaries of land are across a surface of water.
Registered owner	12(4)	Power to regulate or prohibit the use or movement of ships in or over water above inundated land.
Owner who may take water under the <i>Water Act 2000</i> , section 96	13A(4)	Power to, in certain circumstances: (a) exercise a right of access for the owner, the owner's family, executive officers, employees, agents and stock over the adjacent area of the watercourse or lake that is the property of the State that adjoins the owner's land; and (b) exercise a right of grazing for the person's stock over the adjacent area; and (c) bring an action against a person who trespasses on the adjacent area.
Adjacent Owner	13AC(1)(a)	In certain circumstances, power to consent to the dedication of a reserve.
Applicant	13B(1)	In certain circumstances, power to apply to the Chief Executive to have watercourse land adjoining the relevant land's non-tidal boundary declared to be former watercourse land.
Applicant	13B(2)	Power to give notice of a person's intention to make the application.
Applicant	13B(6)	Power to appeal against the refusal of the application.

CHAPTER 2 - LAND ALLOCATION**Part 1 - Allocation powers**

Entity power given to	Section of LANA	Description
Registered owner	18(1)	Power to reach agreement with the Governor in Council to grant unallocated State land in exchange for all or part of freehold land.
Lessee of a freeholding lease	18(2)	Power to reach agreement with the Governor in Council to grant a freeholding lease in exchange for all or part of a freeholding lease.
Lessee of a term lease	18(3)	Power to enter into agreement with the Minister to lease unallocated State land.

Part 2 - Reservations

Entity power given to	Section of LANA	Description
Person	23A(1)	Power to apply to Minister for the allocation of a floating reservation.
Person	23A(6)	Power to appeal against a Minister's decision.
Registered owner or lessee	24(3)	Power to apply to the Minister to buy the land.

Registered owner or lessee	25(2)	Power to appeal against the unimproved value of land.
Registered owner or Trustee	26(2)	In certain circumstances, power to agree with the Minister in respect to the specified matters when the Minister is deciding the boundaries of land being resumed.
Lessee, registered owner or trustee	26(4)	Power to appeal against the Minister's decision on the boundaries.
Lessee or registered owner	26B(8)	Power to appeal against the value decided by the Minister for the commercial timber.

CHAPTER 3 - RESERVES, DEEDS OF GRANT IN TRUST AND ROADS

Part 1 - Reserves and deeds of grant in trust

Division 2 - Reserves

Entity power given to	Section of LANA	Description
Any person	31C(1)	Power to apply to the Minister for the dedication of a reserve.
Any person	31C(2)	Power to give notice of the person's intention to make the application to: <ul style="list-style-type: none"> (a) if the person is not the proposed trustee of the reserve - the proposed trustee; and (b) each person with a registered interest in the unallocated State land over which a reserve is proposed to be dedicated.
Any person	31C(3)	Power to give notice to any other person that the person considers has an interest in the unallocated State land over which the reserve is proposed to be dedicated.
Trustee of a reserve	31D(1)	Power to apply to the Minister: <ul style="list-style-type: none"> (a) to change the boundaries of the reserve; or (b) to change the purpose for which the reserve is dedicated.
Trustee of a reserve	31D(2)	Power to give notice of the trustee's intention to make the application to each person with a registered interest in the reserve.
Trustee of a reserve	31D(3)	Power to give notice to any other person the trustee considers: <ul style="list-style-type: none"> (a) has an interest in the reserve; or (b) would have an interest in the reserve if the boundaries of the reserve or the purpose for which the reserve is dedicated were changed.
Any person	34(1)	Power to apply for the revocation of the dedication of all or part of a reserve.
Any person	34(2)	Power to give notice of the person's intention to make the application to: <ul style="list-style-type: none"> (a) if the person is not the trustee of the reserve - the trustee of the reserve; and (b) each person with a registered interest in the reserve.
Any person	34(3)	Power to give notice to any other person that the person considers has an interest in the reserve.
Local government	34H(1)	Power to apply to the Minister to remove improvements from a revoked reserve.
Trustee of an operational reserve	34I(1)	In certain circumstances, power to apply for the issue of a deed of grant over a reserve.

Trustee of an operational reserve	34I(3)	Power to give notice of the trustee's intention to make the application to each person with a registered interest in the reserve.
Trustee of an operational reserve	34I(4)	Power to give notice to any other person the trustee considers has an interest in the reserve.

Division 3 - Deeds of grant in trust

Entity power given to	Section of LANA	Description
Trustee of deed of grant in trust	38A(1)	Power to apply: (a) for an additional community purpose to be notified; or (b) to amalgamate land with common purposes.
Any person	38A(2)	Power to apply for the cancellation of a deed of grant in trust.
Applicant	38A(3)	Power to give notice of the applicant's intention to apply to each of the following: (a) the trustee of the deed of grant in trust, other than the applicant (b) each person with a registered interest in the trust land.
Applicant	38A(4)	Power to give notice to any other person the applicant considers has an interest in the trust land.
Owner of improvements on a deed of grant in trust that has been cancelled	38G(1)	Power to apply to the Minister to remove the owner's improvements on a deed of grant in trust.

Division 5 - Appointments, functions and removal of trustees

Entity power given to	Section of LANA	Description
Proposed trustee	44(4)	Power to provide written acceptance of appointment as trustee.
Trustee	48(1)(a)	Power to apply for the approval of a management plan for the trust land.
Trustee	49	In certain circumstances, power to: (a) allow the auditor general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the Chief Executive of a Department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including a disclosure of the financial institution accounts necessary for the audit.

Division 6 - Powers of trustee

Entity power given to	Section of LANA	Description
Trustee	52(1)	Power to take all action necessary for the maintenance and management of the trust land.
Trustee of trust land	52(5)	Power to apply for the approval of an action that is inconsistent with the purpose for which the reserve was dedicated or the land was granted in trust (<i>inconsistent action</i>).
Trustee	55(1)	Power to surrender all or part of a deed of grant in trust:

		(a) on terms agreed to between the Minister and the trustee; and (b) with the Minister's written approval.
Trustee of a deed of grant in trust	55A(1)	Power to apply to surrender all or part of a deed of grant in trust.
Trustee of a deed of grant in trust	55A(2)	Power to give notice of the trustee's intention to apply to each person with a registered interest in the deed of grant in trust.
Trustee of a deed of grant in trust	55A(3)	Power to give notice to any other person the trustee considers has an interest in the deed of grant in trust.
Owner of improvements on a deed of grant in trust that has been surrendered	55H(1)	Power to apply to remove the owner's improvements on a surrendered deed of grant in trust.

Division 7- Trustee leases and trustee permits

Entity power given to	Section of LANA	Description
Trustee	66(1)	In certain circumstances, power to allow a trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.

Division 10 - Cemeteries

Entity power given to	Section of LANA	Description
Local government	82	Power to: (a) agree to have the trusteeship of a cemetery transferred; and (b) agree to conditions of the transfer of trusteeship.

Division 11 - Other grants for public purposes

Entity power given to	Section of LANA	Description
Trustee of land granted for an estate in fee simple for some community, public or similar purpose	84(1)	In certain circumstances, power to apply to the Minister to surrender land to the State and for the issue of a deed in grant in trust under the <i>Land Act 1994</i> for a community or public purpose.

Part 2 - Roads

Division 1 – Dedicating and opening roads

Entity power given to	Section of LANA	Description
Person	94(2)	Power to apply for the dedication of a road for public use.

Division 2 - Closing roads

Entity power given to	Section of LANA	Description
Public utility provider or adjoining owner for the road	99(1)	Power to apply for the permanent closure of a road.
Adjoining owner for the road or, in certain circumstances, another person	99(3)	In certain circumstances, power to apply to the Minister for the temporary closure of a road.
Adjoining owner	99(4)	Power to ask for the road, on its closure, to be amalgamated with the adjoining owner's adjoining land.
Adjoining owner for the road	99(6)	In certain circumstances, power to ask in the application that, on the closure of the road, the road, the adjoining land and the other land be amalgamated.

Division 4 - Permanently closed roads

Entity power given to	Section of LANA	Description
Registered owner	109A(1)	In certain circumstances, power to apply for the simultaneous opening and closure of roads.
Registered owner	109A(3)	Power to appeal against any conditions the Minister imposes under section 420I.
Trustee or Lessee	109B(1)	In certain circumstances, power to apply for the simultaneous opening and closure of roads.
Trustee	109B(4)	Power to appeal against any conditions the Minister imposes under section 420I.

CHAPTER 4 - LAND HOLDINGS**Part 1 - Making land available**

Entity power given to	Section of LANA	Description
Any person	120A(1)	Power to apply for an interest in land without competition.
Proposed lessee	136(5)	Power to enter into a land management agreement.
Buyer or previous lessee	140(1)	Power to negotiate the provisional value (negotiated value).
Buyer or previous lessee	140(2)	Power to give written agreement to the negotiated value becoming the amount to be paid for the improvements.
Buyer or previous lessee	140(4)	Power to make application to the Court to decide the value.

Part 3 - Leases

Entity power given to	Section of LANA	Description
Lessee	154(1)	Power to apply to the Minister for a lease to be used for additional or fewer purposes.
Lessee	155A(2)	Power to apply to extend a lease.
Lessee	155B(2)	Power to apply to extend a lease.
Lessee	155BA(2)	Power to apply to extend a lease.
Lessee	155DA(4)	Power to make written submissions to the Minister.
Lessee of term lease	158(1)	Power to apply for an offer of a new lease unless the condition of the lease or the <i>Land Act 1994</i> prohibits a renewal.
Applicant	160(3)	Power to appeal against the Chief Executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.
Lessee	164C(1)	Power to make an extension application.
Lessee	164C(7)	Power to appeal against the Minister's decision.
Lessee	164H(1)(b)	Power to advise the Chief Executive and agree to the lease becoming a rolling term lease.
Lessee	166(1)	Power to make a conversion application.
Applicant	168(5)	Power to appeal against the Chief Executive's decision to refuse the conversion application if the only reason for the refusal is that the applicant had not fulfilled the conditions of the lease.
Lessee	169(a)	Power to enter into a conservation agreement.
Lessee	169(b)(i)	Power to enter into a forest consent agreement in relation to the land.
Lessee	176(1)	Power to apply for approval to subdivide a lease.
Applicant	176E	In certain circumstances, power to appeal against a decision.
Lessee of two or more leases	176K(1)	In certain circumstances, power to apply for approval to amalgamate existing leases.
Applicant	176Q	In certain circumstances, power to appeal against a decision that is given to an Applicant.
Lessee	176UA(2)	Power to enter into a land management agreement.
Lessee	176XA	Power to agree with the Minister to cancel the land management agreement registered on a lease.

Part 4 - Permits to occupy particular land

Entity power given to	Section of LANA	Description
Any person	177A(1)	Power to apply for a permit to occupy unallocated State land, a reserve or road.
Any person	177A(2)	Power to give notice of the person's intention to apply to the following and to any other entity with a registered interest in the proposed permit land: (a) for a permit for a reserve – the trustee of the reserve; or (b) for a permit for a State-controlled road – the Chief Executive of the department in which the <i>Transport Infrastructure Act 1994</i> is administered.

Registered owner	179(2)	In certain circumstances, power to agree with an applicant for a permit on conditions about the maintenance of a boundary fence.
Permittee	180(2)	Power to surrender a permit: (a) on terms agreed between the Chief Executive Officer and the permittee; and (b) with the Chief Executive's written approval.
Relevant entity for a permit	180A(1)	Power to apply to cancel a permit.
Relevant entity for a permit	180A(2)	Power to give notice of the entity's intention to apply to: (a) the permittee; and (b) any other entity with a registered interest in the permit land.
Relevant entity for a permit	180A(4)	Power to give notice to any other entity the relevant entity considers has an interest in the permit land.
Permittee	180A(5)	Power to apply to surrender a permit.
Permittee	180H(1)	Power to apply to the Chief Executive to remove improvements on permit land.

CHAPTER 5 - MATTERS AFFECTING LAND HOLDINGS

Part 2 - Conditions

Division 3 - Changing and reviewing imposed conditions

Entity power given to	Section of LANA	Description
Lessee, licensee or permittee	210(1)	Power to agree to a change of an imposed condition of the lease, licence or permit.
Lessee, licensee or permittee	210(2)	Power to apply to change conditions of a lease, licence or permit under section 210(1).
Lessee	212(1)	Power to agree to change an imposed condition about the protection and sustainability of lease land.
Lessee	212(3)	In certain circumstances, power to appeal against a decision.

Division 3A – Regulated conditions

Entity power given to	Section of LANA	Description
Lessee of a lease	212B(5)	Power to agree with the designated officer for the lease about matters stated in section 212B(5)(a) and (b).

Division 5 – Remedial action

Entity power given to	Section of LANA	Description
Lessee	214(3)	Power to enter into an amended or a new land management agreement upon receipt of a remedial action notice.
Lessee or Licensee	214A(4)	Power to make written submissions to the Minister in response to a warning notice.
Lessee	214F(3)	Power to appeal against a decision.

Part 3 - Resumption and compensation**Division 2 – Resumption of a lease under a condition of the lease**

Entity power given to	Section of LANA	Description
Lessee	226(5)	Power to appeal against the Minister's decision.

Division 3 – Resumption of a reservation for a public purpose

Entity power given to	Section of LANA	Description
Owner of the improvement	232(5)	Power to appeal against the Minister's decision.

Part 4 - Forfeiture**Division 2A – Forfeiture of leases by referral to court or for fraud**

Entity power given to	Section of LANA	Description
Relevant local government	239(4)	Power to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.

Division 3A - Sale of lease instead of forfeiture

Entity power given to	Section of LANA	Description
Lessee	240E(1)	Power to make a written application for permission to sell the lease.
Relevant local government	240G(1)	Power to apply to the Minister for approval to sell a lease.
Local government	240I(3)	Power to start the process of selling a lease under this subdivision within the required period stated in the notice under section 240H(2).
Local government	240I(4)	Power to set a reserve price for the sale of the lease by auction, or a price for the sale of the lease under an agreement, that is at least the total of all charges owing to the State under the Land Act 1994 relating to the lease.
Lessee of a forfeited lease	243(1A)	Power to apply to remove the lessee's improvements on the lease.

CHAPTER 6 - REGISTRATION AND DEALINGS**Part 3 - Documents****Division 2 – Documents forming part of standard terms documents**

Entity power given to	Section of LANA	Description
Person	321(1)	Power to ask the Chief Executive to withdraw a registered standard terms document.

Part 4 - Dealings affecting land**Division 1 – Transfers**

Entity power given to	Section of LANA	Description
Lessee, licensee or the holder of a sublease	322(3)	Power to apply for approval to transfer a lease, licence or sublease.
Transferor	322(8)	Power to appeal against the Minister's decision.

Division 2 - Surrender

Entity power given to	Section of LANA	Description
Registered owner	327	Power to agree to terms of the absolute surrender of freehold land.
Lessee	327A	Power to agree to terms of the absolute or conditional surrender of all or part of a lease.
Registered owner of freehold land	327B	Power to apply to surrender freehold land.
Lessee	327C(1)	Power to apply to surrender all or part of a lease.
Lessee	327C(2)	Power to give notice of the lessee's intention to apply to any other person with a registered interest in the lease.
Lessee	327C(3)	Power to give notice to any other person the lessee considers has an interest in the lease.
Owner of improvements on a lease that has been surrendered	327I(1)	Power to apply to remove improvements on surrendered lease.
Any grantee of an easement or profit a prendre	330(c)	Power to give written approval to the surrender where the grantee's interests will be adversely affected.

Division 3 - Subleases

Entity power given to	Section of LANA	Description
Person	332(1)(a)(i)	The power to seek the Minister's written approval to the sublease.
Sublessor	332(8)	Power to appeal against a Minister's decision.
Sublessor	339(1)	Power to lodge a request for the Chief Executive to register the re-entry.

Division 3A - Mediation for disputes about terms of particular subleases

Entity power given to	Section of LANA	Description
Party to a sublease	339B(1)	Power to ask the Chief Executive to refer a dispute to mediation.
Party to a sublease	339B(3)(a)(i)	Power to agree on a person to conduct the mediation.

Party to a sublease	339B(3)(b)	Power to decide the way in which the mediation is to be conducted.
Party to a sublease	339B(3)(c)	Power to participate in mediation on behalf of the local government.

Division 7 - Correcting and changing deeds of grant and leases

Entity power given to	Section of LANA	Description
Registered owner or Trustee	358(1)	In certain circumstances, power to surrender land contained in a deed of grant or trustee's deed of grant in trust.
Registered owner or Trustee	358(2)	In certain circumstances, power to surrender land contained in a deed of grant or trustee's deed of grant in trust with the Minister's written approval.
Lessee or a person acting for the lessee	360C(1)	In certain circumstances, power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).
Lessee or a person acting for the lessee	360C(2)	Power to apply to amend the description in a term lease, other than a State lease, or a perpetual lease if the description of the lease may be amended under section 360A(2)(a), (b) or (c).
Lessee or a person acting for the lessee	360C(3)	Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).
Applicant	360D(2)	Power to give notice of the applicant's intention to apply to any other person with a registered interest in the lease land.
Applicant	360D(3)	Power to give notice to any other person the applicant considers has an interest in the lease.

Division 8 - Easements

Entity power given to	Section of LANA	Description
Trustee	368(2)(a)	In certain circumstances, power to ask the Chief Executive to extinguish an easement.
Owner of land or public utility provider	371(2)	In certain circumstances, power to sign a document of surrender
Person who has a registered interest in the land	371(3)	Power to agree to surrender an easement.
Person	372(2)	Power to apply for the Minister's written approval to continue a public utility easement over unallocated state land.
Person	372(3)	Power to apply for the Minister's written approval to continue a public utility easement over a reserve.

Division 8A - Covenants

Entity power given to	Section of LANA	Description
Local government as covenantee	373A(1)	Power to make certain non-freehold land the subject of a covenant.
The trustee of trust land, the lessee of lease land or the sublessee of subleased land.	373A(2)	Power to consent to a document creating a covenant.
Person	373B(1)(a)	Power to sign a document creating a covenant.
Person	373C(2)(a)	Power to sign a document amending the covenant.
Covenantee	373D(2)	Power to sign a document releasing the covenant.

Division 8B – Profits a prendre

Entity power given to	Section of LANA	Description
Lessee	373L(a)	Power to ask the Chief Executive to extinguish the profit a prendre.

Division 11A – Caveats

Entity power given to	Section of LANA	Description
Caveatee	389H(1)	Power to apply to the Supreme Court for an order that a caveat lodged under this division be removed.

CHAPTER 7 - GENERAL**Part 2 - Unlawful occupation of non-freehold and trust land****Division 3 – Action by lessee, licensee, permittee or trustee**

Entity power given to	Section of LANA	Description
Trustee, lessee, licensee, or permittee	415(1)	In certain circumstances, power to start a proceeding in the Magistrates Court.

Division 4 – Court matters

Entity power given to	Section of LANA	Description
Party	420	Power to appeal to the District Court on a question of law if dissatisfied with a trespass order.

Part 2A - General provisions for applications

Entity power given to	Section of LANA	Description
Entity	420CB(1)	Power to make a submission against the proposed application to: (a) the person who gave the entity the notice; or (b) the Chief Executive.

Part 3 - Review of decisions and appeals**Division 2 – Internal review of decisions**

Entity power given to	Section of LANA	Description
Person who has a right of appeal against an original decision	423	Power to apply to the Minister for a review of the decision.
Applicant	425(1)	Power to apply for a stay of the decision to the Court.

Division 3 – Appeals

Entity power given to	Section of LANA	Description
A person who has applied for the review of a decision under division 2	427	Power to appeal to the Court if dissatisfied with the review decision.

Part 3B - Making land available for public use as beach

Entity power given to	Section of LANA	Description
Local government	431V(3)	Power to consult with the owner of the lot.
Manager	431W(6)(a)	Power to authorise an officer or employee of the manager of a declared beach area, to enter the area at any time without notice to any other person.
Manager	431X(1)(b)(ii)	Power to authorise or direct a person acting in the performance of functions or powers.

Part 4 - Miscellaneous

Entity power given to	Section of LANA	Description
Offeree	442(4)	In certain circumstances, power to apply to the person who made the offer to extend the time stated in the offer or that otherwise applies under subsection (1).
Offeror	442(9)	Power to amend the offer by changing the price or premium to a price or premium decided by the offeror in the way prescribed by regulation.

CHAPTER 8 - CONTINUED RIGHTS AND TENURES**Part 5 - Licences and permits****Division 1 - Occupation licences**

Entity power given to	Section of LANA	Description
Licensee	481A	Power to surrender, absolutely, all or part of an occupation licence: (a) on terms agreed to between the Minister and the licensee; (b) and with the Minister's written approval.
Public utility provider (an <i>applicant</i>)	481B(1)	Power to apply to cancel all or part of an occupation licence.
Licensee (an <i>applicant</i>)	481B(3)	Power to apply to surrender, absolutely, all or part of an occupation licence.
Applicant	481B(4)	Power to give notice of the applicant's intention to apply to each of the following: (a) if the applicant is not the licensee of the occupation licence – the licensee; (b) any other person with a registered interest in the occupation licence; (c) if the occupation licence is a designated occupation licence – the Chief Executive of the department having responsibility for the administration of the forest reserve, national park, State forest or timber reserve the subject of the designated occupation licence.
Applicant	481B(5)	Power to give notice to any other person the applicant considers has an interest in the occupation licence.
Licensee of occupation licence	481J(1)	Power to apply to remove licensee's improvements on a licence.

Part 7 - Tenures under other Acts**Division 1 - Sale to Local Authorities Land Act 1882**

Entity power given to	Section of LANA	Description
Local government	492(1)	In certain circumstances, power to apply to exchange a conditional deed for a reserve or deed of grant in trust with Council as trustee or a lease issued under the <i>Land Act 1994</i> .

CHAPTER 9 - TRANSITIONAL AND REPEAL PROVISIONS**Part 1K - Transitional provisions for Land, Water and Other Legislation Amendment Act 2013**

Entity power given to	Section of LANA	Description
Lessee	521ZE(2)	Power to apply in writing to the Minister for the cancellation of the land management agreement for the lease.

Part 1M - Transitional provisions for Land and Other Legislation Amendment Act 2014

Entity power given to	Section of LANA	Description
Lessee of a lease	521ZL(2)	Power to agree to the renewal application being treated as an extension application and advise the Chief Executive of same.
Lessee of a lease	521ZM(2)	Power to advise the Chief Executive that the lessee wishes the lease to become a rolling term lease.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation - Prostitution Act 1999

Meeting Date: 26 September 2017

Attachment No: 11



INSTRUMENT OF DELEGATION

Prostitution Act 1999

Under section 257 of the *Local Government Act 2009*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Prostitution Act 1999 ("PROA")

Part 3 - Licensing System

Division 1 – Brothel licenses

Subdivision 2 – Licence cancellation and disciplinary action

Entity power given to	Section of PROA	Description

Division 2 – Approved managers

Subdivision 2 – Certificate cancellation and disciplinary action

Entity power given to	Section of PROA	Description
Authority	52(2)	Power to investigate disciplinary action against an approved manager.

Part 4 - Development Approvals for Brothels

Division 2 - Particular provisions about development relevant applications

Entity power given to	Section of PROA	Description
Decision-maker	63B(1)(b)	In certain circumstances, the power to decide and provide a written notice stating whether the development the subject of the application requires code assessment or impact assessment under the Planning Act.

Division 2 – Review by QCAT

Entity power given to	Section of PROA	Description
Decision-maker	64C(5)	Power to make written submissions about the assessment.

Part 5 - Prohibited Brothels

Entity power given to	Section of PROA	Description
Owner	71(1)(a)	Power to apply to the court for an order rescinding the declaration.

Part 9 - Transitional Provisions

Division 3 – Provision for Act No. 59 of 2007

Entity power given to	Section of PROA	Description
Local Government	150(2)(a)	Power to no longer require that development applications for the land be refused.

SCHEDULE 4 - DICTIONARY

Entity power given to	Section of PROA	Description
Local Government	Schedule 4 - definition of 'authorised officer of a relevant local government'	Power to, in writing, authorise an officer of Council for the <i>Prostitution Act 1999</i> .

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER

Instrument of Delegation - Environmental Protection Act 1994

Meeting Date: 26 September 2017

Attachment No: 12



INSTRUMENT OF DELEGATION

Environmental Protection Act 1994

Under section 518(1)(b) of the *Environmental Protection Act 1994*, **Rockhampton Regional Council** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1
Environmental Protection Act 1994 ("EPA")

CHAPTER 5 – ENVIRONMENTAL AUTHORITIES FOR ENVIRONMENTALLY RELEVANT ACTIVITIES

Part 2 - Application Stage

Division 4 – Notices about not properly made applications

Entity power given to	Section of EPA	Description
Administering Authority	128(2)	In certain circumstances, the power to give the applicant a notice.
Administering Authority	129(2)	In certain circumstances, the power to agree to a further period with the applicant.

Division 5 – Joint applicants

Entity power given to	Section of EPA	Description
Administering Authority	130(3)	In certain circumstances, the power to: <ul style="list-style-type: none"> (a) give a notice or other document relating to the application to all the applicants, by giving it to the principal applicant nominated in the application; or (b) make a requirement under this chapter relating to the application of all the applicants, by making it of the principal applicant nominated in the application.

Division 6 – Changing applications

Subdivision 1 – Preliminary

Entity power given to	Section of EPA	Description
Administering Authority	131(d)	In certain circumstances, power to be satisfied that a change would not adversely affect the ability of the authority to assess the changed application.

Subdivision 3 – Changed applications – effect on assessment process

Entity power given to	Section of EPA	Description
Administering Authority	133(1)(b)	Power to agree in writing to the change.
Administering Authority	134(4)	In certain circumstances, the power to be satisfied that the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.

Part 3 - Information Stage

Division 2 – Information requests

Entity power given to	Section of EPA	Description
Administering Authority	140(1)	Power to ask the applicant, by written request (an <i>information request</i>), to give further information needed to assess the application.

Administering Authority	143(2)	In certain circumstances, the power to include in an information request a requirement that the applicant provide an EIS for the application.
Administering Authority	145(1)	Power to, by written notice given to the applicant and without the applicant's agreement, extend the information request period by not more than 10 business days.
Administering Authority	145(3)	Power to request a further extension of the information request period.
Administering Authority	147(3)	Power to, within 5 business days after receiving the request: (a) decide whether to agree to the extension; and (b) give an information notice of the decision.

Part 4 - Notification Stage**Division 1 – Preliminary**

Entity power given to	Section of EPA	Description
Administering Authority	150(1)(d)	In certain circumstances, the power to be satisfied that the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.

Division 2 – Public notice

Entity power given to	Section of EPA	Description
Administering Authority	152(3)	Power to: (a) give the applicant an information notice about the decision before the application notice is given; and (b) decide an additional or substituted way to give or publish the application notice.
Administering Authority	159(2)	In certain circumstances, power to decide whether to allow the application to proceed under this part as if the noncompliance had not happened.
Administering Authority	159(3)	In certain circumstances, power to be satisfied that there has been substantial compliance with the public notice requirements.
Administering Authority	159(4)	In certain circumstances, power to within 10 business days after the decision is made, give the applicant written notice of the decision.
Administering Authority	159(5)(b)(i)	In certain circumstances, power to: (a) fix a substituted way to give or publish the application notice; and (b) give the applicant written notice of the substituted way.
Administering Authority	159(5)(b)(ii)	In certain circumstances, power to: (a) fix a new submission period for the application; and (b) give the applicant written notice of the period.
Administering Authority	159(5)(b)(iii)	In certain circumstances, power to give the applicant an information notice about the decision.

Division 3 – Submissions about applications

Entity power given to	Section of EPA	Description
An Entity	160	Power to, within the submission period, make a submission to the administering authority about the application.
Administering Authority	161(3)	Power to accept a written submission even if it is not a properly made submission.

An Entity	162(1)	In certain circumstances, power to, by written notice, amend or replace a submission.
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Part 5 - Decision Stage**Division 2 – Deciding an application****Subdivision 1 – Decision period**

Entity power given to	Section of EPA	Description
Administering Authority	168(2)	In certain circumstances, the power to, by written notice given to the applicant and without the applicant's agreement, extend the period mentioned in subsection 168(1) by not more than 20 business days.
Administering Authority	168(4)	Power to request a further extension of the decision period.

Subdivision 2 – Decision

Entity power given to	Section of EPA	Description
Administering Authority	170(2)(a)	In certain circumstances, the power to decide that that the application be approved subject to the standard conditions for the relevant activity or authority.
Administering Authority	170(2)(b)	In certain circumstances, the power to decide that the applicant be issued an environmental authority on conditions that are different to the standard conditions for the activity or authority.
Administering Authority	171(2)(a)	In certain circumstances, the power to decide that the application be approved subject to conditions that are different to the standard conditions for the activity or authority.
Administering Authority	171(2)(b)	In certain circumstances, the power to decide that the applicant be issued an environmental authority subject to the standard conditions for the activity or authority.
Administering Authority	172(2)	In certain circumstances, the power to decide that the application: (a) be approved subject to conditions; or (b) be refused.
Administering Authority	173(1)	Power to refuse an application if the applicant is not a registered suitable operator.
Administering Authority	173(3)	In certain circumstances, power to refuse an application for an environmental authority.

Division 4 – Steps after deciding application

Entity power given to	Section of EPA	Description
Administering Authority	195	In certain circumstances, power to issue an environmental authority to the applicant.
Administering Authority	198(2)	In certain circumstances, power to give the application an information notice about the decision.
Administering Authority	198(4)	In certain circumstances, power to give any submitter for the application an information notice about the decision.

Division 6 – Conditions

Entity power given to	Section of EPA	Description
Administering Authority	203(1)	Power to impose a condition on an environmental authority or draft environmental authority if: (a) it considers the condition is necessary or desirable; and (b) if the authority is for an application to which section 115 applies - the condition relates to the carrying out of the relevant prescribed ERA.
Administering Authority	203(2)	In certain circumstances, power to impose a condition on an environmental authority or draft environmental authority.
Administering Authority	204(2)	In certain circumstances, power to impose on the authority a condition requiring the holder of the authority to take all reasonable steps to ensure the relevant activity complies with the eligibility criteria for the activity.
Administering Authority	209(4)	Power to enter into an agreement to establish obligations, or secure the performance, of a party to the agreement about a condition.

Part 6 - Amending Environmental Authorities by Administering Authority**Division 1 – Amendments**

Entity power given to	Section of EPA	Description
Administering Authority	211	In certain circumstances, power to amend an environmental authority to correct a clerical or formal error.
Administering Authority	212(2)	Power to amend the environmental authority to ensure compliance with conditions included in a determination made by the NNTT under the Commonwealth Native Title Act, section 38(1)(c).
Administering Authority	212(3)	Power to give written notice of the amendment to the environmental authority holder.
Administering authority	212A(2)	Power to amend the environmental authority to ensure it is consistent with the regional interests development approval.
Administering authority	212A(3)	Power to given written notice the amendment to the environmental authority holder.
Administering Authority	213(2)	In certain circumstances, power to amend the existing authority to replace the existing standard conditions with the new standard conditions.
Administering Authority	213(3)	In certain circumstances, power to give written notice of the amendment to the environmental authority holder.
Administering Authority	214(2)	In certain circumstances, power to amend the environmental authority.
Administering Authority	214(3)	In certain circumstances, power to give: (a) an information notice about the amendment to the holder of the environmental authority; and (b) written notice of the amendment to the assessment manager for the development application.
Administering Authority	215(1)	In certain circumstances, power to amend an environmental authority.
Administering Authority	215(1)(a)	Power to consider the amendment is necessary or desirable because of a matter mentioned in subsection (2) and the procedure under division 2 is followed.

Division 2 – Procedure for particular amendments

Entity power given to	Section of EPA	Description
Administering Authority	216	Power to propose to amend an environmental authority
Administering Authority	217	Power to give the environmental authority holder a written notice (the <i>proposed amendment notice</i>).
Administering Authority	218	Power to consider any written representation made within the period stated in the proposed amendment notice by the holder of the environmental authority.
Administering Authority	219(1)	In certain circumstances, power to believe a ground exists to make the proposed amendment, and to make the amendment.
Administering Authority	219(3)	Power to give the holder written notice of the decision.
Administering Authority	220	Power to give the environmental authority holder an information notice about the decision.

Division 3 – Steps for amendments

Entity power given to	Section of EPA	Description
Administering Authority	221(2)(b)	In certain circumstances, power to issue the amended environmental authority to the holder.

Part 7 - Amendment of Environmental Authorities by Application**Division 2A – Provision for particular amendment applications**

Entity power given to	Section of EPA	Description
Administering Authority	227A(2)	Power to refuse application within 10 business days after receiving the amendment application.
Administering Authority	227A(3)	Power to require the holder of the environmental authority to make a site-specific application for a new environmental authority.
Administering Authority	227A(5)	Power to give written notice of any refusal.

Division 3 – Assessment level decisions

Entity power given to	Section of EPA	Description
Administering Authority	228(1)	Power to decide whether the proposed amendment is a major or minor amendment.
Administering Authority	229	Power to give the applicant a written notice.
Administering Authority	230(2)	In certain circumstances, power to be satisfied that: <ul style="list-style-type: none"> (a) there is likely to be a substantial increase in the risk of environmental harm under the amended environmental authority; and (b) the risk is the result of a substantial change in: <ul style="list-style-type: none"> (i) the quantity or quality of contaminant permitted to be released into the environment; or (ii) the results of the release of a quantity or quality of contaminant permitted to be released into the environment.

Division 4 – Process if proposed amendment is a major amendment

Entity power given to	Section of EPA	Description
Administering Authority	233(3)	In certain circumstances, power to: (a) decide another way of publishing the notice for subsection (2)(b)(ii); and (b) give the applicant an information notice about the decision before the notice is published.
Administering Authority	237(1)(b)	Power to agree in writing to the change.
Administering Authority	238(3)(a)	In certain circumstances, power to within 10 business days after notice of the change is received, ask the applicant to give further information needed to assess the application
Administering Authority	238(7)	In certain circumstances, power to be satisfied the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.

Division 5 – Process if proposed amendment is minor amendment

Entity power given to	Section of EPA	Description
Administering Authority	240(1)	Power to decide either to approve or refuse the application: (a) for a condition conversion – within 10 business days after the application is received (for a condition conversion); or (b) otherwise, within 10 business days after notice of the assessment level decision is given to the applicant.
Administering Authority	240(2)	Power to be satisfied the proposed amendment is necessary or desirable.
Administering Authority	240(3)	In certain circumstances, power to make any other amendments to the conditions of the environmental authority it considers: (a) relate to the subject matter of the proposed amendment; and (b) are necessary or desirable.

Division 6 – Steps after deciding amendment application

Entity power given to	Section of EPA	Description
Administering Authority	242(1)(b)	In certain circumstances, power to issue the amended environmental authority to the applicant.
Administering Authority	242(3)	Power to within 5 business days after the decision is made, give the applicant an information notice about the decision.

Part 8 - Amalgamating Environmental Authorities**Division 2 – Deciding amalgamation application**

Entity power given to	Section of EPA	Description
Administering Authority	247(1)	Power to, within 20 business days after the day the amalgamation application is received, decide to: (a) approve the application; or (b) if the application is for an amalgamated local government authority or amalgamated project authority—refuse the application.

Administering Authority	247(2)(c)	Power to be satisfied there is an appropriate degree of integration between the activities.
Administering Authority	247(3)	Power to be satisfied the relevant activities for the existing environmental authorities are being carried out as a single integrated operation.

Division 3 – Miscellaneous provisions

Entity power given to	Section of EPA	Description
Administering Authority	248(b)	In certain circumstances, power to issue to the applicant: <ul style="list-style-type: none"> (a) if the application is for an amalgamated corporate authority – an amalgamated corporate authority; or (b) if the application is for an amalgamated local government authority – an amalgamated local government authority; or (c) if the application is for an amalgamated project authority – an amalgamated project authority.
Administering Authority	249	Power to, within 10 business days after refusing an amalgamation application, give the applicant an information notice about the decision.

Division 4 – De-amalgamating environmental authorities

Entity power given to	Section of EPA	Description
Administering Authority	250C(a)	Power to de-amalgamate the relevant authority within 15 business days after receiving a de-amalgamation application that complies with section 250B.

Part 9 - Transferring Environmental Authorities for Prescribed ERAs

Entity power given to	Section of EPA	Description
Administering Authority	254(1)	Power to consider each transfer application and decide to: <ul style="list-style-type: none"> (a) approve the transfer; or (b) refuse the transfer.
Administering Authority	255(1)(b)	In certain circumstances, power to issue the amended environmental authority (the transferred environmental authority) to each holder.
Administering Authority	255(2)	In certain circumstances, power to, within 10 business days after the decision is made, give the existing holder and the proposed holder written notice of the decision.

Part 10 - Surrender of Environmental Authorities

Division 1 – Preliminary

Entity power given to	Section of EPA	Description
Administering Authority	258(2)	In certain circumstances, power to by written notice (a surrender notice), require the holder of the environmental authority to make a surrender application.
Administering Authority	261(2)	In certain circumstances, power to approve a surrender application for part of the environmental authority.

Division 3 – Final rehabilitation reports

Entity power given to	Section of EPA	Description
Administering Authority	264(2)(a)	Power to agree to a methodology.

Division 4 – Requests for Information

Entity power given to	Section of EPA	Description
Administering Authority	265	Power to ask the applicant, by written request, to give further information needed to assess the surrender application.

Division 5 – Deciding surrender applications

Entity power given to	Section of EPA	Description
Administering Authority	266(1)	Power to decide to: (a) approve the surrender application; or (b) refuse the surrender application.
Administering Authority	269(a)	Power to be satisfied the conditions of the environmental authority have been complied with.
Administering Authority	269(b)(i)	Power to be satisfied the land on which each relevant activity for the environmental authority has been carried out has been satisfactorily rehabilitated.
Administering Authority	269(b)(ii)	Power to be satisfied the land will be satisfactorily rehabilitated under a transitional environmental program.
Administering Authority	269(c)	Power to be satisfied of another circumstance prescribed by regulation.

Division 8 – Miscellaneous provisions

Entity power given to	Section of EPA	Description
Administering Authority	275(a)(ii)	In certain circumstances, power to give the applicant written notice of the decision.
Administering Authority	275(b)	In certain circumstances, power to give the applicant an information notice about the decision.

Part 11 - Cancellation or Suspension of Environmental Authorities**Division 1 – Preliminary**

Entity power given to	Section of EPA	Description
Administering Authority	278(1)	In certain circumstances, power to cancel or suspend an environmental authority.

Division 2 – Procedure for cancellation or suspension by administering authority

Entity power given to	Section of EPA	Description
Administering	280(1)	Power to give the environmental authority holder a written notice.

Authority		
Administering Authority	281	Power to consider any written representation made within the stated period by the environmental authority holder.
Administering Authority	282(1)	In certain circumstances, power to believe a ground exists to take the proposed action.
Administering Authority	282(1)(a)	In certain circumstances, power to suspend the environmental authority for no longer than the proposed suspension period.
Administering Authority	282(1)(b)	In certain circumstances, power to either cancel the environmental authority or suspend it for a fixed period.
Administering Authority	282(3)	Power to decide not to take the proposed action and, if so, give the environmental authority holder written notice of the decision.
Administering Authority	283(1)	Power to give the environmental authority holder an information notice about the decision.
Administering Authority	283(2)	In certain circumstances, power to give written notice of the decision to the chief executive administering the resource legislation.

Part 11A - General Provisions**Division 3 – Deciding suspension applications**

Entity power given to	Section of EPA	Description
Administering Authority	284C	Power to decide whether to approve the application or refuse the application.
Administering Authority	284F(1)(a)(ii)	In certain circumstances, power to give the holder of the environmental authority written notice of the decision.
Administering Authority	284F(1)(b)	In certain circumstances, power to give the holder an information notice about the decision.

Part 12 - General Provisions**Division 1 – Plan of operations for environmental authority relating to mining lease or petroleum lease**

Entity power given to	Section of EPA	Description
Administering Authority	287	Power to agree with the holder in writing to a shorter period.

Division 2 – Financial assurance**Subdivision 1 – Requiring financial assurance**

Entity power given to	Section of EPA	Description
Administering Authority	292(1)	Power to, by condition of an environmental authority, require the holder of the environmental authority to give the administering authority financial assurance.
Administering Authority	292(2)	Power to be satisfied the condition is justified.
Administering Authority	292(3)	Power to require a financial assurance to remain in force until satisfied no claim is likely to be made on the assurance.

Subdivision 2 – Amount and form of financial assurance

Entity power given to	Section of EPA	Description
Administering Authority	295(1)	Power to decide the amount and form of financial assurance required under a condition of an environmental authority.
Administering Authority	295(2)(c)	Power to agree with the holder of the environmental authority to a further period.
Administering Authority	295(4)	Power to form an opinion as to the amount that represents the total of likely costs and expenses that may be incurred taking action to rehabilitate or restore and protect the environment because of environmental harm that may be caused by the activity.
Administering Authority	296	Power to, within 5 business days after making a decision under section 295(1), give an information notice about the decision to the holder of the environmental authority.

Subdivision 3 – Claiming or realising financial assurance

Entity power given to	Section of EPA	Description
Administering Authority	299(2)	Power to must give written notice to the entity who gave the financial assurance.
Administering Authority	300	Power to consider any written representations made within the stated period by the entity who gave the financial assurance.
Administering Authority	301(1)	Power to decide whether to make a claim on or realise the financial assurance.
Administering Authority	301(2)	In certain circumstances, power to give the entity an information notice about the decision.

Subdivision 4 – Amending or discharging financial assurance

Entity power given to	Section of EPA	Description
Administering Authority	304(1)	Power to, by written notice, require the applicant to give it a compliance statement for the financial assurance before deciding the application.
Administering Authority	305(1)(a)	Power to approve or refuse the application.
Administering Authority	305(1)(b)	In certain circumstances, power to give the applicant an information notice about the decision.
Administering Authority	305(3)	Power to be satisfied no claim is likely to be made on the assurance.
Administering Authority	305(5)	Power to withhold making a decision under subsection (1).
Administering Authority	306(1)	In certain circumstances, power to, at any time, require the holder of an environmental authority or small scale mining tenure for which financial assurance has been given to change the amount of the financial assurance.
Administering Authority	306(3)	Power to give written notice to the holder of the environmental authority or small scale mining tenure.
Administering Authority	306(6)	In certain circumstances, power to consider any written submissions made by the holder within the stated period.

Division 3 – Annual fees and returns**Subdivision 1 – Annual notices**

Entity power given to	Section of EPA	Description
Administering Authority	308(2)	In certain circumstances, power to give the environmental authority holder a written notice complying with subsection (3) (an annual notice).
Administering Authority	310(1)	In certain circumstances, power to change the anniversary day, for an environmental authority for which an annual fee is prescribed under a regulation, to another day (the new day).
Administering Authority	311	Power to decide whether or not to change the anniversary day to the new day.
Administering Authority	312	Power to give the holder: (a) if the decision is to change the day – written notice of the decision; or (b) if the decision is not to change the day – an information notice about the decision.

Division 4 – Non-compliance with eligibility criteria

Entity power given to	Section of EPA	Description
Administering Authority	314(2)	In certain circumstances, power to require the holder of the environmental authority to: (a) make a site-specific application for a new environmental authority under part 2; or (b) make an amendment application for the authority under part 7.
Administering Authority	314(3)	Power to give written notice of the proposed requirement to the holder of the environmental authority.
Administering Authority	314(5)	Power consider any representations made by the holder within the stated period.

Division 5 – Miscellaneous provisions

Entity power given to	Section of EPA	Description
Administering Authority	315(1)	Power to ask any entity for advice, comment or information about an application made under this chapter at any time.

CHAPTER 7 – ENVIRONMENTAL MANAGEMENT**Part 1 - Environmental Duties****Division 2 – Duty to Notify of Environmental Harm****Subdivision 3B – Duty of local government**

Entity power given to	Section of EPA	Description
Local Government	320DB(1)	Power to give the administering authority written notice of the activity.
Local Government	320DB(2)	Power to give the administering authority written notice of (a) the nature of the event or change in the condition and the circumstances in which the event or change happened or is happening; or

		(b) within 24 hours after becoming aware of the event or change in condition of the land.
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Part 2 - Environmental Evaluations

Division 2 – Environmental audits

Subdivision 1 – Audit requirements

Entity power given to	Section of EPA	Description
Administering Authority	322(1)	In certain circumstances, power to, by written notice, require the holder of an environmental authority to: <ul style="list-style-type: none"> (a) conduct or commission an audit (an environmental audit) about a stated matter concerning a relevant activity; and (b) give the administering authority an environmental report on the audit.
Administering Authority	322(2)	Power to be reasonably satisfied the audit is necessary or desirable.
Administering Authority	323(1)	Power to be satisfied that: <ul style="list-style-type: none"> (a) a person is, or has been, contravening a regulation, an environmental protection policy, a transitional environmental program or an enforceable undertaking; or (b) a person is, or has been, contravening any of the following provisions: <ul style="list-style-type: none"> (i) section 363E; (ii) section 440Q; (iii) section 440ZG; (iv) a provision of chapter 8, part 3D, 3E or 3F.
Administering Authority	323(2)	Power to, by written notice (also an audit notice), require the person to: <ul style="list-style-type: none"> (a) Conduct or commission an audit (also an environmental audit) about the matter; and (b) give the administering authority an environmental report about the audit.

Division 3 – Environmental investigations

Entity power given to	Section of EPA	Description
Administering Authority	326B(1)	Power to be satisfied on reasonable grounds that: <ul style="list-style-type: none"> (a) an event has happened causing environmental harm while an activity was being carried out; or (b) an activity or proposed activity is causing, or is likely to cause environmental harm.
Administering Authority	326B(2)	Power to, by written notice (an investigation notice), require the person who has carried out, is carrying out or is proposing to carry out the activity to: <ul style="list-style-type: none"> (a) conduct or commission an investigation (an environmental investigation) about the event or activity; and (b) submit an environmental report about the investigation to the authority.
Administering Authority	326BA(1)	Power to be satisfied that circumstances contained in subsection (a) – (c) apply to the land.
Administering Authority	326BA(2)	Power to give written notice (an investigation notice) requiring a prescribed responsible person for the land to <ul style="list-style-type: none"> (a) conduct or commission an investigation; and (b) give the administering authority an investigation report.

Division 5 – Steps after receiving environmental reports

Entity power given to	Section of EPA	Description
Administering Authority	326F(2)	Power to, by written notice, ask the recipient to give further information needed to decide whether to approve the environmental report.
Administering Authority	326G(4)	Power to decide to accept the report or to refuse to accept the report.
Administering Authority	326G(5)	Power to be satisfied that the report does not adequately address the relevant matters for the environmental investigation to which the report relates.
Administering Authority	326G(7)	In certain circumstances, power to extend the period mentioned in subsection (6) for making the decision.
Administering Authority	326G(7)(a)	Power to be satisfied that there are special circumstances for extending the time.
Administering Authority	326G(8)	Power to give the recipient written notice of the decision within 5 business days after making the decision.
Administering Authority	326H	Power to do one or more of the following: (a) require the recipient to prepare and submit a transitional environmental program to it; (b) if the recipient is the holder of an environmental authority – amend the conditions of the authority; (c) serve an environmental protection order on the recipient; or (d) take any other action it considers appropriate.
Administering Authority	326I(2)	Power to require the recipient to conduct or commission another environmental investigation and submit a report on the investigation to it.
Administering Authority	326I(3)	Power to give written notice to the recipient.

Part 3 - Transitional Environmental Programs**Division 2 - Submission and approval of transitional environmental programs**

Entity power given to	Section of EPA	Description
Administering Authority	332(1)	approval a draft transitional environmental programn of an environmental authority.a)
Administering Authority	332(2)	In the specified circumstances, the power to require a person or public authority to prepare and submit for approval a draft transitional environmental program.
Administering Authority	334A(1)	Power to, by written notice, ask the person or public authority that submitted the draft transitional environmental program to give further information needed to decide whether to approve the draft program.
Administering Authority	336(1)	Power to invite a person or public authority that has submitted a draft transitional environmental program and another person who has made a submission under section 335 of the Environmental Protection Act 1994 about the transitional environmental program, to a conference to help in deciding whether or not to approve the program.
Administering Authority	336(2)	Power to give written notice to all persons invited to attend a conference of when and where the conference is to be held.
Administering Authority	336(3)	If its considered impracticable to give notice to all persons invited to attend a conference, the power to give notice of the conference by publishing a notice in the newspapers you decide.
Administering	336(4)	In the specified circumstances, the power to appoint an independent person to

Authority		mediate a conference.
Administering Authority	336A(1)	Power to ask any person for advice, comment or information about a submission for approval of a transitional environmental program at any time.
Administering Authority	337(1)	In the specified circumstances, the power to decide whether to approve a draft transitional environmental program within the specified time period.
Administering Authority	337(2)	In certain circumstances, power to extend the period mentioned in subsection (1) for making the decision.
Administering Authority	337(2)	Power to gives an information notice about the decision to extend to the person or public authority that submitted the program and any submitters.
Administering Authority	338(1)	In deciding whether to approve or refuse to approve a draft program or the conditions (if any) of the approval, the power to: (a) comply with any relevant regulatory requirement; and (b) subject to paragraph (a), consider the specified criteria.
Administering Authority	339(1)	Power to: (a) approve a draft transitional environment program: (i) as submitted; or (ii) as amended at the request, or with the agreement, of the administering authority; or (b) refuse to approve a draft transitional environmental program.
Administering Authority	339(2)	Power to impose on an approval of a draft transitional environmental program: (a) any conditions the authority must impose under a regulatory requirement; (b) a condition requiring the holder of the approval to give an amount of financial assurance as security for compliance with the transitional environmental program and any conditions of the program; and (c) any other conditions the administering authority considers appropriate.
Administering Authority	340(1)	Power to , within 8 business days after making a decision under section 339, give the person or public authority that submitted the program a written notice about the decision.
Administering Authority	340(2)(b)	If the program is approved, power to state any conditions imposed on the approval by the administering authority.
Administering Authority	340(2)(c)	If the program is approved, power to state the day the approval ends.
Administering Authority	340(3)	If the program is refused, or approved with conditions, power to give an information notice.
Administering Authority	342(2)	In the specified circumstances, the power to consider and decide whether to approve a draft transitional environmental program if satisfied there has been substantial compliance with the Environmental Protection Act 1994.
Administering Authority	343A(2)(B)	In certain circumstances, power to give the holder of the environmental authority a copy of the environmental authority including the note.

Division 3A – Financial assurances

Entity power given to	Section of EPA	Description
Administering Authority	344(3)	In the specified circumstances, the power to approve an amendment of an approval for a transitional environmental program for an environmentally relevant activity.
Administering Authority	344(4)	Without limiting the matters to be considered in deciding an application, the power to have regard to the specified criteria.
Administering	344A(2)	Power to may recover the reasonable costs or expenses of taking the action

Authority		by making a claim on or realising the financial assurance or part of it.
Administering Authority	344A(3)	Power to give written notice to the person who gave the financial assurance.
Administering Authority	344B	Power to consider any written representations made within the stated period by the person who gave the financial assurance.
Administering Authority	344C(1)	Power to, within 10 business days after the end of the stated period, decide whether to make a claim on or realise the financial assurance.
Administering Authority	344C(2)	Power to, within 5 business days after making the decision, give the person an information notice about the decision.

Division 3B – Cancellation of approval for transitional environmental programs

Entity power given to	Section of EPA	Description
Administering Authority	344E(1)	Power to cancel the approval for a transitional environmental program for the reasons provided in that subsection.
Administering Authority	344E(1)(b)	Power to be satisfied the approval holder has: <ul style="list-style-type: none"> (i) disposed of the place or business to which the program relates; or (ii) ceased the activity to which the program relates.
Administering Authority	344E(2)(a)	Power to give a notice stating the details of the cancellation to the approval holder.
Administering Authority	344F(2)(a)	Power to withdraw the notice by another written notice.
Administering Authority	344G(2)	Power to give the holder of the environmental authority a copy of the authority that does not include the note.

Part 4 - Special Provisions about Voluntary Submission of Transitional Environmental Programs

Entity power given to	Section of EPA	Description
Administering Authority	352(1)	In the specified circumstances, the power to give written notice to a person of: <ul style="list-style-type: none"> (a) receiving a program notice; and (b) the day by which a draft transitional environmental program dealing with the activity must be submitted for approval.
Administering Authority	355(1)	In certain circumstances, power to apply to the Court for an order that section 353(1) does not apply to the person for any continuation of the original offence.

Part 4A - Temporary emissions licences

Entity power given to	Section of EPA	Description
Administering Authority	357E(1)	Power to: <ul style="list-style-type: none"> (a) grant the application for a temporary emissions licence: <ul style="list-style-type: none"> (i) as submitted; (ii) on different terms than have been requested in the application; or (b) refuse to grant the application for a temporary emissions licence.
Administering Authority	357E(2)	Power to impose conditions on the temporary emissions licence it considers are necessary or desirable.

Administering Authority	357F	Power to give the applicant an information notice about the decision if the decision is to: (a) grant the application on different terms than have been requested in the application: or (b) refuse the application.
Administering Authority	357J	In certain circumstances, power to amend, cancel or suspend a temporary emissions licence.

Part 5 - Environmental Protection Orders

Entity power given to	Section of EPA	Description
Administering Authority	358	In the specified circumstances, the power to issue an order (an environmental protection order) to a person.
Administering Authority	359	Before deciding to issue an environmental protection order, the power to consider the standard criteria.

CHAPTER 9 – INVESTIGATION AND ENFORCEMENT

Part 1 - Administration Generally

Entity power given to	Section of EPA	Description
As delegate of the Chief Executive of the Environmental Protection Agency: 516(1)(b) and 517	445(1)(c) ³	In the specified circumstances, the power to appoint an authorised person.
Chief Executive Officer	445(2)	Power to appoint an employee of a local government to be an authorised person
As delegate of the Chief Executive of	448 ⁴	In the specified circumstances, the power to issue an identity card to each authorised person appointed.

³ The power is subject to the following limitations as per the instrument of delegation of the Chief Executive of the Environmental Protection Agency dated 7 February 2008 (copy attached).

1. The only powers under the *Environmental Protection Act 1994* the authorised person who is appointed by the Local Govt is to exercise are:
 - (a) Sections 440J, 452, 453, 455, 456, 457, 459, 460, 461, 462, 463A, 463, 464, 465 and 466 of the *Environmental Protection Act 1994*; and
 - (b) Only to be used in relation to those matters referred to in s.440D of the *Environmental Protection Act 1994*; and
2. That the certificates issued pursuant to s.490 of the *Environmental Protection Act 1994* are only used in respect of Court proceedings in relation to those matters referred to in s.440D of the *Environmental Protection Act 1994*.

⁴ The power is subject to the following limitations as per the instrument of delegation of the Chief Executive of the Environmental Protection Agency dated 7 February 2008 (copy attached).

1. The only powers under the *Environmental Protection Act 1994* the authorised person who is appointed by the Local Govt is to exercise are:
 - (a) Sections 440J, 452, 453, 455, 456, 457, 459, 460, 461, 462, 463A, 463, 464, 465 and 466 of the *Environmental Protection Act 1994*; and
 - (b) Only to be used in relation to those matters referred to in s.440D of the *Environmental Protection Act 1994*; and
2. That the certificates issued pursuant to s.490 of the *Environmental Protection Act 1994* are only used in respect of Court proceedings in relation to those matters referred to in s.440D of the *Environmental Protection Act 1994*.

the Environmental Protection Agency: 516(1)(b) & 517.		
Administering Authority	451(1)	In the specified circumstances, the power to give a notice under section 451 of the Environmental Protection Act 1994 to a person requiring the person to give information relevant to the administration and enforcement of the Environmental Protection Act 1994.

Part 2 - Powers of Authorised Persons for Places and Vehicles

Entity power given to	Section of EPA	Description
Administering Authority	454(1)	Power to believe on reasonable grounds land is contaminated land
Administering Authority	454(3)(b)	Power to give written notice to the owner and occupier.
Administering Authority	458(2)	In the specified circumstances, the power to give written notice of an application made under section 458(1) of the Environmental Protection Act 1994 to: <ul style="list-style-type: none"> (a) the owner of the land; and (b) if the owner is not the occupier of the land - the occupier; and (c) if the application is for an order to carry out work mentioned in section 458(1)(a) of the Environmental Protection Act 1994: <ul style="list-style-type: none"> (i) the environmental authority holder; or (ii) transitional environmental program approval holder; or (iii) the registered operator. (d) if the application is for an order to take actions required under a clean-up notice – the recipient of the notice.
Administering Executive	463(2)	In the specified circumstances, the power to direct the destruction or disposal of a forfeited thing.
As delegate of the Chief Executive of the Environmental Protection Agency: 516(1)(b) and 517.	490	In the specified circumstances, the power to issue a certificate.

CHAPTER 10 – LEGAL PROCEEDINGS

Part 3 - Legal Proceedings

Entity power given to	Section of EPA	Description
Administering Authority	502A(2)	Power to carry out work or take any other action reasonably necessary to fulfil the requirements of an order made against a person under section 502.

Part 5 - Enforceable undertakings

Entity power given to	Section of EPA	Description
Administering	507(1)	Power to accept an enforceable undertaking.

Authority		
Administering Authority	507(3)	Power to give written notice of: (a) administering authority's decision to accept or reject the enforceable undertaking; and (b) the reasons for the decision.
Administering Authority	507(4)	Power to form a reasonable belief that the undertaking will: (a) secure compliance with the Act; and (b) enhance the protection of the environment.
Administering Authority	509(1)	Power to give written agreement to: (a) withdraw the undertaking; or (b) vary the undertaking.
Administering Authority	510	Power to amend an enforceable undertaking with the written agreement of the person who made the undertaking.
Administering Authority	511	Power to: (a) amend an enforceable undertaking to correct a clerical or formal error; and (b) give written notice of the amendment to the enforceable undertaking.
Administering Authority	512(1)	Power to amend or suspend an enforceable undertaking if the administering authority is satisfied of the requirements in paragraphs (a) – (d).
Administering Authority	512(2)	Power to give a notice stating proposed action in respect of the enforceable undertaking.
Administering Authority	512(4)	Power to consider written representations.
Administering Authority	512(5)	Power to decide to take action under the section.
Administering Authority	512(6)	Power to give an information notice about the decision within 10 business days after making the decision.
Administering Authority	512(7)	Power to give written notice of a decision not to take action.
Administering Authority	513(2)	Power to apply to the Magistrates Court for an order about contravention of enforceable undertaking.

CHAPTER 11 – ADMINISTRATION

Part 2 - Delegations

Entity power given to	Section of EPA	Description
CEO (both as CEO and as administering executive)	517(2)	Power to delegate their powers under this Act to an appropriately qualified employee of the local government.

Part 3 - Review of Decisions and Appeals

Division 2 – Internal Review of Decisions

Entity power given to	Section of EPA	Description
Administering Authority	521(2)(a)(ii)	In the specified circumstances, the power to allow a longer period within which an application for a review of an original decision must be made.
Administering	521(5)	In the specified circumstances, the power to, within the decision period for a

Authority		review of an original decision: (a) review the original decision; and (b) consider any submissions properly made by a recipient of a review notice; and (c) make a decision (the review decision) to: (i) confirm or revoke the original decision; or (ii) vary the original decision in a way considered appropriate.
Administering Authority	521(8)	Within 10 business days after making a review decision, the power to give written notice of the review decision to the applicant and persons who were given notice of the original decision.

Division 3 – Appeals

Subdivision 2 – Appeals to Court

Entity power given to	Section of EPA	Description
Dissatisfied person	531(1)	In certain circumstances, power to may appeal against the decision to the Court.

Part 4 - General

Entity power given to	Section of EPA	Description
Administering Executive	544(1)	Power to approve forms.

CHAPTER 12 – MISCELLANEOUS

Part 3A - Auditors

Division 1 – Preliminary

Entity power given to	Section of EPA	Description
Auditor	568	Power to, subject to the terms of an approval under division 2: (a) conduct environmental audits and prepare environmental reports about audits under chapter 7, part 2, division 2; and (b) evaluate site investigation reports, validation reports, draft site management plans and draft amendments of site management plans prepared under chapter 7, part 8 against criteria prescribed under a regulation (the prescribed criteria) and: (i) if the report or plan does not comply with the prescribed criteria—prepare a report about the evaluation; or (ii) if the report or plan complies with the prescribed criteria—provide written certification that it complies with the criteria; and (c) audit or evaluate another matter or thing prescribed under a regulation and prepare a report or written certification about the audit or evaluation.

CHAPTER 13 – SAVINGS, TRANSITIONAL AND RELATED PROVISIONS**Part 5 - Transitional provisions for Environmental Protection Legislation Amendment Act 2003**

Entity power given to	Section of EPA	Description
Administering Authority	620(2)	In the specified circumstances, the power to change or cancel a condition of a environmental authority.
Administering Authority	620(5)(b)	In the specified circumstances, if a condition has changed or cancelled, the power to, within the specified time period, give the registered operator: <ul style="list-style-type: none"> (i) a copy of the development conditions as applying after the change or cancellation; and (ii) a registration certificate.
Administering Authority	621(1)	Power to, for an activity being carried out under an environmental authority mentioned in section 619(1) of the Environmental Protection Act 1994, give to the person carrying out the activity: <ul style="list-style-type: none"> (a) if the activity was carried out at 1 location - a development approval for the location; or (b) if the activity was carried at more than 1 location and is not a mobile and temporary environmentally relevant activity - a development approval for each location; or (c) if the activity is a mobile and temporary environmentally relevant activity - a development approval for a mobile and temporary environmentally relevant activity.
Administering Authority	621(2)	If the person carrying out the activity does not have a registration certificate for the activity, the power to also give the person a registration certificate for the activity.
Administering Authority	621(4)	If you act under section 621(1) or (2) of the Environmental Protection Act 1994, the power to give the person carrying out the activity an information notice about your decision to give the approval or approval and certificate.
Administering Authority	623(2)	In the specified circumstances, the power to give a registered operator a notice stating that you are satisfied that the risk of environmental harm from carrying out the activity is no longer insignificant.
Administering Authority	626(3)(a)	In the specified circumstances, the power to, by written notice, ask an applicant to give a stated document or information relevant to an application.

Part 6 - Transitional Provisions for Petroleum and Other Legislation Amendment Act 2004

Entity power given to	Section of EPA	Description
Administering Authority	634(1)	In the specified circumstances, the power to amend a condition about financial assurance imposed under Part 7, Chapter 13 of the Environmental Protection Act 1994 to require the giving of replacement financial assurance, in a form and amount decided by you.

Part 17 - Transitional provisions for the Environmental Protection and Other Legislation Amendment Act 2011

Entity power given to	Section of EPA	Description
Administering Authority	671(2)	Power to consider, or continue to consider, the draft transitional environment program and decide whether to approve an existing draft transitional environment program under the unamended Act.

Part 18 - Transitional provisions for Environmental Protection (Greentape Reduction) and Other Legislation Amendment Act 2012

Division 5 – Transitional authorities for environmentally relevant activities

Entity power given to	Section of EPA	Description
Administering Authority	697(1)	Power to decide whether to approve the application or refuse the application.
Administering Authority	698(1)	In certain circumstances, power to: (a) amend the environmental authority to give effect to the conversion; and (b) issue the amended environmental authority to the applicant.
Administering Authority	698(2)	In certain circumstances, power to give the applicant an information notice about the decision.

Division 5A – Suspended Activities

Entity power given to	Section of EPA	Description
Administering Authority	698B	Power to approve an application to convert the surrendered registration certificate to an environmental authority that has been suspended under chapter 5, part 11A (a conversion application).

Division 6 – Financial assurance

Entity power given to	Section of EPA	Description
Administering Authority	699(4)	Power to amend the environmental authority to impose a condition about financial assurance.
Administering Authority	699(5)	Power to give written notice of the amendment.

Division 8 – Provisions about environmental management plans

Entity power given to	Section of EPA	Description
Administering Authority	701(2)	Power to amend the new authority to impose conditions consistent with the environmental management plan.

Schedule 2

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

11.12 REQUEST FOR WAIVER OF RENTAL FEES AND SUPPORT FOR PROPOSED DEVELOPMENTS FOR GRACEMERE JUNIOR RUGBY LEAGUE FOOTBALL CLUB INC

File No:	8748
Attachments:	Nil
Authorising Officer:	Blake Hunton - Manager Parks Cheryl Haughton - Acting General Manager Community Services
Author:	Sophia Czarkowski - Sports and Education Supervisor
Previous Items:	9.6.4 - Request for waiver of rental fees and support for proposed developments for Gracemere Junior Rugby League Football Club Inc - Parks, Recreation and Sport Committee - 20 Sep 2017 12.30 pm

SUMMARY

The recommendation from the Parks and Recreation Committee meeting on Wednesday 20 September 2017 was "That this report be referred to full Council, and additional information detailing a payment plan as an option be presented for consideration by Council."

Gracemere Junior Rugby League Club Inc holds a Trustee Permit and Trustee Lease over part of Cedric Archer Park, Gracemere. The Club has requested that Council waive its outstanding rental fees and is seeking support for proposed improvements to the facility.

OFFICER'S RECOMMENDATION

THAT Council decline the request from Gracemere Junior Rugby League Club Inc for a waiver of outstanding rental fees totalling \$3,880, however agree to enter into a payment plan with the Club for the payment of outstanding fees and the next invoice (\$1,980 to issue on 1 October 2017) to be paid by 30 September 2018.

COMMENTARY

Gracemere Junior Rugby League have a Trustee Lease and a Trustee Permit over the building and rugby league fields at Cedric Archer Park. The Trustee Lease expires on 30 September 2017 and the Trustee Permit expires on 31 December 2016 and is currently being renewed.

Cedric Archer Park is located on Fisher Street in Gracemere and is a Reserve for Recreation; the following Clubs have tenure at this location:

- Gracemere Bowls Club: Freehold Lease – expired 31 December 2016, currently being renewed
- Rockhampton Radio Control Car Club: Trustee Lease – expires 31 October 2017
- Gracemere Lakes Golf Club: Freehold Lease – expires 31 December 2017
- Gracemere Men's Shed: Trustee Lease – expires 30 April 2018
- Gracemere Croquet Club: Trustee Lease – expires 31 December 2018

The Reserve also features public toilets, swimming pool, multipurpose courts (basketball, netball and tennis) and the recently redeveloped playground and Skate Park.

BACKGROUND

Gracemere Junior Rugby League Club Inc (the Club) met with Council Officers on 20 January 2017 to discuss their financial position and outstanding rental fees and rates charges. The Club subsequently wrote to Council on 27 February 2017 requesting a waiver of outstanding rental fees totaling \$3,880.00 citing committee and financial issues as the reason the last two (2) invoices for rental fees haven't been paid.

The Club is charged \$1,980 per annum for its building which is owned and maintained by Council. There are no charges for use of the sports fields.

Since the appointment of the new committee late in 2016 the members have been establishing processes around the management of incoming money. The Club also ensured that team coaches and managers were accountable for collecting player registrations (approx. \$23,000) and that consequences for not paying fees were communicated. The committee also established processes around managing fundraising for the Club to track the cash income.

Council Officers have been in regular contact with the Club and the financial position has reportedly improved. The Club has 132 registered players aged 6 – 14 years with 20 volunteers assisting the day to day operations. The Club received a grant and has engaged a consultant to assist them in updating and reviewing the club's constitution, roles and responsibilities and to assist with future grant opportunities. In addition to improved governance the Club has:

- Raised \$12,000 to date through fundraising
- Secured \$12,500 worth of sponsorship
- Developed a plan for the redevelopment of its clubhouse

The Club has advised that it does not foresee any issues with meeting its future financial commitments to Council. As at 22 August 2017 the Club did not have any rates arrears.

The new committee has worked diligently to improve the position of the Club and as such it is looking at opportunities to improve the Club facilities to meet the requirements of Queensland Rugby League (QRL), improve player facilities and create a more female friendly environment.

The current clubhouse is owned and maintained by Council and contains small change areas with toilet facilities, minimal storage and a canteen. The small change areas with toilets are marked male and female and are not able to be used for home and away teams. The Club uses a shipping container/donga to assist with accommodating players; however the setup is not ideal and does not meet QRL requirements.

The current proposal is to convert the existing clubhouse into toilets and change rooms and to construct a second building close by that will serve as the new club house with a canteen. The new clubhouse would be positioned to overlook the fields with a view to terracing seating into the grass mound to accommodate spectators. The Club proposes to leverage off the newly built skate park, playground and wet play area and would like the opportunity down the track to open the canteen to park users as well as players.

The Club is investigating its opportunities to apply for the Queensland Government's Female Friendly Facilities grant to complete stage one which is the conversion of the existing clubhouse.

The Club has indicated it is interested in seeking Get Playing Plus funding to complete the construction of the new structure in 2019 and would likely be seeking Council's financial support for this application to assist in meeting the Club's co-contribution requirements.

At this time the Club is seeking Council's support of the proposed developments so it can progress with the detailed design and planning documentation. At this time it is not proposed to complete any lease amendments, however, an additional leased area would be required should the Club proceed with its development. Any lease amendments would be presented to Council for consideration.

PREVIOUS DECISIONS

04 February 2014 - Parks and Recreation Committee: Request from Gracemere Junior Rugby League for Waiving of Utility Rates Charges

Council resolved to waive utility rates charges amounting to \$2,847.30 due to financial difficulties.

BUDGET IMPLICATIONS

The Club has \$3,880 in outstanding rental fees and is seeking this amount be waived, this would result in a loss of income for Council of this amount.

The Club is not seeking a financial contribution from Council at this time.

CORPORATE/OPERATIONAL PLAN

1.3.4 Support community and volunteer organisations in the delivery of sport and recreation activities.

2.1.2.3 Work with the Region's sporting associations to develop opportunities and attract sports competition events to the Region

CONCLUSION

Gracemere Junior Rugby League Football Club Inc was in financial difficulty in 2016 and the Committee is working hard to continue to improve its financial position. The waiving of rental fees would further assist the Club in improving its financial sustainability. The Club is also seeking support of its proposed clubhouse development to improve the Club's facilities for its players.

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting.

15 CLOSED SESSION

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

RECOMMENDATION

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

16.1 Legal Matters Report - 31 August 2017

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

16.2 Licence to telecommunications company

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

16.3 2017/2018 Budget Update

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

16 CONFIDENTIAL REPORTS**16.1 LEGAL MATTERS REPORT - 31 AUGUST 2017****File No:** 1392**Attachments:** 1. **Legal Matters Report 1 August 2017 to 31 August 2017****Authorising Officer:** **Tracy Sweeney - Manager Workforce and Strategy****Author:** **Allysa Brennan - Coordinator Corporate Improvement and Strategy**

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

SUMMARY

Presenting an update of current legal matters that Council is involved in as at 31 August 2017.

16.2 LICENCE TO TELECOMMUNICATIONS COMPANY

File No: 1677

Attachments: 1. Licence Agreement

Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Scott Waters - General Manager Regional Development and Aviation

Author: Rick Palmer - Senior Executive Industry Engagement

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

SUMMARY

This report outlines arrangements which have been put in place to cater for a recently arrived telecommunications company.

16.3 2017/2018 BUDGET UPDATE

File No: 8785
Attachments: Nil
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Alicia Cutler - Chief Financial Officer

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

SUMMARY

Chief Financial Officer will provide a budget update for the 17/18 Financial year.

17 CLOSURE OF MEETING