



**SPECIAL CONTINUING COUNCIL
COMMITTEE MEETING**

MINUTES

11 DECEMBER 2013

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**REPORT OF THE SPECIAL CONTINUING COUNCIL COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON WEDNESDAY 11 DECEMBER 2013 COMMENCING AT 1.03PM**

1 OPENING**2 PRESENT**

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Holmes – General Manager Regional Services
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr D Stevenson – Manager Corporate and Technology
Mr M Crow – Strategic Manager Engineering Services
Ms M Barrett – Manager Parks
Mr P Owens – Manager Arts and Heritage
Mr R Truscott – Operations Manager Strategic Planning
Ms E McCabe – Acting Operations Manager Development Assessment
Mr A Russell – Coordinator Strategic Infrastructure
Mr C Wyatt – Senior Strategic Planner
Ms R De Vries – Planning Officer
Mr W Clark – Community Engagement Officer
Ms K Greensill – Media and Public Relations Officer
Ms N Robertson – Committee Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Rutherford.
Councillor Schwarten tendered his apology and was not in attendance.

4 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

1.03PM

In accordance with s173(2) of the *Local Government Act 2009*, Mayor Strelow disclosed a conflict of interest in respect of Item 7.4 – Update on Sale of Land due to ownership of adjoining land, Mayor Strelow considered her position, and determined to leave the meeting and not take part in the debate for that particular item.

1.05PM Councillor Belz attended the meeting.

5.5 SOUTH ROCKHAMPTON FLOOD LEVEE

File No: 4704
Attachments: Nil
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

SUMMARY

As the South Rockhampton Levee Project proceeds, there is a need to address some governance and financial aspects of the project and this report outlines the activities to date and a course of action to address those issues. The Committee's endorsement of the proposed action is recommended.

COMMITTEE RESOLUTION

1. THAT the establishment of the South Rockhampton Flood Levee Advisory Committee be endorsed as outlined in the report presented with the inclusion of the Federal Member for Capricornia, the State members for Rockhampton and Keppel; and
2. THAT the budget amendments be undertaken as outlined in this report.

Moved by: Mayor Strelow
Seconded by: Councillor Williams

MOTION CARRIED

5.6 DEVELOPMENT INCENTIVES POLICY

File No: 5233
Attachments: Nil
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

SUMMARY

Following recent discussion with the Mayor and Councillors, it was requested that a policy be developed to encourage further development within the continuing Rockhampton Regional Council area. The purpose of this policy is to provide incentives for particular developments that will deliver significant and sustainable economic development and growth outcomes in alignment with Council's planning objectives. It also encourages development to occur within prescribed timeframes by conditioning ongoing eligibility on realistic deadlines for completion of the development. The Development Incentives Policy was tabled at the meeting for the Committee's endorsement.

COMMITTEE RESOLUTION

THAT the Development Incentives Policy be endorsed and that this policy as amended at this meeting be applicable to development applications received by Council on and after 1 December 2013.

Moved by: Mayor Strelow
Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

5.7 DEVELOPMENT APPLICATION FOR A PRELIMINARY APPROVAL TO VARY THE EFFECT OF THE PLANNING SCHEME FOR A MATERIAL CHANGE OF USE FOR A MASTER PLANNED COMMUNITY AND A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (FIVE LOTS INTO 127 LOTS, PUBLIC USE LAND AND BALANCE LOTS)

File No: D/36-2013

Attachments:

1. Locality Plan
2. Subdivision Plan Stage 1-3
3. Master Plan
4. Ellida Local Plan

Responsible Officer: Brett Bacon - Strategic Manager Land Use
Robert Holmes - General Manager Regional Services

Author: Erin McCabe - Acting Operations Manager Development Assessment
Rebecca De Vries - Planning Officer

SUMMARY

Application Number: D/36-2013

Applicant: Stockland Development Pty Limited C/- RPS Australia East Pty Ltd

Real Property Address: Development Site:
Lot 1 on RP602376;
Lot 5 on SP238731;
Lot 2 on RP608099;
Lot 38 on RP600698;
Lot 37 on RP600698;
Existing Lot (not for development):
Lot 6 on SP238731;
Site Access and Infrastructure Lots:
Lot 22 on SP134380;
Lot 23 on SP134380;
Lot 49 on SP129857; and
Lot 41 on SP226571; Parish of Murchison

Common Property Address: 23-27 William Palfrey Road, Parkhurst;
23A William Palfrey Road Parkhurst;
923-947 Yaamba Road Parkhurst; and
985-1005 Yaamba Road Parkhurst.

Area of Site: 288.35 hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Parkhurst Future (Post 2015) Residential Area; and Parkhurst Industrial Area (Precinct 1 – Parkhurst Low Impact Industry)

Existing Development: Rural land improved by houses and ancillary outbuildings and a church on Lot 6 on SP238731.

<i>Existing Approvals:</i>	<i>Nil</i>
<i>Approval Sought:</i>	<i>Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for a Master Planned Community and a Development Permit for Reconfiguring a Lot (Five Lots into 127 Lots, Public Use Land and Balance Lots)</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>Five properly made submissions</i>
<i>Referral Agency(s):</i>	<i>Department of Transport and Main Roads, Department of Environment and Heritage Protection and Ergon Energy.</i>
<i>Charge Area:</i>	<i>Part Charge Area 1 and part Charge Area 3</i>

COMMITTEE RESOLUTION

THAT in relation to the application for a Development Permit for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for a Master Planned Community and a Development Permit for Reconfiguring a Lot (five Lots into 127 Lots, Public Use Land and Balance Lots), made by RPS Australia East Pty Ltd, on behalf of Stockland Development Pty Limited, on Lot 1 on RP602376, Lot 2 on RP608099, Lot 37 on RP600698, Lot 38 on RP600698, Lot 5 on SP238731, Lot 6 on SP238731, Lot 49 on SP129857, Lot 22 on SP134380, Lot 23 on SP134380 and Lot 41 on SP226571, Parish of Murchison, and located at 23-27 William Palfrey Road, Parkhurst, 23A William Palfrey Road Parkhurst, 923-947 Yaamba Road Parkhurst and 985-1005 Yaamba Road Parkhurst, 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:

- (1) The proposed development is for a use which does not compromise the intent of the Parkhurst Future (Post 2015) Residential Area intent. The timing of the proposed development will be relative to the expected timing for a coordinated development as identified in the intent for this area.
- (2) The applicant has provided detailed supporting reports including a needs assessment that identifies the suitability of the proposal for residential development in this location.
- (3) There are limited land holdings which are capable of providing the intended development as identified in the Parkhurst Future (Post 2015) Residential Area intent. Supporting this proposal which achieves the intent and will closely coincide, albeit not strictly being after 2015, is considered an appropriate development.
- (4) The development facilitates subdivision for residential and other supporting purposes in a sequenced manner, where services and infrastructure are able to be provided to the required standards.
- (5) Local and regional biodiversity and environmental values are protected through appropriate zoning in the Local Plan.
- (6) Land in the Norman Road Residential Area has already been taken up with approvals that are very close to completion.
- (7) There is only a very minor portion of the proposed General Residential Zone which encroaches into the Low Impact Industrial Precinct. There will be a sufficient buffer provided by the Low Impact Industrial Precinct between the medium and high impact industrial precincts.
- (8) The intent for the Low Impact Industrial Precinct identifies that the use of this precinct is to "not cause inconvenience nor disruption to the amenity or liveability beyond the tolerance levels of its host community". The slight change in the boundary of the

precinct and the proposed General Residential Zone should not affect the operations of the precinct as the precinct is intended to operate in a manner which is not to cause an adverse effect on the greater community.

- (9) The Ellida Amenity Overlay Code provides measures which mitigate envisaged issues in terms of noise or dust which may result from being proximal to the Low Impact Industrial Precinct.
- (10) As the proposal is being developed in a coordinated manner, it will ensure that any adverse impacts on amenity will not be generated from all directions. The direction which is expected to see impacts on amenity is from the south and this is managed through the code provided within the Ellida Local Plan and also through the intent of the Low Impact Industrial Precinct.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for a Master Planned Community and a Development Permit for Reconfiguring a Lot (five Lots into 127 Lots, Public Use Land and Balance Lots), made by RPS Australia East Pty Ltd, on behalf of Stockland Development Pty Limited, on Lot 1 on RP602376, Lot 2 on RP608099, Lot 37 on RP600698, Lot 38 on RP600698, Lot 5 on SP238731, Lot 6 on SP238731, Lot 49 on SP129857, Lot 22 on SP134380, Lot 23 on SP134380 and Lot 41 on SP226571, Parish of Murchison, and located at 23-27 William Palfrey Road, Parkhurst, 23A William Palfrey Road Parkhurst, 923-947 Yaamba Road Parkhurst and 985-1005 Yaamba Road Parkhurst, Council resolves to Approve the application subject to the following conditions:

PART A – PRELIMINARY APPROVAL

1.0 DEFINITIONS AND INTERPRETATIONS

1.1. In this approval:

- 1.1.1. **Applicant** means Stockland Developments Pty Limited being the applicant for a preliminary approval affecting the Council's Planning Scheme with respect to the Subject Land.
- 1.1.2. **Approval** means the approval of the Application by the Council.
- 1.1.3. **Application** means the Application made by the Applicant to the Council on 8 March 2013 over the Subject Land for a Preliminary Approval varying the effect of Council's Planning Scheme for a Master Planned Community.
- 1.1.4. **Capricorn Municipal Development Guidelines** means a document adopted by Council containing guidelines and standards for development, as amended from time to time.
- 1.1.5. **Conditions** mean the conditions of this approval including any attachment referred to in these conditions.
- 1.1.6. **Council** means the local government authority having jurisdiction over land use and development on the subject land.
- 1.1.7. **Developer** means Stockland Developments Pty Limited or the registered proprietor and any occupier of the Subject Land.
- 1.1.8. **Infrastructure** means infrastructure reasonably required to service the proposed development including roads (internal, external and access), parks, open space and conservation areas, water and sewerage services, stormwater drainage and community facilities.
- 1.1.9. **Schedule of Plans for Trunk Infrastructure** means the infrastructure schedules mentioned in Council's Adopted Infrastructure Charges Resolution (No. 2) 2012.

- 1.1.10. **Sustainable Planning Act 2009** means the *Sustainable Planning Act 2009* as amended from time to time.
- 1.1.11. **Subject Land** means Lot 1 on RP602376, Lot 5 on SP238731, Lot 2 on RP608099, Lot 38 on RP600698, and Lot 37 on RP600698, Parish of Murchison, situated at 23-27 William Palfrey Road, 23A William Palfrey Road, 923-947 Yaamba Road and 985-1005 Yaamba Road, Parkhurst.
- 1.1.12. **Planning Scheme** means Council's Planning Scheme Gazetted on 30 August 2005, as amended from time to time, or any other planning scheme which subsequently replaces the *Rockhampton City Plan 2005*.
- 1.1.13. **Local Plan Document** means the document titled '*Ellida Local Plan*', listed under condition 3.1 of this approval, which includes the assessment table, definitions and development codes being a plan of the proposed development for a Material Change of Use which affects Council's Planning Scheme with respect to the Subject Land, which in particular:
- (i) states what development is:
 - (a) Assessable Development (requiring Code or Impact Assessment); or
 - (b) Self-assessable Development; or
 - (c) Exempt Development; and
 - (ii) Identifies codes for the development.

2.0 ADMINISTRATION

- 2.1. The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 2.2. Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 2.3. All conditions, works, or requirements of this approval must be undertaken and completed to Council's satisfaction, at no cost to Council.
- 2.4. Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council.

3.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Reference</u>	<u>Dated</u>
Ellida Local Plan	No reference	November 2013
Trunk Infrastructure Transport Network Nodal Comparisons	N12081-BE-ROAD5	4 November 2013
Alexandra Street and William Palfrey Road: Traffic – arterial road network plan – Concept Plan	R07-017-04	November 2013

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

3.3. 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 the first application for a Development Permit over the subject land.

4.0 REQUIRED DEVELOPMENT PERMIT(S)

4.1. Other development permits which are necessary to allow the development to be undertaken are listed below and these Conditions do not affect the need to obtain such permits, namely:

4.1.1. Development permits(s) for Reconfiguration of a Lot;

4.1.2. Development permit(s) for Material Change of Use (where required);

4.1.3. Development permit(s) for carrying out Operational Work (where required);

4.1.4. Development permit(s) for all necessary Plumbing and Drainage Works; and

4.1.5. Development permit(s) for carrying out Building Work.

5.0 PLANNING FRAMEWORK

Preamble - This is a preliminary approval for a Material Change of Use to vary the effect of Council's Planning Scheme under Section 242 of the Sustainable Planning Act 2009 for Residential Development, Open Space and Environmental Management and Conservation zones in accordance with the proposed Ellida Local Plan (the 'Local Plan Document').

The Local Plan Document is an independent document which is the sole reference for the determination of any application over the Subject Land for a Material Change of Use or a Reconfiguration of a Lot in accordance with this approval. The subject land must be developed generally in accordance with the approved Local Plan Document (refer to condition 3.1).

5.1. To remove any doubt, any development on the Subject Land which is not identified in the Level of Assessment Tables in the Local Plan must be:

5.2.1 if it is a Material Change of Use – impact assessable (pursuant to the Level of Assessment Table in the Local Plan) ; or

5.2.2 for all other forms of development – subject to the level of assessment established in the Planning Scheme or the Sustainable Planning Regulation 2009.

5.2. Prior to the commencement of any works or the first application for a development permit over the Subject Land or any part, the Developer must submit to the Council for its approval a consolidated Local Plan Document. The Local Plan Document must provide amended road cross sections in accordance with the *Capricorn Municipal Development Guidelines* or alternative Council approved design and conditions of this approval, as agreed to by Council.

6.0 RELEVANT PERIOD

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

7.0 INFRASTRUCTURE CHARGES

Preamble – In order for development to proceed, infrastructure must be available (or be capable of being made available) to service the development proposed on the Subject Land.

7.1. Infrastructure must be provided by the Developer in a coordinated and a planned manner having regard to the staging of the development in a logical and orderly sequence.

- 7.2. Part of the development is located outside the Priority Infrastructure Area. Pursuant to section 650 of the *Sustainable Planning Act 2009* Council requires additional trunk infrastructure costs to be paid. As part of the development is located in charge area one and the remaining area is directly adjacent to charge area one and will be serviced to the desired standards of service identified for charge area one, as outlined in the *Adopted Infrastructure Charges Resolution, 2012 (No. 2)*, the calculation of the establishment cost of trunk infrastructure for charge area one applies. A charge of \$14,000 per lot for the additional trunk infrastructure costs, in addition to the current charge of \$7,000 per lot for charge area three, must be paid for all lots within charge area three (resulting in a total charge of \$21,000 per lot). The charge is payable to Council prior to the issue of the Compliance Certificate for the Survey Plan for each stage
- 7.3. Pursuant to Chapter 8, Part 2 of the *Sustainable Planning Act 2009*, the Developer may enter into an Infrastructure Agreement with Council, which specifies the development obligations relating to infrastructure for future development of the site. The Infrastructure Agreement must incorporate (but not be limited to) the following principles:
- 7.3.1. infrastructure works to be undertaken for road, water, sewerage, stormwater and open space networks;
- 7.3.2. logical and orderly staging of works including applicable yield triggers requiring the 'bring forward' of certain works; and
- 7.3.3. an agreed cost of infrastructure constructed and provided by the Developer to be offset against charges due to be paid.

The agreement must be prepared and finalised by Council's solicitors at no cost to Council (including the payment of any State tax) and must be executed by the Developer. The agreed repayment date must be negotiated between Council and the Developer as part of the Infrastructure Agreement process.

8.0 INFRASTRUCTURE - ROAD

- 8.1. All Road and Transport Infrastructure must be provided in accordance with *Capricorn Municipal Development Guidelines* or Council approved alternative.
- 8.2. Design and construct the intersection of Yaamba Road and Olive Street (Node A referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) and the Olive Street rail crossing (Node 2 referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) must be in accordance with the Department of Transport and Main Roads requirements. Construction of the intersection of Yaamba Road and Olive Street and the Olive Street rail crossing must cater for the future upgrade of Olive Street East to an urban arterial standard. **Note:** this does not require the developer to construct Olive Street East. It simply requires the developer to ensure the design for the intersection caters for the future upgrade of this road by Council or another entity.
- 8.3. Olive Street, from the intersection of Olive Street and Yaamba Road to the intersection with New Sub-Arterial Road 1 (Nodes A to B referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) must be designed and constructed to an urban arterial standard in accordance with the *Capricorn Municipal Development Guidelines*, or alternative Council-approved cross section. The provision of additional road reserve necessary for all road and intersection works must be provided as required. Staged construction is appropriate where the road can be shown to provide an adequate level of service for developed stages and where it aligns with the Department of Transport and Main Roads requirements. Details of staging must be provided as part of an application for a Development Permit for Operational Works.

- 8.4. New Sub-Arterial Road 1, from its intersection with Olive Street (Node B referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) to its intersection with William Palfrey Road (Node D referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1), must be designed and constructed to an urban sub-arterial standard in accordance with the *Capricorn Municipal Development Guidelines*, Ergon Energy referral advice options or alternative Council-approved cross section. The provision of additional road reserve necessary for all road and intersection works must be provided as required. These works must be constructed before the total number of lots sealed by Council reaches 1,901, or approved equivalent development in terms of potential traffic generation. Staged construction is appropriate where the road can be shown to provide an adequate level of service for developed stages up to the 1901st lot.
- 8.5. William Palfrey Road, from the New Sub-Arterial Road 1 (Node D referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) to McLaughlin Street (Node F referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1), must be designed and constructed to an urban sub-arterial standard in accordance with the *Capricorn Municipal Development Guidelines*, or alternative Council approved cross section. The provision of additional road reserve necessary for all road and intersection works must be provided as required. These works must be constructed before the total number of lots sealed by Council reaches 1,901, or approved equivalent development in terms of potential traffic generation. Staged construction is appropriate where the road can be shown to provide an adequate level of service for developed stages up to the 1901st lot.
- 8.6. The intersection of William Palfrey Road and McLaughlin Street (Node F referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) must be designed and constructed in accordance with the requirements of the *Capricorn Municipal Development Guidelines* or alternative Council approved design. These works must be constructed before the total number of lots sealed by Council reaches 1,901, or approved equivalent development in terms of potential traffic generation. Staged construction is appropriate where the road can be shown to provide an adequate level of service for developed stages up to the 1901st lot.
- 8.7. The intersection of Olive Street and New Sub-Arterial Road 1 (Node B referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) must be designed and constructed in accordance with the requirements of the *Capricorn Municipal Development Guidelines* or alternative Council approved design. The staged construction of the intersection is appropriate where the intersection can be shown to provide an adequate level of service for developed stages.
- 8.8. The intersection of William Palfrey Road and New Sub-Arterial Road 1 (Node D referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) must be designed and constructed in accordance with the requirements of the *Capricorn Municipal Development Guidelines* or alternative Council approved design. The staged construction of the intersection is appropriate where the intersection can be shown to provide an adequate level of service for developed stages.
- 8.9. A secondary emergency access, via a connection to the existing William Palfrey Road, must be constructed before the total number of lots sealed by Council reaches 101, or approved equivalent development in terms of potential traffic generation.
- 8.10. McLaughlin Street and Alexandra Street extended must be designed and constructed from the intersection of McLaughlin Street and William Palfrey Road (Node F referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1) to the intersection of Alexandra Street and Belmont Road to an urban sub-arterial standard generally in accordance with Council Drawing *R07-017-04A* (refer to condition 3.1) and in accordance with the *Capricorn Municipal Development Guidelines*, or alternative Council approved cross section. Additional road reserve necessary for all road and intersection works must be provided as required. These works may form

- part of an infrastructure agreement. The works must be constructed before the total number of lots sealed by Council reaches 1,901, or approved equivalent development in terms of potential traffic generation.
- 8.11. The intersection of Alexandra Street Extended and Belmont Road must be designed and constructed in accordance with the requirements of the *Capricorn Municipal Development Guidelines* or alternative Council approved design. These may form part of an infrastructure agreement. The works must be constructed before the total number of lots sealed by Council reaches 1,901, or approved equivalent development in terms of potential traffic generation.
 - 8.12. A ten (10) metre wide portion of road reserve must be dedicated for the length of McLaughlin Street, between William Palfrey Road and Ramsay Creek prior to the release of the survey plan for the first stage of the development.
 - 8.13. Direct property access is not permitted from the couplet road designated as a major urban collector (Node C to Node E referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1). Turn-around facilities must be provided every one hundred (100) metres, or as otherwise approved by Council, along the road to allow for appropriate circulation.
 - 8.14. One (1) road access point only is permitted to the McLaughlin Street road corridor. The connection must be at the intersection of William Palfrey Road (Node F referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1).
 - 8.15. Only one major all movements intersection is permitted to the Olive Street Urban Arterial Road corridor. The connection must be at the intersection of Olive Street and New Sub-Arterial Road 1 (Node B referenced on approved plan *N12081-BE-ROAD5*: refer to condition 3.1). Ultimately, two (2), left in left out, road access points are permitted to the Olive Street Urban Arterial Road corridor.
 - 8.16. Limited connection points, at a minimum spacing of three-hundred (300) metres, are permitted to New Sub-Arterial Road 1 and the sub-arterial section of William Palfrey Road.
 - 8.17. Direct property access is not permitted to, or from, roads classified as arterial, sub-arterial or major collector in accordance with the *Capricorn Municipal Development Guidelines*.
 - 8.18. Pedestrian pathways and cycleway provisions must be provided in accordance with the Local Plan Document, *Capricorn Municipal Development Guidelines* or Council approved alternative.
 - 8.19. All new roads classified as 'Major Urban Collector' and above must include indented bus bays at intervals in accordance with the requirements of the *Public Transport Infrastructure Manual*. Each bus bay must accommodate a minimum of one bus with a length of 12.5 metres. Full details of all proposed bus bays must be provided as part of any application for a Development Permit for Operational Works (road works).
 - 8.20. A staged Master Plan, showing the road layout in accordance with the Local Plan Document, *Capricorn Municipal Development Guidelines*, including estimated traffic volumes on all roads classified as minor collector and above, must be provided as part of the first application for a Development Permit for Reconfiguring a Lot (being for the fourth stage of the development) pursuant to this Approval.
 - 8.21. A revised Traffic Impact Assessment must be provided prior to the lot yield (or approved equivalent development in terms of potential traffic generation) for the development reaching 1,275 lots. The Traffic Impact Assessment must be submitted with the application for a Development Permit for Reconfiguring a Lot which reaches the identified threshold of 1,275 lots or equivalent development in terms of potential traffic generation.

8.22. A functional level of access to the Bruce Highway via the subject development must be maintained at all times for Lot 1 on RP601891.

9.0 INFRASTRUCTURE – WATER

9.1. All Water Supply Infrastructure must be provided in accordance with the Local Plan Document, *Capricorn Municipal Development Guidelines* or Council approved alternative. All lots within the development must be connected to Council's reticulated water supply network. Each lot must be provided with its own separate water connection point, located wholly within its respective property boundary.

9.2. A high pressure 450 millimetre diameter **trunk** water main must be constructed from the high pressure 600 millimetre diameter trunk water main located within Yaamba Road (Node WC1 referenced on plan B11007.W1-SK01(Revision C) through to the McLaughlin Street Road reserve (Node W3 referenced on plan B11007.W1-SK01(Revision C)). The high pressure 450 millimetre diameter **trunk** water main must be provided in accordance with the Water Supply Network Analysis Report (refer condition 9.5). These works are identified as providing an equivalent level of service to items WAT-44, WAT-45 and WAT-39 in part in Council's Schedule of Plans for Trunk Infrastructure.

9.3. Pressure Reduction Valves must be provided at all new non-trunk 200 millimetre diameter water main off-take connections from the new high pressure 450 millimetre diameter **trunk** water main in accordance with the *Capricorn Municipal Development Guidelines*. The pressure reduction valves must be provided in conjunction with the construction of the new non-trunk 200 millimetre diameter water mains.

9.4. A 300 millimetre diameter **trunk** water main must be constructed from the high pressure 450 millimetre diameter **trunk** water main located in the McLaughlin Street Road Reserve (Node W3 referenced on plan B11007.W1-SK01(Revision C)) through to the Birkbeck Reservoir (Node WC2 referenced on plan B11007.W1-SK01(Revision C)). The 300 millimetre diameter **trunk** water main must be provided in accordance with the Water Supply Network Analysis Report (refer condition 9.5). These works are identified as equivalent to item WAT-38 in Council's Schedule of Plans for Trunk Infrastructure.

9.5. Any application for a Development Permit for Operational Works (water works) must be accompanied by a Water Supply Network Analysis Report with staging implementation. The sizes and layout of internal reticulation mains must be in accordance with the Water Supply Network Analysis Report (as approved by Council).

10.0 INFRASTRUCTURE - SEWER

10.1. All Sewerage Network Infrastructure must be provided in accordance with *Capricorn Municipal Development Guidelines* or Council approved alternative. All lots within the development must be connected to Council's reticulated sewerage network. Each lot must be provided with its own separate sewer connection point, located wholly within its respective property boundary.

10.2. A **trunk** sewerage pump station (SPS A) located within the development site and associated 250 millimetre diameter **trunk** rising main must be constructed along Yaamba Road to discharge at the sewerage network located within Mason Avenue. The sewerage pump station and associated rising main must be provided in accordance with the Sewerage Network Analysis Report (refer condition 10.5). The trunk sewerage pump station SPS A and associated 250 millimetre rising main must be duplicated in accordance with the Sewerage Network Analysis Report (refer condition 10.5).

10.3. A **trunk** sewerage pump station (SPS B) located within the development site and associated 250 millimetre diameter **trunk** rising main between SPS B and SPS A must be constructed to discharge at SPS A. The sewerage pump station and

associated rising main must be provided in accordance with the Sewerage Network Analysis Report (refer condition 10.5). The trunk sewerage pump station SPS B and associated 250 millimetre rising main must be duplicated in accordance with the Sewerage Network Analysis Report (refer condition 10.5). These works are identified as providing an equivalent level of service to items SEW-6, SEW 27, SEW-100 and SEW-101 in Council's Schedule of Plans for Trunk Infrastructure.

- 10.4. A **trunk** 450 millimetre sewerage gravity main servicing the western portion of the development site must be constructed to discharge at SPS B. The sewerage gravity main must be provided in accordance the Sewerage Network Analysis Report (refer condition 10.5). These works are identified as providing an equivalent level of service to item SEW 29 in Council's Schedule of Plans for Trunk Infrastructure.
- 10.5. Any application for a Development Permit for Operational Works (sewerage works) must be accompanied by a Sewerage Network Analysis Report with staging implementation. The sizes and layout of internal reticulation mains must be in accordance with the Sewerage Network Analysis Report (as approved by Council).

11.0 INFRASTRUCTURE – STORMWATER

- 11.1. All stormwater drainage works must be designed and constructed in accordance with the Local Plan Document, *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy 4/10 – Healthy Waters Guidelines* and sound engineering practice.
- 11.2. All stormwater must drain so as to demonstrate lawful discharge and must not adversely affect adjoining land or infrastructure when compared to pre-development conditions by way of blocking, altering, diverting existing stormwater runoff patterns, or flood storage areas or have the potential to cause damage to other infrastructures.
- 11.3. Any development application for reconfiguring a lot must identify all areas of the proposed development, and all other land, which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the site. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 11.4. Drainage easement(s) must be dedicated in favour of Council (at no cost to Council) to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during a 100 year Average Recurrence Interval rainfall event.
- 11.5. All land proposed and dedicated as major overland flow paths (Q100) must be able to contain all earthworks and batters and include freeboard to the adjacent lots and access and maintenance provisions consistent with the *Queensland Urban Drainage Manual*.
- 11.6. Each allotment must be designed so as to be flood free and self draining.
- 11.7. All proposed culverts/cross drainage structures must be designed and constructed assuming a fifty (50) per centum blockage factor and maximum flow depth over the cross drainage structure must be limited to 200 millimetres (maximum) demonstrating allowable velocity, depth product(s), to ensure public safety.

12.0 INFRASTRUCTURE – PARKS AND COMMUNITY LAND

- 12.1. A district recreational park and regional community facility must be provided in accordance with Council's Schedule of Plans for Identified Trunk Infrastructure.
- 12.2. The Ramsay Creek Corridor and all land within the Environmental Management and Conservation Zone must be dedicated to Council as 'Public Use Land' before the total number of lots sealed by Council reaches 2,000 lots.
- 12.3. The area of land designated as Open Space (Active and Passive) (Lot 5001) must be embellished and dedicated to Council as 'Public Use Land'.

- 12.3.1. Embellishments must be undertaken generally in accordance with the Ellida Local Plan and Council's desired standards of service;
- 12.3.2. The land must be dedicated to Council in five stages of generally equal size prior to the endorsement of the Survey Plan for the following allotment triggers:
- 12.3.2.1. Stage 1 = 127 residential lots
 - 12.3.2.2. Stage 3 = 500 residential lots
 - 12.3.2.3. Stage 4 = 1,000 residential lots
 - 12.3.2.4. Stage 5 = 1,500 residential lots
 - 12.3.2.5. Stage 6 = 2,000 residential lots
- 12.3.3. The design for and the extent of works must be determined as part of future Reconfiguration of a Lot or Operational Works applications; and
- 12.3.4. The tenure of the land is to be determined by Council as part of future Reconfiguration of a Lot applications.

13.0 NOISE/AMENITY

- 13.1. Further investigations must be undertaken in the south-western corner of the subject site to assess the air quality objectives, specifically PM10 particles. This investigation must be for a minimum of three (3) months and must be submitted to Council as part of any application for a Development Permit for development in this area.
- 13.2. Details of acoustic barriers (including earth mounds) to be installed to protect the development from railway or road noise must be provided as part of an application for a Development Permit for Reconfiguring a Lot or Operational Works.

14.0 ASSET MANAGEMENT

- 14.1. Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 14.2. Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 14.3. '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. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

ADVISORY NOTES:

NOTE 1. Infrastructure Charges

Any development authorised by this approval will be subject to infrastructure charges in accordance with Council's Adopted Infrastructure Charges Resolution No.2 (2012) and section 650(1) of the *Sustainable Planning Act 2009* (where applicable). The charges payable will be specified within the Adopted Infrastructure Charges Notice issued in response to a corresponding Decision Notice Approval for:

- (1) reconfiguring of a lot;
- (2) material change of use; or
- (3) building works,

whichever is applicable.

Alternatively, pursuant to Chapter 8, Part 2 of the *Sustainable Planning Act 2009*, the Developer may enter into an Infrastructure Agreement with Council, which specifies the development obligations relating to infrastructure for future development of the site.

PART B – RECONFIGURING A LOT (FIVE LOTS INTO 127 LOTS, PUBLIC USE LAND AND BALANCE LOTS)

15.0 ADMINISTRATION

- 15.1. The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
 - 15.2. Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
 - 15.3. All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
 - 15.4. All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
 - 15.5. Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
 - 15.6. The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 15.6.1. Operational Works:
 - (i) Road Works;
 - (ii) Sewerage Works;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Inter-allotment Drainage Works;
 - (vi) Site Works; and
 - (vii) Landscaping Works;
 - 15.6.2. Plumbing and Drainage Works.
 - 15.7. Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
 - 15.8. All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- ### **16.0 APPROVED PLANS AND DOCUMENTS**
- 16.1. The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Reference</u>	<u>Dated</u>
Ellida Local Plan	No reference	November 2013
Proposed Subdivision Stages 1 – 3: Allotment Layout	109116-90 Rev F	29 November 2013
Balance Lot Plan	109116-86 Rev F	29 November 2013
Civil Engineering Service Report : Stage 1-3	N12081CER01 Rev A	6 March 2013
Stormwater Quality Management Plan : Stages 1 -3	Version: Final 04	25 October 2013
Noise Amenity Assessment: Stages 1 to 3	Job No. 11-007 v.2	31 October 2013
Ellida – Stages 1-3: Landscape Master Plan Report	107225_DA_LMP [A]	25 October 2013

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

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

17.0 STAGED DEVELOPMENT

17.1. This approval is for a development to be undertaken in eight (8) discrete stages, generally in accordance with the approved proposal plan (refer to condition 11.1).

Balance lots 5001, 5003, 5004 and 5005 must be created in conjunction with Stage 1A or the first stage of the development.

17.2. Stage 3 must be completed prior to any other stages, but may be undertaken in conjunction with stage 1A or stage 2A.

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

17.4. Unless otherwise expressly stated, the conditions must be read as being applicable only to the particular stage being developed..

17.5. Where Lot 5002 is located adjacent to a road reserve, the land must be dedicated as road reserve. Where not located adjacent to a road reserve the lot must be incorporated into the adjacent allotment.

17.6. An easement connecting Olive Street west to the existing William Palfrey road reserve must be dedicated on the first survey plan submitted for a Compliance Certificate. The easement must follow the proposed Olive Street and William Palfrey road alignments in accordance with the conditions detailed above in Part A.

18.0 ROAD WORKS

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

18.2. All works must be designed and constructed in accordance with the Local Plan Document, approved plans (refer to condition 11.1), *Capricorn Municipal Development Guidelines*, relevant Australian Standards and the provisions of a Development Permit for Operational Works (road works).

18.3. A secondary emergency, via a connection to the existing William Palfrey Road must be constructed before the total number of lots sealed by Council reaches 101, or approved equivalent development in terms of potential traffic generation.

- 18.4. A ten (10) metre wide portion of road reserve must be dedicated for the length of McLaughlin Street, between William Palfrey Road and Ramsay Creek prior to the release of the survey plan for the first stage of the development.
- 18.5. Any application for a Development Permit for Operational Works (road works) for stages one to three must be accompanied by stage specific Traffic Impact Assessments.
- 18.6. All internal roads must be designed and constructed in accordance with the Local Plan Document, *Capricorn Municipal Development Guidelines* or Council approved alternative, with kerb and channel, pedestrian pathways and drainage infrastructure.
- 18.7. The roadway to the south of Stage 2E must be extended from the proposed roundabout to the western boundary of Lot 68 as part of stage 2E.
- 18.8. Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) and road reserve(s) at the time of making the application.
- 18.9. All roundabouts and intersections must be designed and constructed in accordance with the requirements of the Local Plan Document, *Capricorn Municipal Development Guidelines* and the *Road Planning and Design Manual*.
- 18.10. Bus set-down areas, including all weather shelters must be designed and constructed in accordance with the *Public Transport Infrastructure Manual*. Details of the bus set-down area must be provided with any application for a Development Permit for Operational Works (road works).
- 18.11. All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*. All pathways located within a road reserve or public use land must be provided with public space lighting in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.
- 18.12. All pathways must incorporate kerb ramps at all road crossing points.
- 18.13. Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 18.14. Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.
- 18.15. Retaining structures must not be constructed within road reserves unless approved as part of a Development Permit for Operational Works (road works).
- 18.16. Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.

The approved design and/or construction of the retaining walls must not be modified or altered without Council's prior written approval.
- 19.0 **SEWERAGE WORKS**
- 19.1. A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.

- 19.2. All works must be designed and constructed in accordance with the Local Plan Document, approved plans, *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 19.3. Each lot must be connected to Council's reticulated sewerage network. Each of the proposed lots must be provided with its own separate sewer connection point, located wholly within its respective property boundary.
- 19.4. Any application for a Development Permit for Operational Works (sewerage works) must be accompanied by a Sewerage Network Analysis Report with staging implementation. The sizes and layout of internal reticulation mains must be in accordance with the Sewerage Network Analysis Report (as approved by Council).
- 19.5. The entire development must be served via a gravity connection to the inlet manhole of proposed sewerage pump station (SPS A) to be constructed in accordance with condition 19.6.
- 19.6. As part of the first stage, a **trunk** sewerage pump station (SPS A) must be constructed within the development site and an associated 250 millimetre diameter **trunk** rising main must be constructed through to and along Yaamba Road to discharge at the sewerage network located within Mason Avenue.
- 19.7. A freehold allotment, with minimum dimensions of twenty (20) metres by twenty (20) metres, and adequate access easement for the sewerage pump station (SPS A) site must be contributed to Council as part of the first stage of the development.
- 19.8. An easement, with dimensions of twenty (20) metres by twenty (20) metre, and adequate access easement for the sewerage pump station (SPS B) site must be contributed to Council as part of the first stage of the development.
- 19.9. An easement, five (5) metres wide, must be provided on an east-west axis through the development site over the future alignment of the 250 millimetre sewerage rising main from the proposed sewerage pump station in the McLaughlin Street road reserve (SPS B) back to the initial sewage pump station (SPS A). The easement must be dedicated on the survey plan submitted as part of the application for a Compliance Certificate for the first stage associated with this development.
- 19.10. Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 19.11. The sewerage connection point for each stage must be provided prior to the completion of any sewerage construction works for the subsequent stage.
- 19.12. Any retaining walls close to or crossing sewerage infrastructure must comply with Council's *Building Over / Adjacent to Local Government Sewer Policy*. The structure must be self supporting and no additional load must be applied to Council's sewerage infrastructure.
- 20.0 WATER WORKS
- 20.1. A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 20.2. All works must be designed and constructed in accordance with the Local Plan Document, approved plans, *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 20.3. Each lot must be connected to Council's reticulated water network. Each of the proposed lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 20.4. Any application for a Development Permit for Operational Works (water works) must

be accompanied by a Water Supply Network Analysis Report with staging implementation. The sizes and layout of internal reticulation mains must be in accordance with the Water Supply Network Analysis Report (as approved by Council).

- 20.5. A high pressure 450 millimetre diameter **trunk** water main must be constructed along Olive Street (Road 1) referenced on plan N12081-BE-WAT1 (Revision B) up to the junction of Road 2 referenced on plan N12081-BE-WAT2 (Revision B). This main must be connected to the high pressure 600 millimetre diameter trunk water main located within Yaamba Road.
- 20.6. The existing 600 millimetre diameter water main located within Yaamba Road must be lowered as part of the first stage of the development. The lowering of the main is non-trunk works.
- 20.7. The 200 millimetre diameter water mains must be constructed along internal roads in accordance with water supply layout plans *N12084-BE-WAT 1 and 2*, Revision B, Dated 08.10.2013. These mains must be connected to the high pressure 450 millimetre diameter **trunk** water main to be constructed along Road 1 referenced on plans N12081-BE-WAT1 and 2 (Revision B) in accordance with condition 20.5.
- 20.8. A Pressure Reduction Valve must be provided for each 200 millimetre water main off-take from the high pressure 450 millimetre diameter trunk water main which must be constructed along Road 1 referenced on plans N12081-BE-WAT1 and 2 (Revision B). The 200 millimetre water main off-take connection and associated pressure reduction valves are identified as **trunk** works.
- 20.9. All internal reticulation mains within the development site must be interconnected to eliminate dead ends. Looped mains are permitted in cul-de-sacs.
- 20.10. The water supply connection point for each stage must be provided prior to the completion of any water supply construction works for the subsequent stage.
- 20.11. The existing water connection point provided to Lot 6 on SP238731 must be disconnected as part of stage 1B works. A new water connection point must be provided to Lot 6 on SP238731 from the water infrastructure to be constructed along the site internal road.

21.0 PLUMBING AND DRAINAGE WORKS

- 21.1. The internal plumbing associated with the existing building(s) located within Lot 6 on SP238731 must be relocated to connect to the new connection point.
- 21.2. Internal plumbing and sanitary drainage associated with the existing buildings located within Lot 6 on SP238731 must be wholly contained within the lot it serves.
- 21.3. All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and *Council's Plumbing and Drainage Policies*.

22.0 STORMWATER WORKS

- 22.1. A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 22.2. All stormwater drainage works must be designed and constructed in accordance with the Local Plan Document, approved plans (refer to condition 11.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, *Urban Stormwater Quality Planning Guidelines*, *State Planning Policy 4/10 – Healthy Waters Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 22.3. All stormwater must drain so as to demonstrate lawful discharge and must not adversely affect adjoining land or infrastructure when compared to pre-development conditions by way of blocking, altering, diverting existing stormwater runoff patterns,

- or flood storage areas or have the potential to cause damage to other infrastructures.
- 22.4. Any application for Operational Works (stormwater works) must identify all areas of the proposed development and all other land (which may include land not under the control of the developer) which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to maintain the lawful discharge or provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*.
- 22.5. Any application for Operational works (stormwater works) must accompany stage specific detailed stormwater quantity and quality reports prepared by a suitably qualified Registered Professional Engineer of Queensland in accordance with the approved strategy.
- 22.6. Drainage easement(s) must be dedicated in favour of Council (at no cost to Council) to provide drainage corridors suitable for the conveyance of peak stormwater flows through the subject land during a 100 year Average Recurrence Interval rainfall event.
- 22.7. All land proposed and dedicated as major overland flow paths (Q100) must be able to contain all earthworks and batters and include freeboard to the adjacent lots and access and maintenance provisions consistent with the *Queensland Urban Drainage Manual*.
- 22.8. Each allotment must be designed so as to be flood free and self draining.
- 22.9. Any application for Operational works (stormwater works) must include detailed designs of the detention system (waterway stability storage), interim sediment basin (with storage for waterway stability) including outlet structures and associated swale drains.
- 22.10. All proposed culverts/cross drainage structures must be designed and constructed assuming a fifty (50) per centum blockage factor and maximum flow depth over the cross drainage structure must be limited to 200 millimetres (maximum) demonstrating allowable velocity, depth product(s), to ensure public safety.
- 22.11. Any application for a Development Permit for Operational Works (stormwater works) must:
- 22.11.1. identify the possibilities of consolidating the proposed bio retention areas into one or two specific areas which can be easily maintained;
- 22.11.2. include detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of exiting drainage systems to implement the proposed drainage strategy; and
- 22.11.3. be accompanied by a management and maintenance plan for the proposed detention basin/retention systems.
- 23.0 INTER-ALLOTMENT DRAINAGE
- 23.1. A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 23.2. Inter-allotment drainage must be designed and constructed in accordance with the *Queensland Urban Drainage Manual* and must be provided to any lot where it cannot be satisfactorily demonstrated that roof water drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 23.3. Inter-allotment drainage systems and overland flow paths must be designed and constructed in accordance with the *Queensland Urban Drainage Manual*.
- 23.4. Inter-allotment drainage systems and overland flow paths must be wholly contained within a Council easement, with a minimum width of three (3) metres.

24.0 SITE WORKS

- 24.1. A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 24.2. Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 24.2.1. the location of cut and/or fill;
 - 24.2.2. the type of fill to be used and the manner in which it is to be compacted;
 - 24.2.3. the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 24.2.4. details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 24.2.5. the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 24.3. All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 24.4. Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 24.5. The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.
- 24.6. A detailed inspection and As Constructed record must be provided to Council by the consultant Registered Professional Engineer of Queensland prior to acceptance of the works. The consultant must include in the certification confirmation that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.
- 24.7. The detailed inspection and As Constructed record must demonstrate to Council that the wall construction work was closely monitored throughout construction by the Registered Professional Engineer of Queensland including the achieved foundation ground conditions.
- 24.8. The approved design and/or the construction of the retaining walls must not be modified or altered without Council's prior written approval.
- 24.9. Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within three (3) months of clearing. Any vegetation removed must not be burnt.
- 24.10. All site works must be undertaken to ensure that there is:
- 24.10.1. no increase in upstream or downstream flood levels for all levels of immunity up to Q100;
 - 24.10.2. no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
 - 24.10.3. a lawful point of discharge to which the developed flows from the land drain.

Easements will be required over any other land to accommodate the flows.

25.0 LANDSCAPING WORKS

- 25.1. A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works on the site.
- 25.2. Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 11.1) and staging and must include, but is not limited to, the following:
- 25.2.1. A plan documenting the "Extent of Works" and supporting documentation which includes:
- (i) location and name of existing trees, with a trunk diameter over 200mm, to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) typical details of critical design elements (stabilisation of batters, retaining walls, and fences);
 - (vi) details of landscape structures including areas of deep planting; and
 - (vii) specification notes on mulching and soil preparation.
- 25.2.2. A "Planting Plan" and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants shall be located within an edged garden; and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 25.3. Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 25.4. Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 25.5. All landscaping must be constructed and or established, in accordance with the requirements of the Development Permit for Operational Works (landscaping works), prior to the issue of the Compliance Certificate for the Survey Plan.
- 25.6. The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 25.7. The embellishment of the south west corner of lot 5001 must be undertaken in accordance with the Ellida Local Plan and a Development Permit for Operational Works (landscaping works). The land subject to embellishments must be dedicated to Council as 'Pubic Use Land' as part of stage 2D.

26.0 ELECTRICITY AND TELECOMMUNICATIONS

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

27.0 ASSET MANAGEMENT

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

28.0 ENVIRONMENTAL

- 28.1. Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) water quality and drainage;
 - (ii) erosion and silt/sedimentation management;
 - (iii) acid sulphate soils;
 - (iv) fauna management;
 - (v) vegetation management and clearing;
 - (vi) top soil management;
 - (vii) interim drainage plan during construction;
 - (viii) construction programme;
 - (ix) geotechnical issues;
 - (x) weed control;
 - (xi) bushfire management;
 - (xii) emergency vehicle access;
 - (xiii) noise and dust suppression; and
 - (xiv) waste management.
- 28.2. Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) objectives;
 - (ii) site location / topography;

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

28.3. The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.

28.4. The Erosion Control and Stormwater Control Management Plan must be implemented and maintained in accordance with the recommendations of the report.

28.5. The disused underground tank must be removed from Lot 5 on SP608099 and any development application associated with the use or development of Lot 5 on SP608099 must be accompanied by certified evidence that the lot is free of any contamination.

29.0 OPERATING PROCEDURES

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

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

30.0 INFRASTRUCTURE COSTS

30.1. Pursuant to Chapter 8, Part 2 of the *Sustainable Planning Act 2009*, the Developer may enter into an Infrastructure Agreement with Council, which specifies the development obligations relating to infrastructure for future development of the site. The Infrastructure Agreement must incorporate (but not be limited to) the following principles:

- 30.1.1. infrastructure works to be undertaken for road, water, sewerage, stormwater and open space networks;
- 30.1.2. logical and orderly staging of works including applicable yield triggers requiring the 'bring forward' of certain works; and
- 30.1.3. an agreed cost of infrastructure constructed and provided by the Developer to be offset against charges due to be paid.

The agreement must be prepared and finalised by Council's solicitors at no cost to Council (including the payment of any State tax) and must be executed by the Developer. The agreed repayment date must be negotiated between Council and the Developer as part of the Infrastructure Agreement process.

ADVISORY NOTESNOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Adopted Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for a Master Planned Community and a Development Permit for Reconfiguring a Lot (five Lots into 127 Lots, Public Use Land and Balance Lots), made by RPS Australia East Pty Ltd, on behalf of Stockland Development Pty Limited, on Lot 1 on RP602376, Lot 2 on RP608099, Lot 37 on RP600698, Lot 38 on RP600698, Lot 5 on SP238731, Lot 6 on SP238731, Lot 49 on SP129857, Lot 22 on SP134380, Lot 23 on SP134380 and Lot 41 on SP226571, Parish of Murchison, and located at 23-27 William Palfrey Road, Parkhurst, 23A William Palfrey Road Parkhurst, 923-947 Yaamba Road Parkhurst and 985-1005 Yaamba Road Parkhurst, Council resolves to issue an Adopted Infrastructure Charges Notice for **\$2,667,000.00** in relation to the Reconfiguring a Lot component of the application and as per the conditions in Recommendation B, Council invite the developer to enter into an Infrastructure Agreement based on previous negotiations pertaining to infrastructure provision and charging for the development.

Moved by: Councillor Fisher

Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

6 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.

COMMITTEE RESOLUTION

1.37PM

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.

7.1 Tender - Hydraulic Modelling and Design for South Rockhampton Levee Project

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

7.4 Update on Sale of Land

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 (Details of a commercial nature included in this report may prejudice negotiations if disclosed prior to contract execution.)

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

1.38PM In accordance with s165(1)(a) of the *Local Government Act 2009* and s14(2) *Council Meeting Procedures*, the Mayor Councillor Strelow appointed Deputy Mayor Councillor Williams Chairperson of the Special Continuing Council Committee meeting for the period of the Mayor, Councillor Strelow's absence.

1.38PM Mayor Strelow left the meeting due to previously declared Conflict of Interest for item 7.4 – Update on Sale of Land.

1.39PM

THAT pursuant to s341)(k) and s44 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

FORSHADOWED PROCEDURAL MOTION

That pursuant to s34(1)(a) and s35 *Council Meeting Procedures* the motion be now put for item 7.4 – Update on Sale of Land.

Moved by: Councillor Belz

2.13PM

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Fisher

Seconded by: Councillor Belz

MOTION CARRIED

7.4 UPDATE ON SALE OF LAND

File No: 8601

Attachments:

1. Empire Projects and WER - Introductory Letter
2. Victoria Parade Concept Drawings - Cottee Parker
3. Urban Properties Final Offer - Music Bowl
4. Gibbs Group Final Offer and Concept Drawings - Music Bowl

Responsible Officer: Ross Cheesman - General Manager Corporate Services

Author: Drew Stevenson - Manager Corporate and Technology Services

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 (Details of a commercial nature included in this report may prejudice negotiations if disclosed prior to contract execution).

SUMMARY

Providing an update on the tender submissions and subsequent initial negotiations for the sale of the properties at 50, 52 and 58 Victoria Parade, and 607 - 701 Yaamba Road Parkhurst ('Music Bowl').

PROCEDURAL MOTION

That pursuant to s34(1)(a) and s35 Council Meeting Procedures the motion be now put.

Moved by: Councillor Belz

Seconded by: Councillor Fisher

MOTION CARRIED

COMMITTEE RESOLUTION

THAT the Committee:

1. Receives this Report;
2. Accepts the tender from WER Pty Ltd for the sale of 50, 52 and 58 Victoria Parade as detailed in this Report; and
3. Authorises the Chief Executive Officer to conclude negotiations with the successful tenderer and prepare the contract of sale for execution.

Moved by: Councillor Belz

Seconded by: Councillor Fisher

MOTION CARRIED

Councillors Swadling and Smith recorded their vote against the motion.

Meeting Adjourned**COMMITTEE RESOLUTION****2.15PM**

That the meeting be adjourned until 2.30PM

Moved by: Councillor Smith

Seconded by: Councillor Swadling

MOTION CARRIED

Meeting Resumed**COMMITTEE RESOLUTION****2.35 PM**

The Chairperson, Mayor Strelow declared the meeting be resumed.

PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Holmes – General Manager Regional Services
Mr M Rowe – General Manager Community Services
Mr R Cheesman – General Manager Corporate Services
Mr M Crow – Strategic Manager Engineering Services
Ms M Barrett – Manager Parks
Mr P Owens – Manager Arts and Heritage
Ms K Greensill – Media and Public Relations Officer
Ms N Robertson – Committee Support Officer

5 OFFICERS' REPORTS

5.1 CONFIRMATION OF MINUTES - CONTINUING COUNCIL MEETING 13 NOVEMBER 2013 AND SPECIAL CONTINUING COUNCIL MEETING 25 NOVEMBER 2013

File No: 10097
Attachments: Nil
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Continuing Council Committee Meeting held on 13 November 2013 and the Special Continuing Council Committee Meeting held on 25 November 2013 need to be confirmed by the table as a true and accurate record.

COMMITTEE RESOLUTION

THAT the minutes of the Continuing Council Committee Meeting held on 13 November 2013 and the Special Continuing Council Committee Meeting held on 25 November 2013 be taken as read and adopted as a correct record with the following amendment to the Minutes from the meeting held on 25 November 2013

- Remove the words 'in the interim' from the second point within the resolution for item 7.1 – Rockhampton Regional Library – Proposed Non Resident Membership.

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

5.2 CENTRAL QUEENSLAND COUNCIL OF MAYORS

File No: 1222
Attachments: 1. Draft Memorandum of Understanding CQCoM
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Mayors of Rockhampton Regional Council, Gladstone Regional Council, Banana Shire Council and Central Highlands Regional Council have met on numerous occasions with a view to the formation of a Council of Mayors for Central Queensland and a proposed Memorandum of Understanding is now submitted for consideration by Council.

2.38PM Councillor Belz attended the meeting.

COMMITTEE RESOLUTION

THAT Council agree to support the formation of the Central Queensland Council of Mayors and endorse for the Mayor to sign the Memorandum of Understanding.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

5.3 AUSTRALIA DAY COMMUNITY GRANTS PROGRAM 2014

File No: 5095

Attachments:

1. Australia Day Grant Application - Rotary Club of Mt Morgan
2. Australia Day Grant Application - Friends of the Heritage Village

Responsible Officer: Michael Rowe - General Manager Community Services

Author: Peter Owens - Operations Manager Arts and Heritage

SUMMARY

Council has resolved to establish an Australia Day Community Grants Program and the result of targeted discussions regarding events for 2014 are now presented for Council's consideration.

2.39PM Councillor Belz left the meeting.

2.40PM Councillor Belz returned to the meeting.

COMMITTEE RESOLUTION

THAT Council:

- award a grant of \$3,500 to the Rotary Club of Mt Morgan to assist the group in presenting a community-focused Australia Day celebration in Mt Morgan in 2014;
- award a grant of \$3,000 to the Friends of the Heritage Village to assist the group in presenting a community-focused Australia Day celebration at the Heritage Village, Rockhampton in 2014;
- in partnership with the Gracemere Lions Club coordinates an Australia Day celebration at Gracemere in 2014 as detailed in the report.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

5.4 EXPRESSION OF INTEREST - MANAGEMENT AND OPERATION OF THE ROCKHAMPTON HERITAGE VILLAGE

File No: 2216
Attachments: 1. EOI Management and Operation of the Rockhampton Heritage Village
Responsible Officer: Michael Rowe - General Manager Community Services
Author: Peter Owens - Operations Manager Arts and Heritage

SUMMARY

In accordance with budget direction to transition the management and operation of the Rockhampton Heritage Village to a community-based not-for-profit organisation, approval is sought for the process and documents developed to achieve this outcome.

2.42PM Councillor Belz left the meeting.
2.45PM Councillor Belz returned to the meeting.

COMMITTEE RESOLUTION

THAT Council:

1. Resolves that in accordance with section 228(2)(b) and section 228(3)(a)(b) that it is in the public interest to invite expressions of interest from capable and interested organisations, before inviting written tenders, for the Management and Operation of the Rockhampton Heritage Village;
2. Approves the draft Expression of Interest document attached to the report for the Management and Operation of the Rockhampton Heritage Village.

Moved by: Councillor Smith
Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

6 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.

COMMITTEE RESOLUTION

2.50PM

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.

7.2 Request for Expressions of Interest to Operate Aquatic Facilities, Develop and Operate Restaurant / Cafe

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

7.3 Operation and Management of Archer Park Rail Museum

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.

7.5 Bulk Water Agreement

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

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

COMMITTEE RESOLUTION

2.50PM

THAT pursuant to s341(k) and s44 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

3.09PM THAT in accordance with s165(1)(a) of the *Local Government Act 2009* and s14(2) *Council Meeting Procedures*, the Mayor Councillor Strelow appointed Deputy Mayor Councillor Williams as Chairperson of the Continuing Council Committee meeting for the period of the Mayor, Councillor Strelow's absence.

3.09PM Mayor Strelow left the meeting.

3.18PM Mayor Strelow returned to the meeting and resumed as Chairperson.

3.31PM Councillor Swadling left the meeting.

3.32PM Councillor Swadling returned to the meeting.
3.38PM Councillor Swadling left the meeting.
3.41PM Councillor Swadling returned to the meeting.

COMMITTEE RESOLUTION

3.45PM

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED

7 CONFIDENTIAL REPORTS

7.1 TENDER - HYDRAULIC MODELLING AND DESIGN FOR SOUTH ROCKHAMPTON LEVEE PROJECT

File No: 10937
Attachments: Nil
Responsible Officer: Robert Holmes - General Manager Regional Services
Author: Jim Cook - Senior Water and Asset Engineer

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 sets out the process followed in adjudicating and recommending the awarding of Tender Number 10937 – Hydraulic Modelling and Design for South Rockhampton Levee Project.

COMMITTEE RESOLUTION

1. THAT in relation to the Tender Number 10937 – Hydraulic Modelling and Design for South Rockhampton Levee Project, that the Rockhampton Regional Council accepts the tender submitted by AECOM for a tendered amount of \$943,010; and
2. THAT the General Manager Regional Services be authorised to conclude negotiations with the successful tenderer.

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

7.2 REQUEST FOR EXPRESSIONS OF INTEREST TO OPERATE AQUATIC FACILITIES, DEVELOP AND OPERATE RESTAURANT / CAFE

File No: 1464

Attachments:

1. Request for Expression of Interest - draft documentation
2. Resolution Council 10 April 2013 - Projected future operating costs for WWII Memorial Pool Complex

Responsible Officer: Michael Rowe - General Manager Community Services

Author: Margaret Barrett - Manager Parks

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

SUMMARY

This report establishes the background to, contents of and process for issuing a Request for Expressions of Interest to operate Council's four aquatic facilities and to fit out and operate a Restaurant / Café at the World War II Memorial Complex.

COMMITTEE RESOLUTION

THAT:

1. Council resolve in accordance with section 228(2)(b) and section 228(3)(a)(b) that it is in the public interest to invite expressions of interest from capable and interested organisations, before inviting written tenders, for the operation of Council's aquatic facilities; and the fit-out and operation of a restaurant / café at the World War II Memorial Complex; and
2. Council approve the draft document (EOI 10982 - *Expressions of Interest - Management and Operation of four Aquatic Facilities and one Restaurant / Café*) as attached to the report for the purpose of conducting this Expression of Interest.

Moved by: Councillor Fisher

Seconded by: Councillor Williams

MOTION CARRIED

7.3 OPERATION AND MANAGEMENT OF ARCHER PARK RAIL MUSEUM

File No: 10890
Attachments: Nil
Responsible Officer: Michael Rowe - General Manager Community Services
Author: Peter Owens - Operations Manager Arts and Heritage

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

Council has offered by public tender the rights for Operation and Management of the Archer Park Rail Museum and no tenders were received. A Council decision is now required on the future operation of the Archer Park Rail Museum post 1 January 2014.

COMMITTEE RESOLUTION

THAT Council resolves that

1. the General Manager Communities be authorised to enter into discussions with the Friends of Archer Park with a view to the site being operated as detailed in Option 3 of the report; and
2. a further report be presented to the Communities Committee early in 2014.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

7.5 BULK WATER AGREEMENT

File No: 7037
Attachments: 1. Bulk Water Supply Agreement
2. Final AEC Report
Responsible Officer: Evan Pardon - Chief Executive Officer
Author: Robert Holmes - General Manager Regional Services

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

Following the Continuing Council Committee's consideration of the supply of bulk water to the de-amalgamating Livingstone Shire Council in May 2013, there has been considerable work undertaken on the pricing model and also an agreement to cover the operational and commercial aspects of any arrangements struck. That work has been audited and the Committee's endorsement of the principles and content of the agreement is sought together with the authorisation of the Chief Executive Officer to finalise the agreement.

COMMITTEE RESOLUTION

THAT the Chief Executive Officer be authorised to finalise the agreement for the supply of bulk water to the de-amalgamating Livingstone Shire Council generally in accordance with the information presented to this meeting.

Moved by: Councillor Belz

Seconded by: Mayor Strelow

MOTION CARRIED

8 CLOSURE OF MEETING

There being no further business the meeting closed at 3.47 pm.

COUNCILLOR M F STRELOW
CHAIRPERSON

DATE

COUNCILLOR A P WILLIAMS
ACTING CHAIRPERSON

DATE