



ORDINARY MEETING

AGENDA

11 JULY 2017

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 11 July 2017 commencing at 9.30 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
5 July 2017

Next Meeting Date: 25.07.17

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

PRESENT

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Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting held 27 June 2017

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 4 JULY 2017

RECOMMENDATION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 4 July 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, 4 July 2017**9.1.1 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, 4 July 2017**9.1.2 COMMITTEE REPORT DELEGATIONS - MAY 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 May 2017 and whether they will be decided under delegation or decided by Council.

COMMITTEE RECOMMENDATION

THAT the Committee Report Delegations – May 2017 report be received.

Recommendation of the Planning and Regulatory Committee, 4 July 2017**9.1.3 D/184-2015/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/184-2015 FOR A MATERIAL CHANGE OF USE FOR A MULTIPLE DWELLING (TWENTY-THREE UNITS) AND FOOD AND DRINK OUTLET**

File No: D/184-2015/A
Attachments: 1. Locality Plan
Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/184-2015/A
Applicant: Eightco Investments Pty Ltd C/- Adams + Sparkes Town Planning
Real Property Address: Lot 3 on RP607653, Parish of Rockhampton
Common Property Address: 12 Archer Street, Rockhampton City
Planning Scheme Zoning: High Density Residential Zone
Type of Approval: Development Permit for a Material Change of Use for a Multiple Dwelling (twenty-three units) and Food and Drink Outlet
Date of Decision: 5 August 2016
Application Lodgement Fee: \$12,580.00
Infrastructure Charges: \$196,631.50
Infrastructure charges incentive: Rockhampton Central Business District – Precinct 2 – 50% discount
Incentives sought: 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 Multiple dwelling (twenty-three units) and a Food and Drink Outlet, located at 12 Archer Street, Rockhampton City, described as Lot 3 on RP607653, Parish of Rockhampton, Council resolves to Approve the following incentives if the use commences prior to 5 August 2019:

- a) A fifty (50) per cent reduction of infrastructure charges to the amount of \$94,065.75;
- b) A refund of the development application fee of \$12,580.00;
- c) A refund of service and connection fees upon 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, 4 July 2017
9.1.4 D/19-2017 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (TWO LOTS INTO FIVE LOTS) AND ACCESS EASEMENT

File No: D/19-2017

Attachments:

1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Shane Turner - Acting Manager Planning and Regulatory Services
Michael Rowe - General Manager Community Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/19-2017

Applicant: Vicki Heilbronn

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

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

Area of Site: 39.255 hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Zone: Yeppoon Road Corridor Environmental Protection Area

Planning Scheme Overlays:

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

Existing Development: Dwelling house and ancillary domestic outbuilding

Existing Approvals: D/121-2016 - Approval for application of superseded planning scheme request
D/20-2017 - Development Permit for Reconfiguring a Lot (one lot into three lots) and an access easement

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

Level of Assessment: Impact Assessable

Submissions: Nil

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

Adopted Infrastructure Charges Area: Charge Area 3

Application Progress:

<i>Application Lodged:</i>	<i>20 February 2017</i>
<i>Acknowledgment Notice issued:</i>	<i>1 March 2017</i>
<i>Request for Further Information sent:</i>	<i>8 March 2017</i>
<i>Request for Further Information responded to:</i>	<i>31 March 2017</i>
<i>Submission period commenced:</i>	<i>26 April 2017</i>
<i>Submission period end:</i>	<i>18 May 2017</i>
<i>Council request for additional time:</i>	<i>13 June 2017</i>
<i>Government Agency Response:</i>	<i>4 May 2017</i>
<i>Last receipt of information from applicant:</i>	<i>25 May 2017</i>
<i>Statutory due determination date:</i>	<i>20 July 2017</i>

COMMITTEE RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Reconfiguring a Lot for (two lots into five Lots) and Access Easement, made by Vicki Heilbronn, Parish of Murchison, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst at Lot 1844 on LIV40662 and Lot 485 on LIV40112, 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 proposed development does not meet the prescribed minimum lot size of ten (10) hectares for the Yeppoon Road Corridor Environmental Protection Area. Despite this, the proposed size of each of the new lots will allow large rural residential style lots to be maintained as the primary development pattern in the surrounding area and is unlikely to negatively affect the character of the area or compromise the future use of the land for rural purposes.
- b) The subject site contains a number of overlay constraints including Steep or Unstable Land, Bushfire Hazard, Flood Hazard, as well as lack of access to urban services. Despite this, the applicant has provided several technical reports including a Bushfire Management Plan, an Ecological Assessment Report and a Flood Hazard Assessment which have identified appropriate mitigation measures to negate any potential impacts resulting from the identified overlays.
- c) The proposed development will result in the clearing of vegetation in an area identified as an environmentally sensitive location. However, common lot boundaries as well as the design and location of BLE's have been suitably sited and designed to minimise the amount of remnant vegetation clearing necessary to accommodate the development. Clearing is proposed to occur generally on the edges of the vegetation corridor and is not anticipated to have adverse effects on the function to protect existing vegetation and wildlife habitats. Therefore the proposed subdivision and the subsequent construction of a dwelling house on the vacant lots will not negatively impact the scenic values of the area.
- d) The proposed access easement for Lots 12 and 13 will be partially located in an area located in flood prone land associated with Limestone Creek. Despite this, the proposal will be conditioned to install flood markers which will provide future residents of proposed Lots 12 and 13 with adequate warning time to evacuate in a flood emergency.
- e) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;

- f) Assessment of the development against the relevant area intent, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- g) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Reconfiguring a Lot (two lots into five Lots) and Access Easement, made by Vicki Heilbronn, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst, described as Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison, 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 Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
 - (i) Road Works;
 - (ii) Access Works;
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.8 The access to Lots 12 and 13 must be via Easement B over Lot 485 and Easement C over Lot 13. Easement documents must accompany the Survey Plan for endorsement by Council, prior to the issue of the Compliance Certificate for the Survey Plan.

2.0 APPROVED PLANS AND DOCUMENTS

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

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

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

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

3.0 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 relevant *Australian Standards* and *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).

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

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

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

- 3.6 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

4.0 ACCESS WORKS

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

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

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- 4.3 The internal access to proposed Lots 12 and 13 must be constructed from the end of Alfred Road to the southern boundary of Lot 12. Construction must be a minimum of four (4) metres wide with a low flow pipe and concrete spillway with a one (1) year ARI immunity through the existing natural channel.
- 4.4 A new access must be constructed for proposed Lot 11 in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.5 Flood height markers must be installed along the access to Lots 12 and 13 for the full extent of the 1% Average Exceedance Probability inundation area.
- 5.0 PLUMBING AND DRAINAGE WORKS
- 5.1 On-site sewage treatment and disposal must be in accordance with the Queensland Plumbing and Wastewater Code and Council's Plumbing and Drainage Policies. This can be completed at the building works application stage.
- 5.2 On-site water supply for domestic and firefighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each. This can be completed at the building works application stage.
- 6.0 STORMWATER WORKS
- 6.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 7.0 SITE WORKS
- 7.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 7.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 7.3 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works that are the subject of the Development Permit.
- 7.4 All site works must be undertaken to ensure that there is:
- 7.4.1 no increase in upstream or downstream flood levels for all levels of immunity up to a one per cent (1%) Annual exceedance probability defined flood event;
- 7.4.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
- 7.4.3 a lawful point of discharge to which the approved works drain during the construction phase.
- 8.0 ELECTRICITY
- 8.1 Electricity services must be provided to each lot in accordance with the standards and requirements of the relevant service provider, prior to the issue of the Compliance Certificate for the Survey Plan.
- 9.0 TELECOMMUNICATIONS
- 9.1 Evidence that the new lots can be provided with telecommunications services from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.
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10.0 ASSET MANAGEMENT

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

11.0 ENVIRONMENTAL

- 11.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:
- (i) objectives;
 - (ii) site location and topography
 - (iii) vegetation;
 - (iv) site drainage;
 - (v) soils;
 - (vi) erosion susceptibility;
 - (vii) erosion risk;
 - (viii) concept;
 - (ix) design; and
 - (x) implementation,
- for the construction and post-construction phases of work.
- 11.2 The Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.
- 11.3 The development must be undertaken in accordance with the recommendations in the approved Bushfire Management Plan (refer to condition 2.1).
- 11.4 The maintenance of the fire management trail must be the responsibility of the owner of the land (the Developer) until the subdivision is accepted by Council as being 'off defects' whereupon it must be the responsibility of the relevant property owners. All future owners of the proposed lots must be advised by the Developer in writing of their responsibility to comply with the requirements of the approved Bushfire Management Plan (refer to condition 2.1).
- 11.5 All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"* and
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the approved Bushfire Management Plan (refer to condition 2.1). A property note to this effect will be entered against Lots 11, 12, 13 and 14.

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. General Safety Of Public During Construction

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

NOTE 3. Property Note (Bushfire)

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

NOTE 4. Infrastructure Charges Notice

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

NOTE 5. Clearing within Road Reserve

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

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

NOTE 6. Provision for Sewer and Water services

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

NOTE 7. Rural Addressing

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Reconfiguring a Lot (two lots into five Lots) and Access Easement, made by Vicki Heilbronn, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst, described as Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison, Council resolves to issue an Infrastructure Charges Notice for the amount of \$21,000.00.

Recommendation of the Planning and Regulatory Committee, 4 July 2017**9.1.5 RIVERINE SCOURING AND SLIP AT REANEY STREET, BERSERKER****File No:** 4842**Attachments:**

1. OPW Approval
2. Aerial 2010
3. Aerial 2013
4. Aerial 2016
5. Ground level comparison

Authorising Officer: Shane Turner - Acting Manager Planning and Regulatory Services
Michael Rowe - General Manager Community Services**Author:** Philip Harrison - Coordinator Building Plumbing and Compliance

SUMMARY

The purpose of this report is to apprise Councillors of the Development Control issues due to riverine flooding cause scouring and land slip in the Reaney Street area of Berserker.

COMMITTEE RECOMMENDATION

THAT the information regarding the Development Control issues following the riverine flooding at 32 and 36 Reaney Street, Berserker be 'received'.

Recommendation of the Planning and Regulatory Committee, 4 July 2017**9.1.6 THE GALLERY APARTMENTS - DEVELOPMENT ISSUES FOR COUNCIL**

File No: 4842
Attachments: Nil
Authorising Officer: Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Philip Harrison - Coordinator Building Plumbing and Compliance

SUMMARY

The purpose of this report is to apprise Councillors of the Development Control issues at a major development in Rockhampton. These issues have come to the attention of Building, Plumbing and Compliance through the monitoring of the construction by Council officers.

COMMITTEE RECOMMENDATION

THAT the information regarding the Development Control issues at the Gallery Apartments be 'received'.

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 CBD REDEVELOPMENT FRAMEWORK AND STREETScape DESIGN MANUAL ADOPTION

File No:	12020
Attachments:	Nil
Authorising Officer:	Evan Pardon - Chief Executive Officer
Author:	Robert Truscott - Acting General Manager Regional Development

SUMMARY

The purpose of this report is to present the draft CBD Redevelopment Framework and Streetscape Design Manual for adoption. The framework and supporting streetscape design manual provide a long term blueprint for the redevelopment, renewal and activation of the CBD.

OFFICER'S RECOMMENDATION

THAT Council adopt the Rockhampton CBD Redevelopment Framework and supporting Rockhampton CBD Streetscape Design Manual.

BACKGROUND

The "Advance Rockhampton Region – Economic Action Plan" and the earlier Economic Development Strategy make urban renewal, with a particular focus on the Rockhampton CBD, a central objective.

Council engaged consultants Urbis to support the preparation of a Redevelopment Framework and Streetscape Design Manual in early 2015. The Framework is to provide a comprehensive planning document to capture existing projects and guide the future redevelopment, renewal and economic revival of the CBD. The Framework is proposed to have a 20 year planning horizon to provide planning, funding and project development continuity in the medium to long term. To achieve this it will need to be a live document that is reviewed and updated on a regular basis.

To support and inform the detail design of the major streets and associated public places in the CBD a Streetscape Design Manual has also been prepared.

The preparation of the draft Framework has now progressed through policy development, document drafting, internal Council review and most recently a comprehensive Community Consultation. Council have reviewed the outcomes from the community consultation and made a number of changes. The CBD Steering Committee considered the final draft documents on 29 June, 2017. No further changes were recommended.

DISCUSSION

Significant progress is already being made on some of the Catalyst Projects identified by the Framework. Once adopted additional focus can commence on the other 100 plus change making projects identified by the Framework. Much of this work will require the active support and participation of the community and CBD businesses.

Work has already commenced towards identifying and implementing a number of "Quick Win" projects in partnership with CBD businesses. A comprehensive review of the over 100 Change Making projects identified by the Framework is underway to identify additional short term activation projects.

BUDGET IMPLICATIONS

Budget allocation has been made to progress a number of the catalyst projects. A number require further project development and feasibility assessment.

This work will determine the need and priority for future budget allocations. The scale of these projects will typically require funding support from Council and other levels of government over a number of years.

Some budget allocation has also been made for 'Quick Win' or 'Initial Investigation' change making and place activation work in the proposed 2017/18 budget. As each of the change making projects are further developed and tested additional budget allocations will be proposed in later years to progress those that are able to demonstrate they will deliver real value to the community.

PROPOSAL

Adopt the draft Rockhampton CBD Redevelopment Framework and Streetscape Design Manual as reviewed by Council and the CBD Steering Committee.

Progress the staged project development and construction of the Catalyst Projects.

Finalise a detailed 3 year action plan that prioritises and guides next steps and 'Quick Wins'.

CONCLUSION

The Rockhampton CBD Redevelopment Framework and Streetscape Design Manual have been developed in consultation with Council and the community.

The Framework provides a strategic blueprint and aspiration for the form, role and function of the CBD.

The focus should now shift to project development, implementing 'Quick Wins', building community partnerships and gaining support from other levels of government to progress the objectives.

11.2 CBD FACADE IMPROVEMENT PROGRAM 2017/18

File No:	11359
Attachments:	1. 2017/18 Facade Improvement Scheme Information Package
Authorising Officer:	Scott Waters - General Manager Regional Development and Aviation
Author:	Robert Truscott - Coordinator Strategic Planning

SUMMARY

The purpose of this report is to update Council on the 2016/17 Trial Facade Improvement Scheme and recommend continuation of a scheme in 2017/18.

OFFICER'S RECOMMENDATION

THAT Council approve the continuation of a CBD Façade Improvement Scheme in 2017/18 as described in the report, subject to approval of the budget allocation for this work.

BACKGROUND

Council resolved in September 2016 to conduct a trial Façade Improvement Scheme in parts of the CBD. The Scheme provided property owners in the designated area the opportunity to make application for a Council subsidy towards the costs of upgrading or renewing the façade of their property. The scheme offered a capped two tier subsidy in accordance with the front meterage of the property. Council's contribution must also be at least matched by the property owner. The subsidy limits are up to \$3,000 for frontages of 12 meters or less and \$5,000 for anything greater.

The trial scheme in 2016/17 has been limited to the following areas:

- East and Quay Streets from Fitzroy to William Street
- Fitzroy, Denham and William Streets from Quay to East Street

The scheme has been operating throughout 2016/17. To continue a scheme in 2017/18 requires a review of the outcomes of the trial by Council and adoption of the allocated funds for this purpose in the 2017/18 RRC operating budget. It should be noted that some of the new budget allocation will be required to settle contract commitments established during 2016/17.

DISCUSSION

While there has been significant interest in the trial scheme, actual project completion has been a little slower than hoped. The table below provides a summary of the outcomes at time of writing. There have also been expressions of interest from several businesses within the CBD but not in the designated trial area.

Table 1

Compliant Applications (No.)			Compliant Applications(\$)			EOI (outside trial area)
Complete	Incomplete	Lapsed	(\$) Paid	(\$) Committed (works complete)	(\$) Committed (works incomplete)	
6	5	7	\$2,698.50	\$15,000*	\$23,271	9

*It is highly likely at least \$10,000 of this commitment will have been accrued in the 2016/17 year.

It must be noted that of the seven lapsed agreements five of the properties were in common ownership.

Many of the expressions of interest not eligible during the trial because of the location of their property would benefit the overall amenity of the CBD. It is worth giving consideration to including a wider area if it is determined to continue the scheme. To that end the proposed information pack attached recommends additional CBD streets for Council consideration.

Other than the expanded area the attached information pack does not vary the terms of the program for 2017/18.

BUDGET IMPLICATIONS

It appears likely a significant portion of the current liability will not be settled until 2017/18. Additional commitments can only be made up to the allocation within the 2017/18 budget or as current approvals lapse (inclusive of carry over commitments). This may limit the reach and benefit of the scheme. One option to avoid this in the future would be to reduce the validity period for each contract to encourage greater urgency to complete the works and settlement of Council's contribution. The validity period is currently 6 months from the date of the agreement. A budget allocation of \$40,000 for the program has been included in the 2017/18 RRC operating budget.

PROPOSAL

It is proposed that Council approve a 2017/18 Façade Improvement Scheme in accordance with the terms and conditions contained within the Information Pack attached. The proposed 2017/18 scheme varies from the trial 2016/17 scheme only in that it proposes additional streets be made eligible.

CONCLUSION

There has been significant interest in the scheme and some notable works completed, however overall completion rates have been a little slower than hoped.

The works completed and proposed will collectively make a positive benefit to the street appeal and commercial success of the CBD. This includes several not in the current scheme area.

Carryover commitments may limit the capacity for new agreements during 2017/18.

CBD FACADE IMPROVEMENT PROGRAM 2017/18

2017/18 Facade Improvement Scheme Information Package

Meeting Date: 11 July 2017

Attachment No: 1

Strategic Planning
REGIONAL SERVICES

ROCKHAMPTON CBD FAÇADE IMPROVEMENT SCHEME

Information Package

June 2017



Strategic Planning
REGIONAL SERVICES



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Rockhampton CBD Façade Improvement Scheme | Information Package

PURPOSE

3

The Rockhampton CBD Façade Improvement Scheme is aimed at encouraging building owners and business operators to invest in façade renovations and storefront improvements for their building using grants to cover a portion of renovation costs. A grant can match up to 50% of eligible costs to a maximum of \$5,000 per façade. These projects create a more interesting, appealing streetscape to attract people and business to the area.

Program Goals

Improving façades has been found to positively influence the perception of a place and encourage overall improvement in a CBD's economy, social and cultural environment, and safety. The goals of the scheme are:

- to promote an improved partnership between Council and private building owners and business operators in enhancing the appearance of the CBD.
- to provide financial assistance to encourage building owners and business operators to undertake works to upgrade the facades of buildings in the CBD

The scheme works with other revitalisation initiatives to:

- promote the viability of retail and commercial businesses;
- help building owners to attract and retain tenants;
- contribute to the quality of life of residents, workers and visitors to the city;
- make the city shopping streets more inviting and interesting places to work and shop; and
- build local community and civic pride among the business community and people of Rockhampton.





**GRANT
ALLOCATIONS**

4

Funding will be allocated on a case-by-case basis subject to Council approval until the allocated budget (2017/2018) of \$40,000 has been spent or the scheme year has ended. Submitting an application does not guarantee a grant or a specific grant amount. All project proposals are subject to a comprehensive review of the building storefront and façade and must meet high quality standards and be eligible works. Only one grant is eligible per property.

Allocations by Shop Frontage

The Scheme provides funding to a maximum of:



Shop frontage < 12 m

Grants limited to not greater than 50% of the total cost to a maximum dollar value of \$3,000 (inclusive of GST). Council's contribution is to be at least matched by the applicant.

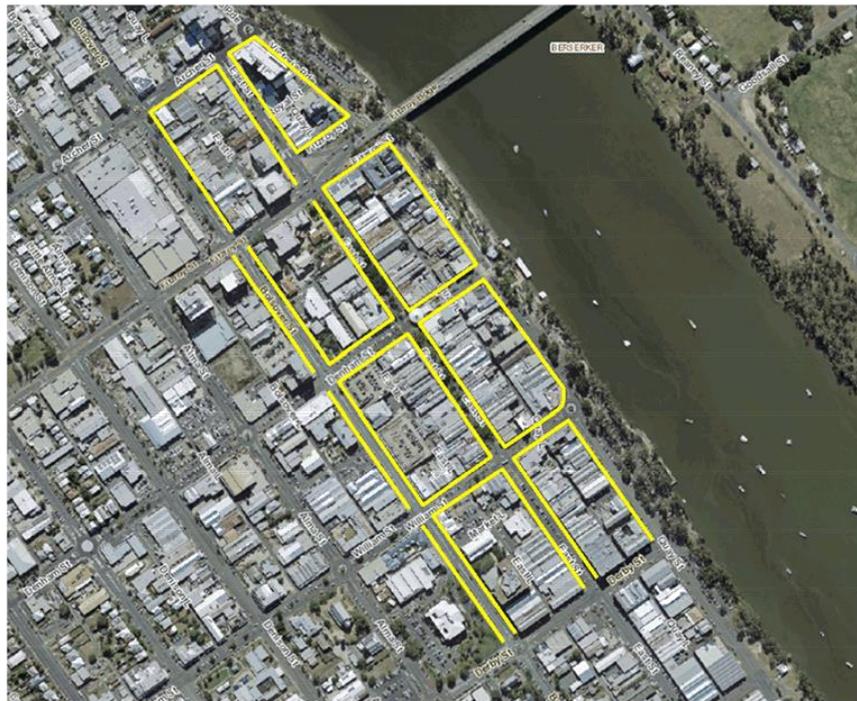


Shop frontage > 12 m

Grants limited to not greater than 50% of the total cost to a maximum dollar value of \$5,000 (inclusive of GST). Council's contribution is to be at least matched by the applicant.

TARGETED AREAS

The map below outlines those businesses and building owners eligible to apply for the Façade Improvement Scheme. An allocation of \$40,000 has been made in the 2017/18 budget and grants will be available until 30 September 2018, or until the grant allocation has been spent.



Eligible buildings within the Façade Improvement Scheme



ELIGIBLE WORKS

6

The work must improve the building and street face by doing more than maintenance. Façade storefront restoration works eligible for grant assessment includes the following:

- Lighting
- Exterior walls
- Windows
- Doors
- Storefronts
- Entranceways
- Awnings/canopies
- Exterior architectural and/or artistic features
- Architectural/designer fees (to a maximum of \$500)
- Landscaping (to a maximum of \$500)
- Façade painting
- Removal of cladding from presently concealed historic character buildings
- Reinstatement of lost elements, or fabric to the façade of the building
- Signage (only the permanent, installation components of the signage included and graphic elements are excluded)
- Limited permanent interior improvements (the reconfiguration of the interior walls, display spaces and interior window finishes to enhance the function and displays of the storefronts)



Rockhampton CBD Façade Improvement Scheme | Information Package

Strategic Planning, Regional Services



DESIGN GUIDELINES

7

Renovations improve natural surveillance

People should be able to clearly see inside the storefront and business operators should be able to clearly see outside to monitor who is around buildings. Improvements include:

Adding and/or increasing the size of existing windows and storefronts;

- using glass doors;
- using clear glass rather than frosted or tinted glass;
- decluttering the windows of posters and signs; and
- adding downcast lighting that washes the perimeter of buildings in light.

Buildings are accessible to pedestrians

The entrances of the building should:

- be wide enough to be comfortable;
- be located directly onto the footpath and not along the side of the building;
- be inviting, eye-catching and complement the façade design using interesting materials;
- be accompanied by clear business signage; and
- be well lit to provide a sense of security and safety for visitors.

Renovations fit to a human scale

Façade improvements should make the buildings friendly to pedestrians. The works will focus on the lower two stories of the building. The front of the building will be partitioned into sections that are more interesting to walk past than long stretches of homogenous walls. Design elements and materials such as signage should be people-sized rather than super-sized (that cater to people driving past quickly in their cars).

Projects should contribute to the safety of the street

Buildings should be well lit at all times of the day. Customers and pedestrians want to feel safe as they walk down the streets. Building facades can be lit with lighting that has different colours and patterns to create dramatic effects.

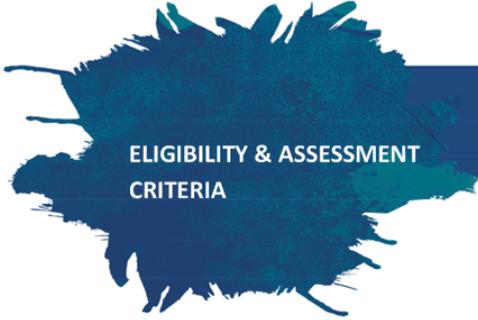
Projects should contribute to the character of the street

Rockhampton contains main streets that have developed from the early 1860s onwards. Many of the historic character buildings have been modified over time, including the facades being covered with unsightly aluminium cladding or unattractive signage. Preference will be given to façade restoration works that include:

- removal of cladding (aluminum etc) from presently concealed historic character buildings
- reinstatement of lost elements or fabric to the façade of the building (where there is physical or archival evidence, such as historical photos or drawings, or remnant on-site evidence).

Projects exemplify innovative, artistic design

The improvements should make the building look inviting to shoppers, comfortable for pedestrians and interesting for the whole streetscape. Unique artistic elements can give a shopping area character and identity. Texture, pattern, colour and interesting shapes should be incorporated into the façade design in an innovative arrangement and through the use of a variety of materials.



ELIGIBILITY & ASSESSMENT CRITERIA

8

Applications for funding will be assessed against the following criteria and will be awarded until the financial allocation for the scheme has been exhausted.

The following matters will be assessed in determining if a grant application is successful:

1. The application is for façade improvement works to a building in the eligible area.
2. The applicant must be a small business operator or property owner that leases to a small business. If the applicant is a small business operator the building owners consent must also be obtained. A small business is defined as a business employing less than 20 people;
3. The proposed works are consistent with the design guidelines and heritage streetscape of the centre.
4. The application is for eligible works and the applicant has submitted all relevant information with the completed application form.
5. Façade improvement works to be undertaken by a local business / local tradesperson where practicable.

Council reserves the right to approve or refuse a grant application in terms of colour, material or method of execution as it considers appropriate.

Prior to commencement of works applicants must enter into an agreement with Council detailing the agreed schedule of works and grant sum. The applicant must have read and agrees to comply with the terms and conditions applying to the program.

It is the responsibility of the applicant to investigate the requirement of any necessary planning/building permits through Councils planning/building department. Council offers a free duty planner service if advice is required (phone (07 4932 9000 or 1300 22 55 77)). Cost associated with obtaining building/planning permits, may not be included in the total amount of the grant application.

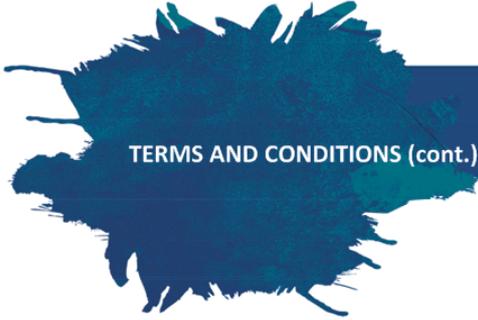
Eligible works that are successful and require a planning/building permit will need to submit planning/building approval prior to receiving funds for works.



TERMS AND CONDITIONS

9

1. The applicant is to submit a completed application form including all supporting information:
 - a clear description and schedule of the proposed works;
 - a digital image of the building's current façade, each elevation and close ups of the area affected by the project (successful applicants are required to take a before and final completed works photos)
 - two quotes from local (where practicable) licensed contractors are to be submitted with the application.
 - owner's consent
2. Only one grant application is lodged per business/individual shopfront; however a number of business owners may jointly make a combined application.
3. The applicant must obtain all necessary planning approvals before commencement of the works.
4. Works are to be undertaken by a licensed contractor.
5. Works are to be carried out in accordance with all Council requirements; for example obtaining a permit to work within the road reserve if required.
6. Works are to be carried in accordance with the QLD Workplace Health and Safety Act 1995, the QLD Workplace Health and Safety Regulations 2008, the QLD Electrical Safety Act 2002, the QLD Electrical Safety Regulations 2002 and any other legislation as required.
7. The applicant must agree to provide a minimum of 50% of the cost of the project or higher if 50% of the costs of works exceed Council's maximum grant contribution of \$3,000 (inclusive of GST) or \$5,000 (inclusive of GST).
8. The applicant is to enter into an agreement with Council listing the agreed schedule of works and grant sum (inclusive of GST).
9. Works should not commence until the applicant has signed the agreement with Council. Council will not grant funds retrospectively to works completed prior to the approval of the application.
10. Applicants must be able to fund the costs of the works upfront as Council will provide its share of funding at the completion of works.
11. Council will not provide funds for:
 - Operation or administrative costs;
 - Business marketing or promotion; and
 - Capital expenses (ladders, gurneys, scaffolding and safety barriers).
12. Hiring of equipment is permitted when directly related to the project.
13. Applicants will be required to remove any illegal signage as part of the façade improvements.
14. Works approved for grant funding are to be completed within 6 months from the date the agreement with Council is signed or grant funds will be reallocated.
15. Any overrun in costs is not the responsibility of Council and extra funds will not be granted.



TERMS AND CONDITIONS (cont.)

10

Assessment of applications

Applications for grants will be assessed by the Strategic Planning unit against the guidelines contained in the Rockhampton CBD Façade Improvement Scheme Information Package (design guidelines, eligible works and eligibility and assessment criteria). The assessment panel reserves the right to seek further information or clarification of a proposal to facilitate an improved outcome. The applications will be ranked against the guidelines and grants will be provided to eligible applicants until the allocation of grant funding is exhausted. Grants are awarded based on merit and not all applications that meet the assessment guidelines may be funded.

How do I apply?

Property owners or business operators considering making an application are encouraged to discuss their potential project with the Strategic Planning unit prior to submitting an application. The applicant is encouraged to seek professional advice from suitably qualified local architects or designers to assist with the development of the proposed improvements.

Please download and complete the application form online www.rockhamptonregion.qld.gov.au and submit it along with the supporting documentation to strategic planning enquiries@rrc.qld.gov.au.



11.3 AMENDMENT OF PARKING PATROLS FOR ROCKHAMPTON RIVER FESTIVAL 2017-2019

File No:	8041
Attachments:	Nil
Authorising Officer:	Chris Ireland - Manager Regional Development and Promotions Scott Waters - General Manager Regional Development and Aviation
Author:	Aimee Bartlett - Acting Coordinator Regional Promotions and Tourism

SUMMARY

Rockhampton River Festival will cause disruptions to parking availability within the CBD in the week leading up to the event as carpark and road closures are implemented. This report identifies amendments to parking patrols in the area to lessen disruption to CBD workers and businesses.

OFFICER'S RECOMMENDATION

THAT the following apply for Rockhampton River Festival from 2017 to 2019:

1. Council to suspend timed restriction patrols including Alma Street and Pilbeam Theatre paid car parks (exempting East Street from Derby Street to Archer Street and Denham Street from Quay Street to Bolsover Street);
2. Council to issue Temporary Event Parking Permits for residents within the festival event area; and
3. Council to place additional loading zones in East Street for businesses affected by the road closures for the week leading up to Rockhampton River Festival.

COMMENTARY

Rockhampton River Festival will impact a number of roads and car parks within the CBD Area, with closures being in place in the week leading up to the festival. These road closures are necessary for the set-up and running of the festival.

To mitigate the disruption to CBD workers, residents and businesses the following will be put into place:

Parking Patrols:

- A relaxation or suspension of timed parking patrols will be introduced;
- The relaxation of enforcement will not apply to East Street; from Archer Street to Derby Street, and Denham Street from Quay Street to Bolsover Street;
- Other restrictions such as loading zones, disabled parking, footpath parking or any other restriction that is not a timed restriction, will remain enforced.
- Patrols will be suspended for Alma Street and Pilbeam Theatre paid car parks.

Loading Zones:

- Additional zones will be placed on East Street in front of Lilly and Lotus and Radio Rentals to allow easy delivery of stock.

Temporary Event Permits

- Will be issued to residents whose properties are directly impacted by road closures allowing them to park in the CBD with no time restrictions.
-

CONCLUSION

The above amendments will be automatically put into place for Rockhampton River Festival 2017 to 2019. All businesses and residents impacted have been notified of the road closures.

11.4 INQUIRY SUBMISSION: IMPACT OF DEFENCE TRAINING ACTIVITIES AND FACILITIES ON RURAL AND REGIONAL COMMUNITIES.

File No:	12534
Attachments:	1. Inquiry Submission 2. Advance Rockhampton Economic Action Plan Submission Attachment
Authorising Officer:	Chris Ireland - Manager Regional Development and Promotions Robert Truscott - Acting General Manager Regional Development
Author:	Penelope-Jane Fry - Regional Development Advisor Rick Palmer - Senior Executive Industry Engagement

SUMMARY

A submission is tabled for an 'Impact of Defence training activities and facilities' Inquiry.

OFFICER'S RECOMMENDATION

THAT Council endorse the Submission attached to the report into the "Impact of Defence training activities and facilities on rural and regional communities" inquiry being conducted by the Senate Committee for Foreign Affairs, Defence and Trade.

COMMENTARY

On 27 June 2017, the Senate Committee for Foreign Affairs, Defence and Trade issued an invitation to the Mayor of Rockhampton Regional Council, inviting representation from Council to participate in a public hearing for the inquiry into the "Impact of Defence training activities and facilities on rural and regional communities".

The public hearing will be held in Rockhampton on Wednesday 12 July 2017, when attendees will have an opportunity to give written and verbal evidence to the Inquiry.

The attached documents have been prepared for submission by Rockhampton Regional Council at the public hearing.

The submission content references the Defence economic opportunity priorities in the Advance Rockhampton Economic Action Plan. It also provides information to specifically address the issues raised by the Inquiry in relation to the Terms of Reference, which are:

"The impact of Defence training activities and facilities on rural and regional communities, with particular reference to:

- a. economic, social and environmental impacts;*
- b. consultation and communication with local government and community organisations;*
- c. investments in new facilities, infrastructure and operations;*
- d. utilisation of local suppliers and service providers to achieve value for money;*
- e. encouraging awareness of tendering opportunities for rural and regional businesses; and*
- f. any other related matters."*

CORPORATE/OPERATIONAL PLAN

This report relates to Corporate Outcome 2.6 of the 'Industry Growth' community expectation associated with the Economy theme of the Corporate Plan.

CONCLUSION

This inquiry provides an opportunity to advocate on behalf of the Rockhampton Region on matters relating to defence training activities in the region.

**INQUIRY SUBMISSION: IMPACT OF
DEFENCE TRAINING ACTIVITIES AND
FACILITIES ON RURAL AND
REGIONAL COMMUNITIES**

Inquiry Submission

Meeting Date: 11 July 2017

Attachment No: 1



Rockhampton Regional Council Submission

SENATE STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE
AND TRADE INQUIRY INTO THE IMPACT OF DEFENCE TRAINING
ACTIVITIES AND FACILITIES ON RURAL AND REGIONAL
COMMUNITIES

JULY 2017

This document provides evidence to address the matters raised in the Inquiry Terms of Reference, including options for improved and new Defence training and facilities outcomes.



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INTRODUCTION & BACKGROUND

Rockhampton is recognised globally as the economic heart of Central Queensland, servicing over 250,000 people. It is home to a critical mass of residents, high quality services, facilities and a dynamic and prosperous economy that is growing with support from innovative businesses, defence training, and international resources and agribusiness exports.

Rockhampton's economy is a strong and stable 'service hub' thanks to its central location along major north, south and west freight infrastructure routes and its growing airport.

The Rockhampton Region has provided goods and services in support of Australia's defence posture and also the training activities conducted in the 4,545 square mile Shoalwater Bay Training Area (SWBTA) since the mid-1960s.

SWBTA, which is located 70km north of Rockhampton, is Australia's largest training area and permits defence forces to conduct the complete range of training for defence forces, including land based manoeuvre, amphibious landings and live firing by Army, Navy and Air forces. The Australian Defence Force (ADF) is the principal user of SWBTA. However the Singapore Armed Forces (SAF) has also conducted an annual training exercise in SWBTA for 26 years. The ADF also conducts a bi-lateral training exercise with United States (US) forces biennially at SWBTA. The size and nature of training exercises undertaken at SWBTA varies from less than 1000 personnel to more than 20000 personnel with associated vehicles, aircraft and ships.

As a result of the Australia Singapore Comprehensive Strategic Partnership (CSP) announced on 29 June 2015, Defence has committed to further development of the SWBTA and at a location near Townsville. These additional training areas and facilities will permit the SAF to increase its training opportunities in Australia.

Central Queensland provides a 'total package' of labour, logistics, and infrastructure needed by training activities and defence facilities. Rockhampton and Gladstone are critical to enabling defence training at SWBTA as they are located astride of or in close proximity to major road, rail, air and port infrastructure. Port Alma (located 65 kms South East of Rockhampton) permits ammunition and explosives to be off-loaded. The Rockhampton Airport provides ADF, SAF and US defence aircraft and helicopters an operational base for exercises. The Rockhampton Region is, however, underutilised by Defence. The Region has the capacity to sustain greater activity and additional facilities, and to add additional value to existing activities through greater use of local suppliers, housing to accommodate additional permanent personnel, and 'R&R' activities.



A. ECONOMIC, SOCIAL AND ENVIRONMENTAL IMPACTS

The economic, social and environmental impacts of defence training exercises in SWBTA are well established and are generally regarded by the Rockhampton community as positive.

Rockhampton Regional Council, has over many years, actively engaged with Defence with the objective of taking a proactive and cooperative approach to its relationship. Underpinning this approach has been a desire to ensure the community and Defence had realistic expectations of each other.

In 2004 the (then) Rockhampton City Council supported a study funded by Defence to evaluate the impacts of Defence training in Central Queensland¹ – 'the CQU Study'. The CQU study, which provided much needed empirical data as to the economic and social impacts has been a valuable source to inform planning and decision making, however it is dated and the Rockhampton Region would advocate strongly for the ADF to partner with local Councils in order to update the study.

Looking to the future, an updated study will help guide Rockhampton Regional Council in our efforts to continue to engage the ADF and other users of the SWBTA and Rockhampton Airport to support the delivery of mutually beneficial actions for economic, social and environmental outcomes.

The Defence sector is a priority industry in the Advance Rockhampton Economic Action Plan (2016-2020). The plan is attached to this submission, outlines actions being taken to support Defence training and industry growth (refer page 8), and should be read in conjunction with this document.

¹ D. Stehlik, G. Jennings and L. Dwyer, *A Socio-Economic Impact Study of Defence Force Activity in Central Queensland, Australia, Central Queensland University, Rockhampton, 2004*



A.1 ECONOMIC IMPACTS

The economic impacts of defence training exercises in Australia are beneficial to regional communities however Defence should address the lack of empirical data supporting that conclusion.

The most recent assessment of the economic impacts of defence training exercises in Central Queensland was addressed in the CQU study in 2004 that examined economic benefits of defence training conducted by the ADF, SAF and bi-lateral training conducted by the ADF with US forces. The study found that the impact "on value-added in Central Queensland was AUD\$42.24 million. The direct value added was AUD\$31.68 million with flow-on effects of AUD\$10.56 million".²

The CQU study also found that "Over the six year period (2003-08) the average injection per year from visiting Defence force personnel expenditure was:

- Central Queensland: AUD\$24.789 million per annum.
- Queensland: AUD\$29.730 million per annum"³.

The CQU study estimated average annual total expenditure on administration and exercises was AUD \$27 million⁴.

The CQU study concluded:

- "Defence activities in the region are seen as major economic boosters of both diversity and capacity for jobs".⁵
- "When asked whether they agreed or disagreed that Defence activities brought economic benefits to the region, 85.2 percent [of persons surveyed] either agreed or strongly agreed."⁶

² *ibid*, p.29

³ *ibid*, p.23

⁴ *Ibid*

⁵ *Ibid*, p.32

⁶ *Ibid*



A.2 SOCIAL IMPACTS

The Rockhampton community has benefited from a long relationship with Defence since the ADF first started training at SWBTA in the 1960's. That relationship has matured over the years and has been enhanced by interactions with the SAF and US forces.

Shareholder focus groups consulted as part of the CQU study noted the positive benefits of social interaction with other cultures and the extended cultural opportunities that occur when defence personnel are granted local leave during or after exercises as well as scheduled open days conducted by Defence during their defence exercises.

Defence should not under estimate the importance of opportunities for Defence personnel to interact with the community and where it is appropriate Defence planners should continue to include open days as part of their plans for exercises conducted at regional locations.

As part their annual training exercises conducted at SWBTA the SAF schedule local leave for their soldiers to take part in organised visits to local tourist attractions in the Rockhampton region. Other measures undertaken by the SAF include the periodic scheduling of visits during the SAF training exercise by the SAF Music and Drama Company to conduct community concerts that provide an insight to Singaporean music and culture. These interactions are greatly valued by the community and they should be encouraged.

Finally, Council is considering ways to make the Rockhampton CBD Revitalisation more sensitive to the different cultural expectations of visiting military.



Figure 1: A 'Rockhampton Region' welcome for SAF Personnel the Rockhampton Airport.



A.3 ENVIRONMENTAL IMPACTS

Over many years Defence has given considerable emphasis to assuring the Central Queensland community of the responsible use of SWBTA and that it complies with relevant State and Federal legislation concerning the environment.

Defence has been proactive in its engagement on environmental matters, particularly with community stakeholders focused on the responsible use of the environment. This is particularly evident in the lead-up to, during and after major training exercises.

In addressing environmental concerns as to Defence use of SWBTA the CQU study stated "...over 50 per cent [sic of respondents surveyed by the study] agreed that Defence activities have ensured conservation of natural environments in training locations and just under 50 per cent rejected the suggestion that such activities resulted in damage to the natural environment"⁷.

Training activities can assist communities in environmental protection and planning beyond SWBTA. The Fitzroy River runs through the Rockhampton Region to the Great Barrier Reef Marine Park and is impacted by flooding. Information such as bathymetry (underwater terrain mapping) is of great value to Rockhampton Regional Council and other stakeholders to help inform environmental management. New training exercises by Defence capability, such as the Australian Hydrographic Service, could provide new training opportunities for those personnel while also generating valuable information to support the planning and design of environmental protection actions. With HMAS Melville being located in Cairns, this is a value for money training option much closer than other sites.

Rockhampton Regional Council also notes the multiple examples of assistance provided by the ADF towards environmental remediation immediately following Cyclones and other natural disasters in the region. The assistance to rapidly remove logs from creeks and address other damage has been appreciated by the community and the Council.

Finally, forward planning to mitigate and remediate environmental impacts at the SWBTA is important to Rockhampton Regional Council. The Rockhampton Region is seeking reassurance that plans are in place to ensure that rehabilitation requirements at the SWBTA can be achieved as activities grow, without a rotation of SAF being foregone once every three years.

⁷ *Ibid*, p.33



B. CONSULTATION AND COMMUNICATION WITH LOCAL GOVERNMENT AND COMMUNITY

Rockhampton Regional Council (RRC) has in recent years adopted a proactive approach to facilitating engagement with Defence and the SAF. Underpinning that approach has been a desire to ensure that Council and the community understand the current and future needs and intentions of Defence and the SAF to support mutually beneficial outcomes. To assist in this approach RRC retains specialist defence and defence industry management consultancy capability. Council staff use this advice to put into context Defence decisions and strategies relative to the economic and other needs of the region. The other benefit of having such advice available is to enhance communications between the RRC, Defence and the SAF.

Commencing with the Defence Reform Program in 1997, Defence has significantly reduced the number of permanent Defence staff based in Rockhampton. This inevitably has impacted on the ability of Council staff and businesses to anticipate and respond to the needs of Defence when deploying to SWBTA to train.

Although Defence does contact RRC prior to major defence exercises little feedback is provided following such exercises, particularly with regard to the identification of ways in which RRC and local businesses can add value to future defence training. A formal de-brief following major exercises would prove mutually beneficial.



Figure 2: Rockhampton Regional Council strives to help and seeks feedback.



The approach taken by the SAF to consulting with the RRC and the broader community benefits from the presence in Rockhampton of the Primary Industries (QLD) Pty Ltd ("PIQ Logistics") facility at the Rockhampton Airport. The staff at this facility are in regular contact with the RRC and SAF, and this has also been a useful link with the Singapore High Commission in Canberra.

A key approach to Defence engagement with the Queensland Government is facilitated through the Queensland Government Consultative Forum, which involves Defence sending a high level delegation to discuss defence matters, including details concerning large exercises planned by Defence to be conducted at Defence training areas, including SWBTA. This forum does not include participation by Local Government representatives and consequently Local Government is very dependent on feedback from the Queensland Government. Such feedback is important as it provides an insight that may be used by Local Government to prepare regional communities and businesses to better support defence training. Consideration should also be given by the Queensland Government to seek input from Local Government to inform the agenda for consultations conducted as part of the Queensland Government Consultative Forum.

The consultative process undertaken by Defence in developing the recently released Defence White Paper was an important opportunity for Local Government to better inform the White Paper by providing regional perspectives, particularly from regions such as Central Queensland where the larger defence exercises subsequently intersect and impact local communities. The RRC did make a submission to the White Paper Development Team. The consultative process used by Defence in the formulation of the Defence White Paper could be enhanced by Defence providing feedback to Local Government on their submissions.



Figure 3: American military personnel arriving at Rockhampton Airport.



C. INVESTMENTS IN NEW FACILITIES, INFRASTRUCTURE AND OPERATIONS

The Rockhampton Region seeks new facilities, infrastructure and operations.

C.1 EXISTING INVESTMENTS VALUED. NEW INVESTMENTS INVITED.

Defence remains invested in a staging base in Rockhampton to facilitate the concentration of personnel, vehicles and equipment for training exercises conducted in SWBTA.

Under a Singaporean treaty, since 2001 PIQ Logistics (Rockhampton) has provided a permanent basing of a Singaporean military vehicle fleet, including maintenance support, repair and overhaul for a wide range of armoured vehicles and military transport, in addition to logistics commodity supply. It was established for the sole purpose of supporting the SAF and is situated in the Rockhampton Airport precinct. Its primary purpose is to store and maintain SAF training equipment (armed and general service vehicles) and support the SAF's annual exercises in the SWBTA. The success of PIQ Logistics has demonstrated that a regional defence support model is manageable in Rockhampton, regardless of the exercise fluctuations and seasonality, providing a readily accessible training pool of equipment in proximity to Australia's premier training area. The local procurement practices of this operation provide valued benefits for the local economy. RRC advocates the consideration of this by other users of the SWBTA, especially the ADF as a viable and cost effective model not only to reduce logistic costs, but also to reduce wear and tear on equipment that occurs on large deployments. Such investments in new facilities, infrastructure and operations would be valuable for the region too.



Figure 4: The Rockhampton Region can accommodate complex training needs.



As a result of the Australia Singapore Comprehensive Strategic Partnership (CSP) on 29 June 2015 Defence has announced the intention to further develop at the SWBTA and at a location near Townsville. The developments will provide additional training areas and facilities to permit the SAF to increase its training opportunities in Australia.

As part of the CSP it has been announced that approximately half of an AUD\$2 billion fund established to acquire additional land to increase the size of SWBTA and to construct infrastructure to support defence training associated with the SWBTA.

In 2015 RRC facilitated briefings by the Council and local businesses to the Defence Industry Study Course (DISC) to provide an insight to regional capability needs, including the capacity to support defence training exercises. This initiative was well received by DISC students, many of whom will progress to senior planning roles in Defence, including Defence procurement, strategic planning and future capital works investment planning.

Commonwealth decisions to invest in new defence facilities, other infrastructure and the basing of forces in regional Australia should not be taken only in the context of defence policy as such decisions have significant impacts for regional development and nation building. The decision to move the 1st Brigade from Sydney to Darwin 25 years ago is a case in point that has had many positive impacts for Darwin, the Northern Territory and northern Australia.

Rockhampton Regional Council owns the Rockhampton Airport. Council routinely seeks input from Defence industry stakeholders during updates of the Airport Masterplan to guide future developments at the site, including proposed upgrades to establish the Rockhampton Airport Military Aviation Precinct. The proposed precinct will improve the efficiency of operations for both military and civilian aviation. There is concern and uncertainty in the Rockhampton Region, however, about aviation facility plans at the SWBTA. If larger scale aviation facilities were to be built at the SWBTA, this could severely impact the profitability and role of the Rockhampton Airport and subsequently damage the regional economy. Assurance that the ADF does not have such new aviation infrastructure planned is requested, along with endorsement of the implementation of the Rockhampton Airport Military Aviation Precinct solution.



C2. OPERATIONS

Each year Defence expends significant resources moving stores and equipment to Rockhampton from bases and warehouses (including many from interstate) to support training conducted in SWBTA and then in returning the stores to the south after the exercises. Establishing a warehouse in Rockhampton where equipment required for exercises could be stored and maintained to facilitate training could significantly reduce the costs incurred by doing this.

The nature and volume of general aviation operations at regional airports is such that the concurrent use by Defence of regional airports gives rise to safety and security implications. Rockhampton Airport is a case in point and despite the best efforts of the RRC to propose a cooperative approach to partner with Defence and the SAF to develop a defence aviation precinct Defence has been reluctant to discuss the proposal. Underpinning the approach taken by the RRC is a desire to proactively engage with Defence to work together to consider the implications of Defence training and changes to the nature and tempo of general aviation operations at the airport, taking into account the needs of all users of the airport, including the public, industry and Defence users.



Figure 5: The Rockhampton Airport Military Precinct would support ADF unique needs.



D. UTILISATION OF LOCAL SUPPLIERS AND SERVICE PROVIDERS TO ACHIEVE VALUE FOR MONEY

Although the ADF and the SAF use local suppliers and service providers there is potential for greater opportunity for regional businesses to support defence training exercises.

The recently released Defence Industry Policy Statement identified that "Defence will change its culture and business processes"⁸. The opportunity for small to medium enterprises (SME) located in regional Australia to win business by providing support to major defence training exercises would be enhanced if the announced Defence policy changes are applied in such a way as to facilitate greater involvement by regional SME.

Currently, the extent of ADF local procurement is significantly lower than it is for operations and training in other regions. ADF's use of the SWBTA is largely supported by suppliers in Townsville and Brisbane, whereas the SAF achieves value for money while drawing heavily upon local suppliers in the Rockhampton Region. The Rockhampton Region and wider Central Queensland economy has the capacity to replace Townsville as the largest regional supplier source while also offering good value for money outcomes.

The Rockhampton Region greatly benefits from already significant SAF local procurement associated with activities at the SWBTA. As this activity increases, the Rockhampton Region is seeking to be formalised as the Procurement Hub for the SAF under the new Australia-Singapore Comprehensive Strategic Partnership agreement.



Figure 6: Rockhampton Region suppliers connect Defence to the Central QLD economy.

⁸ Commonwealth of Australia, 2016 Defence Industry Policy Statement, Canberra, 2016, p.30.



E. ENCOURAGING AWARENESS OF TENDERING OPPORTUNITIES FOR RURAL AND REGIONAL BUSINESSES

Briefing sessions have been held in Rockhampton by Defence and the SAF to provide regional businesses with an insight to ways in which they can supply goods and services to support defence training exercises. Such sessions have been well attended by business owners and operators.

The approach taken by the SAF in Rockhampton to utilising local suppliers and service providers to achieve value for money has been established over many years. A key step in the success of the SAF approach has been the relationship maintained by the SAF detachment at Rockhampton with businesses and the conduct of briefings to businesses in the lead-up to annual training exercises.

The emphasis given to facilitating the involvement of Australian SMEs in defence industry via the Centre for Defence Industry Capability has been well received and consideration should be given to making better use of similar strategies to foster involvement by SMEs in regional locations to support defence training, as Primes or as sub-contractors.



Figure 7: Personnel and operations can benefit from Rockhampton Region suppliers.



F. OTHER RELATED MATTERS

The following three matters are raised by Rockhampton Regional Council:

F1. RECOGNITION OF RURAL AND REGIONAL COMMUNITIES.

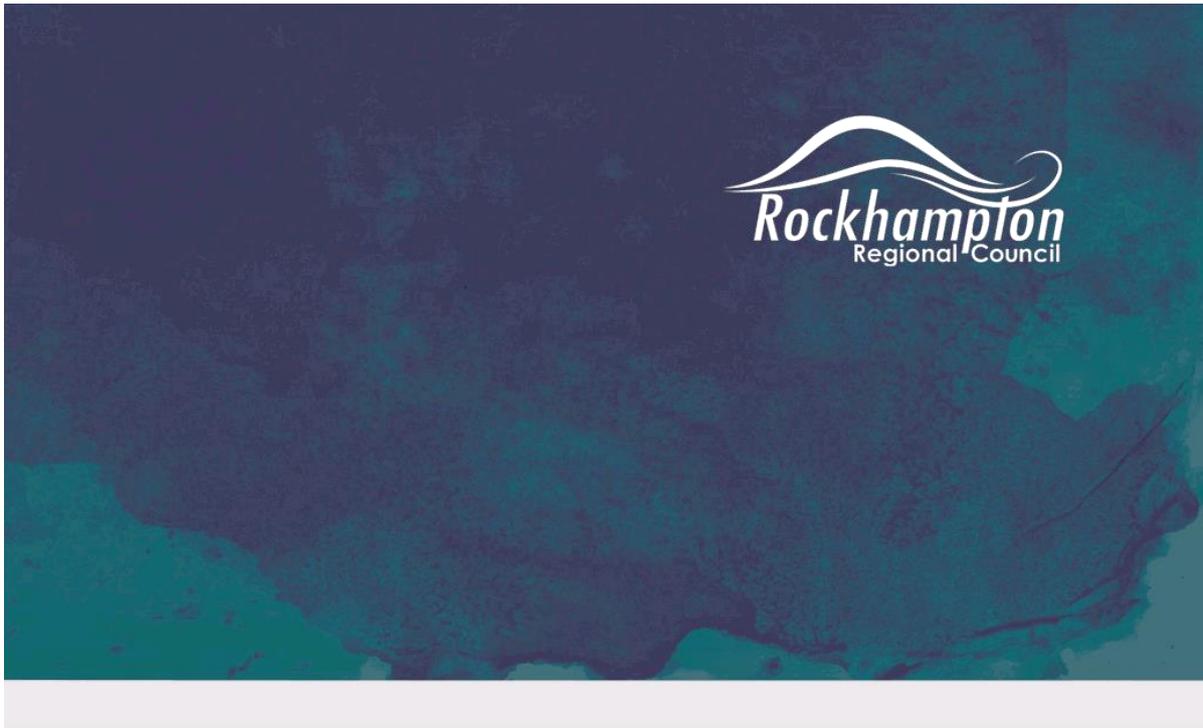
The 2016 Defence White Paper identifies Defence Training Areas including SWBTA as key enablers to sustaining Defence capabilities by providing opportunities for Defence forces to train. By extension the support provided by rural and regional communities, including Local Government and regional businesses, is also important and as such they should be acknowledged as contributing enablers. That recognition would be a valuable step in enhancing the perception that Defence planners and decision-makers have of rural and regional communities and the contribution those communities make to the defence of Australia. The importance of supportive communities at strategically important training locations is worthy of being a focus of Defence during planning for training and facilities.

F2. NORTHERN AUSTRALIA DEVELOPMENT.

The contribution that defence can make to the development of northern Australia is well established. Indeed the positive impacts of large Defence bases in Darwin and Townsville are very good examples of the benefits that have accrued to the Northern Territory and North Queensland. Necessarily decisions to position large Defence bases have been attracted infrastructure investment to facilitate Defence operations with consequent economic benefits for regional communities. However the contribution that Defence can make to northern development was not canvassed at the recent 2017 Developing Northern Australia Conference. This is an area that should be redressed as there are many valuable lessons to be gained from an examination of the successes achieved in Darwin and Townsville as well as the shortcomings of such decisions.

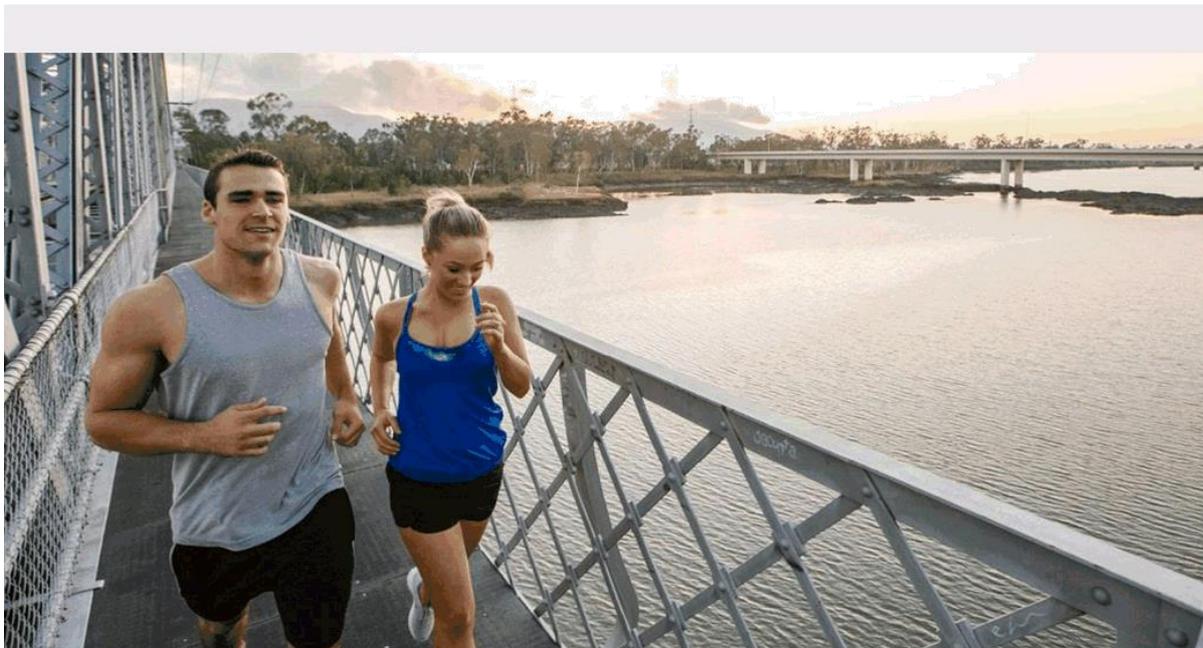
F3. OPPORTUNITIES FOR MUTUALLY BENEFICIAL OUTCOMES.

Consideration should be given to opportunities where Defence and regional communities can mutually benefit from activities where Defence adds value to regional communities, concurrent with obtaining valuable training. By way of example flood prone regional areas offer training exercise opportunities for mapping of underwater terrain. This could be of value for Navy assets equipped to undertake such tasks while also providing a unique insight to Local Government planners and decision makers involved in ensuring communities are better prepared for severe flooding events. The Australian Hydrographic Service would be welcome to train in the Rockhampton Region, for example.



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**INQUIRY SUBMISSION: IMPACT OF
DEFENCE TRAINING ACTIVITIES AND
FACILITIES ON RURAL AND
REGIONAL COMMUNITIES**

**Advance Rockhampton Economic
Action Plan Submission Attachment**

Meeting Date: 11 July 2017

Attachment No: 2



empower

ECONOMICS

Advance Rockhampton Region

Rockhampton Regional Council
Economic Action Plan

2016 – 2020



Empower North is a group of expert consultants providing select clients with an integrated service across the specialist areas of:



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Message from the Mayor

There are many ingredients required to create a strong and diverse economy.

A vibrant and innovative business sector is a must, as is financial support from State and Federal Governments. Tying all this together must be a Council with a vision and a desire to make things happen.

Too often local government sees its role simply as an advocate and not as an enabler. While I will never walk away from fighting for our fair share from other levels of government, this Economic Action Plan lists the things that we control to make things happen. It's a plan for growth that I would like myself and our entire Council to be judged against.

No other region has a Council that is as unified to capitalise on growth in the traditional and innovative industries to create economic opportunities and an unrivalled lifestyle as Rockhampton.

In October 2015, Council launched the Rockhampton Region Economic Development Strategy. This strategy provides our region with a map to achieve growth and economic prosperity. Now it is time for Council to set a clear example on the things we can get moving. I am confident by providing this, catalyst support from other levels of government and a positive attitude within our community will flow.

My Council is united in its vision for our region and we want to be accountable on the things that we control. This Action Plan outlines what we will do as a Council to generate economic activity. It identifies 10 broad areas for growth and the actions we will take to achieve against all of them.



We recognise that Governments create successful business environments - not successful businesses. This is best achieved through prudent policy and planning, investment in the right infrastructure to get things moving, regulation that minimises business impact, skilled people, and basic research needed to identify economic opportunities.

Council is leading the push to develop our region through the initiatives of Advance Rockhampton and Destination Rockhampton; this plan outlines how we will do it. My commitment is to build on our success to create an economic environment that encourages and rewards innovation and attracts the investment and people needed for a prosperous future. We invite you to play your part with us.

Economic Enablers

Business is the engine driving economic growth. The goal of this plan is to create a vibrant business environment that is innovative, competitive, productive and prosperous.

Rockhampton Regional Council is doing its bit to create that environment through the use of the following economic enablers:

- **Prudent policy and planning:** Clearly stating our intent, backed up with sound planning and actions;
- **Investment in the right infrastructure to get things moving:** Timely and prudent investment in local infrastructure to boost business investment, jobs and prosperity;
- **Regulation that minimises business impacts:** Balancing regulation against investment and jobs;
- **Skilled people:** Assisting entrepreneurs develop the skills needed to start a business;
- **Basic research needed to identify opportunities:** Partnering to provide the information needed for sound investment and business decisions;
- **Promoting our strengths and opportunities to attract investment and people:** Building a national and international profile as a great place to live and invest;
- **Lobbying other levels of government for our fair share:** Fighting to ensure that the Rockhampton region gets its fair share of government investment and service delivery.

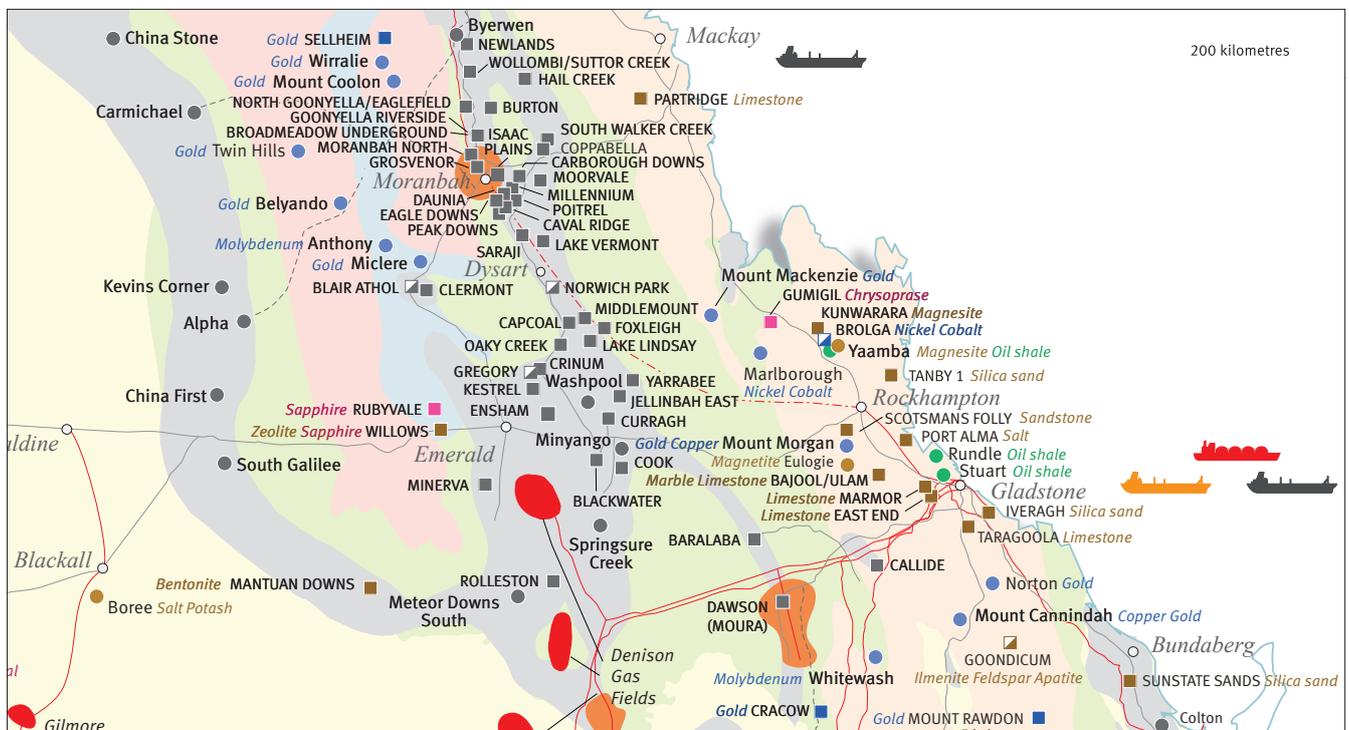


Strategic Opportunities

Resources

Most of Rockhampton's remarkable period buildings were founded and funded by the wealth generated by gold.

The Region's well placed to take advantage of world-class coal and gas deposits in the Bowen, Galilee and the Surat basins. Despite its strategic position, Rockhampton has not realised this opportunity and significantly missed out on the benefits of the recent mining boom.



Like Townsville, Mackay and Toowoomba – Rockhampton can be a major regional services hub for the resource sector. To facilitate Rockhampton's development as a Resource Services Hub, Council will:

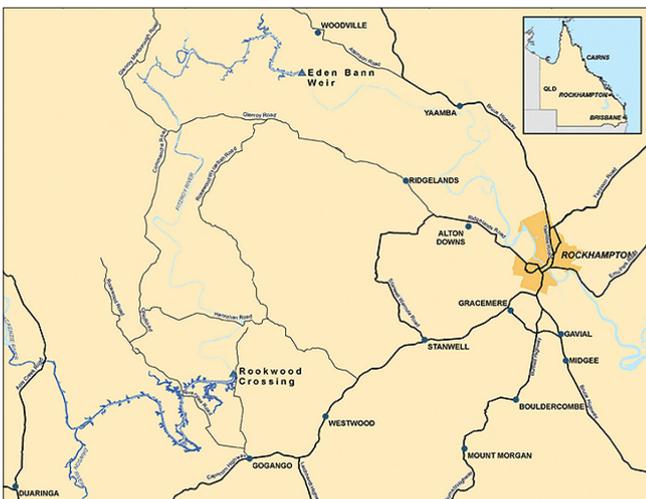
- Appoint an Industry Champion to identify market opportunities and impediments and advocate for the resources sector;
- Promote the City as a Resource Sector Services Hub;
- In partnership with the State Government, and with support from ICN, complete a supply chain analysis to:
 - map industry needs;
 - identify business capacity;
 - pinpoint supply chain gaps.
- Support local businesses to integrate into the mining and major projects supply chain;
- Advocate for strategic infrastructure investment and regulatory reform.
- Support the re-establishment of mining activity at Mount Morgan.

Water Security and Agribusiness

Founded on the Fitzroy River, water is Rockhampton's lifeblood. It's the essence of the region's environment, prosperity, lifestyle and wellbeing. It provides a sense of space and place; an identity as a vibrant river city.

The combination of abundant grazing land and reliable water established Rockhampton as Queensland's premier cattle producing region. The City is home to major processing and supply chain facilities including two abattoirs and the Central Queensland Livestock Exchange.

The Fitzroy River Agricultural Corridor has been identified for intensive agriculture development. This potential will be facilitated through the Lower Fitzroy River Infrastructure Project incorporating the raising of the Eden Bann Weir and the construction of Rookwood Weir. The proposed Rookwood and Eden Bann Weirs will add 112,000ML to the existing 137,000ML of stored water capacity.



Within the corridor, the potential exists to establish broadacre crops, horticulture and intensive livestock enterprises. This potential is being pursued through the *Growing Central Queensland* program, an initiative to capture sustainable agribusiness opportunities.

The opportunity also exists to use available water and suitable land on the peripheries of Rockhampton to develop niche small cropping and aquaculture enterprises. These enterprises have the potential to produce high value, labour intensive products, adding value to Rockhampton's economy and lifestyle experience.

To sustain these advantages and progress these opportunities, Rockhampton Regional Council will:

- Appoint an Industry Champion to identify local market opportunities and impediments and advocate for water security and agribusiness;
- Work with the State and Commonwealth Government to sustainably manage and exploit the Lower Fitzroy System water resources;
- Support the Lower Fitzroy River Infrastructure Project and the objectives and efforts of *Growing Central Queensland*;
- Pursue options to increase the Barrage storage volume via increasing operating setpoint controls and potential augmentation of the barrage sill and/or gates;
- Work with local land holders, Central Queensland University, the State and Commonwealth Governments to determine feasibility and if appropriate, develop the business case for irrigated small cropping on the peripheries to Rockhampton City.

Health Care and Social Assistance Services

Rockhampton has well established health care and social assistance services.

Serving an area spanning 20% of Queensland, the Rockhampton Hospital is one of regional Queensland's leading health facilities. Public health facilities are supported by two leading Private Hospitals offering specialised and allied health services. Combined, the sector contributes:

- \$575 million to total economic output (5.7 %);
- \$439 million (9.2 %) of total value-added;
- 5,355 jobs (16.0 %) to total employment;
- \$365.512 million (14.5 %) to total wages and salaries paid within the Rockhampton Region.

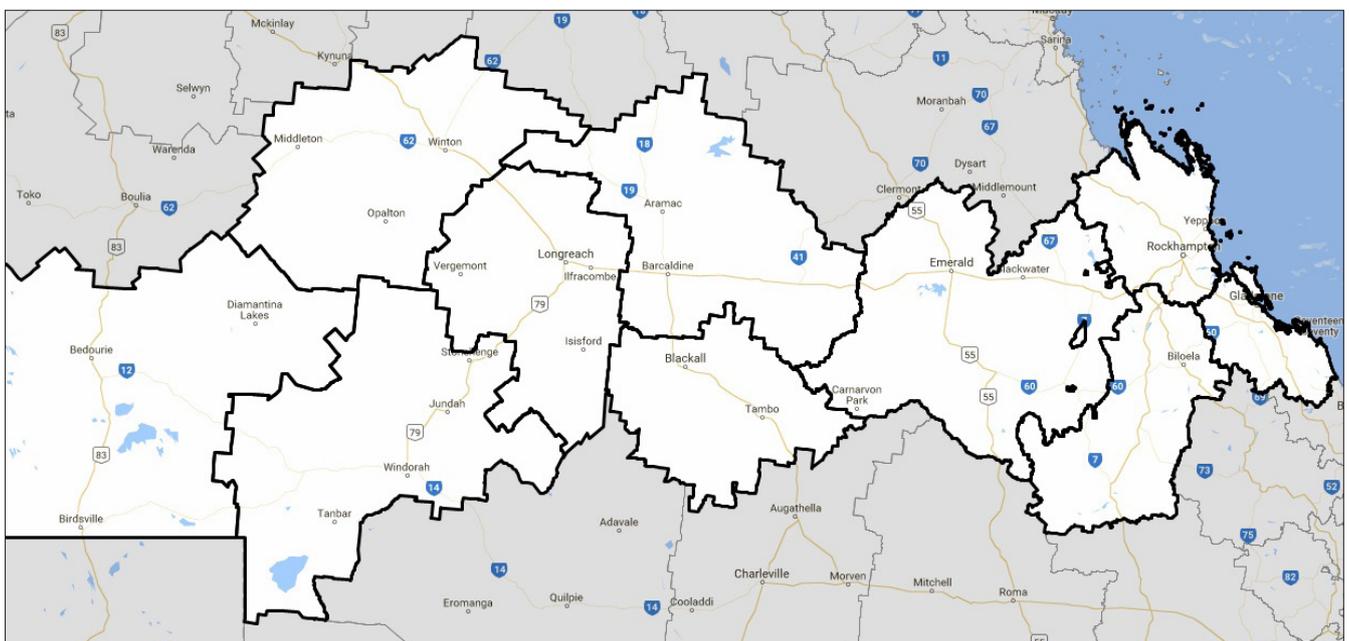
With approximately 7.5 percent average annual growth, it is Rockhampton's fastest growing industry sector.

The advent of the National Disability Insurance Scheme (NDIS) involves a large scale expansion of personalised service delivery to the disabled. The NDIS will become available in Rockhampton, Gladstone and west to the borders from 1 January 2018.

As at Census 2011, Rockhampton had 3,745 residents with a profound or severe disability. For the broader NDIS region, there are 8,687 residents with profound or severe disabilities.

Responsibility for the provision, regulation and management of health care and social assistance services predominately rests with State and Federal Governments. Council has a role in promoting Rockhampton as a specialist Health Care and Social Assistance Services Centre and in providing planning and development incentives for the clustering of enterprises within the Rockhampton health services precinct. In fulfilling these responsibilities, Rockhampton Regional Council will develop a strategy incorporating:

- Promotion of Rockhampton as a leading Regional Health and Social Services Centre;
- Planning and Development incentives supporting investment attraction;
- Adoption of an NDIS Strategy;
- Working with Central Queensland University & other education and training providers to develop the skills required to service the sector;
- Improved air access through new and expanded east-west routes and seat capacity.



Education and Training

Skilled, innovative and dynamic people are needed if Rockhampton is to realise its true economic and social potential.

Highly regarded for the depth and diversity of its teaching, research, and Vocational Education and Training (VET) activities, Rockhampton boasts world-class education facilities including 18 private schools, 22 state primary, 4 state high schools and Central Queensland University, Queensland's only dual sector university.

There are opportunities to exploit Rockhampton's reputation for world-class education and training, and promote our services and location to both national and international markets. To achieve this, Rockhampton Regional Council will take a two-tiered approach to supporting the development of the sector.

Boarding Schools

Rockhampton offers a range of private day and boarding schools with nationally recognised academic, cultural and sporting records.

In addition to their academic endeavors, these schools provide significant economic and cultural benefits through the employment of staff, the purchase of goods and services, visitation by friends and relatives and integration into cultural and social lives - forming lifelong associations and bonds.

Rockhampton Regional Council will support the development and viability of the regions boarding schools by:

- Forming a Rockhampton Region Education Cluster;
- Completing a Rockhampton Region Boarding School Economic and Market Analysis;
- Facilitating joint initiatives and activities to promote Rockhampton, and the Schools within the city, as a world-class education hub;
- Promote the involvement of private boarding students into local cultural and social activities.

Tertiary Education

Tertiary education in Australia is becoming highly competitive and geographically deregulated. Rockhampton has a long and mutually beneficial relationship with Central Queensland University. The opportunity exists to engage with other tertiary education providers to attract investment and development, and provide increased choice and course offerings, with a focus on building education activity within the CBD.

To achieve these objectives, Rockhampton Regional Council will:

- Incorporate education into the CBD Framework;
- Develop further planning and development incentives to attract new tertiary education investment within the CBD;
- Engage with Central Queensland University and other tertiary education institutions on the development of a University Campus/Precinct within the CBD;
- Attract additional international students through the Study Rockhampton initiative.

Defence

Founded on its connection to Shoalwater Bay Training Area (SWBTA), Rockhampton plays an important role in defence of the nation.

At more than 4,000 km², the SWBTA is the Australian Defence Forces (ADF) largest permanent training area. The area's scale and coastal location allow joint and combined services (Army, Navy & Airforce) exercises. The area is used independently by the ADF and Singaporean Armed Forces (SAF) and for joint ADF/US Armed Forces and ADF/SAF exercises. The SWBTA is administered from Rockhampton, with the city acting as a logistics and forward deployment base for SWBTA based exercises.

The Australia-Singapore Comprehensive Strategic Partnership provides a foundation for national cooperation within the areas of trade and economics, defence and intelligence sharing, education and innovation and science. The focus for defence cooperation is the joint development of training areas and facilities in SWBTA and Townsville. This \$2.2 billion investment will provide Singapore with enhanced military training capability and access. It also provides a major economic boost from construction and increased training activity proposed for SWBTA. Council will work to maximise these benefits.

Beyond the benefits of periodic exercises, SWBTA provides the opportunity to establish a permanent military presence within the region. While attempts have been made to woo 1st Armoured Regiment, these have been resisted on capability grounds in that it would separate operationally integrated forces. This would diminish unit interoperability at Brigade and Divisional levels.

The purpose of the ADF is to provide security from attack or the threat of attack. It follows that investment must be driven by producing and enhancing essential military capabilities. It is critical that Rockhampton and its regional partners develop the case for a permanent defence presence on the confluence between Australia's strategic defence objectives, fiscal and logistic efficacy and regional development benefits.

Based on these criteria, the relocation of Army Corp training schools from constrained southern locations distant to the units they serve provides the best opportunity to develop Rockhampton region's role in the defence of the nation. Based on the attributes of the SWBTA, the greatest enhancement in capability and financial and logistic efficacy could be derived from the relocation and colocation of any or all of the following:

- School of Armour (Puckapunyal);
- School of Artillery (Puckapunyal);
- School of Transport (Puckapunyal);
- School of Infantry (Singleton).

Council is taking both an immediate and strategic approach in pursuit of defence opportunities. In the short-term, Council will appoint an industry champion and work with the ADF and SAF to:

1. Reinforce and build Rockhampton's role and capacity as a logistics and forward deployment base for SWBTA;
2. Work with the ADF, State and Commonwealth Government agencies and business to maximise the supply chain benefits from the impending upgrade to SWBTA's infrastructure and facilities;
3. Identify on-going supply chain gaps and opportunities and work with defence prime contractors and local business to meet these needs;
4. Develop a military aviation precinct at the Rockhampton Airport;
5. Transition and link high level METS businesses in the region to provide services to the defence industry.

Strategically, Council will investigate a regional partnership with the Queensland Government to develop the business case for the establishment of Military Schools within the Rockhampton region.

Smart Regional Centre

Rockhampton's journey to being a smart regional centre commenced with the launch of the *Smart Way Forward* strategy.

This strategy builds on Rockhampton's strengths to make industries competitive and the region more attractive for residents, tourists and the region's youth.

The *Smart Way Forward* strategy has a focus on Rockhampton's economy, built and natural environments. It is a whole of Council process designed to achieve the vision of "One Great Region". Implementation is managed at the executive level to ensure integration and coordination.

The economic objectives of *Smart Way Forward* are simple: support local businesses and boost jobs. These objectives are being achieved by:

- Providing support for start-up businesses;
- Reducing the cost of reliable broadband;
- Providing access to data to help entrepreneurs make better business decisions;
- Encouraging students to develop an interest in the skills that businesses need;
- Providing information about innovation relevant to industry;
- Encouraging visitors to spend more in the economy;
- Marketing the region domestically and internationally.

These objectives are being delivered through the following key economic development actions:

1. Establishing a *Smart Hub* on the riverfront in Quay Street;
2. Providing low cost space for education providers to enable *Smart Hub* clients to be digitally ready;
3. Working with business and peak bodies to provide a stream of real-world problems to *Smart Hub* clients;
4. Establishing mechanisms to trial *Smart Hub* innovations;
5. Leveraging Council's scale to bring affordable, reliable internet connectivity to our region;
6. Establishing, in partnership with community stakeholders, a competition for students to gain an interest in the skills of tomorrow;
7. Establishing a *Rockhampton Smart Regional Centre* brand to disseminate information and promote innovation;
8. Installing smart billboards promoting local attractions and what's on in the region;
9. Creating a mobile application to promote the *Visit Rockhampton Region* brand internationally.

CBD Development

Rockhampton CBD will be the economic and cultural heart of the region: a dynamic place that is thriving, connected and memorable.

This is the vision for the transformation of Rockhampton's CBD.

Rockhampton Regional Council recognises that a vibrant, strong and prosperous CBD is critical for the long-term success of the city and the region that it serves. With this in mind, Council is embarking on a signature project to lead the transformation of the CBD through a comprehensive Rockhampton CBD Redevelopment Framework.

The Rockhampton CBD Redevelopment Framework takes a holistic approach to CBD development incorporating Economic Development, Public Realm, Built Form, Social and Cultural and Access and Transport strategies and initiatives to make the CBD a better place to live, work, shop, play and stay.

Economic Development strategies and initiatives are centred on the objective of creating a prosperous and interesting place to shop, play, do business, visit and invest. This will be achieved through the following strategies and actions:

Business + Investment Ready

- Investment Attraction Team: focussed on investment and business attraction;
- Development Incentives Program: Incentivise desired CBD developments through the provision of incentives;
- Retail development analysis: Retail market analysis to identify opportunities for retail attraction;
- Renew Rockhampton Program: finding short term creative uses for vacant CBD buildings;
- Strategic Project development: Develop and implement a strategy for CBD catalytic public investment;
- Review and re-align the CBD road hierarchy, including entry points.
- Investigate demand and develop new public transport and public parking infrastructure.

Active And Vibrant Streets + Laneways

- Eat Street Promotion: Develop Quay Street as Rockhampton's Eat Street destination;
- Street Frontage Activation: encourage street frontage activation through co-investment and promotion of footpath dining;
- CBD Events: permit and promote a program of evening events to activate the nights;
- Laneway Activation: in partnership with traders, develop and implement a Laneway Activation Pilot.
- Streetscaping redevelopment of priority roads and corridors to provide a greener, cooler and more sustainable place.

A Place to Live For All

- Residential Diversity: partner with private developers, Economic Development Queensland, Central Queensland University and not-for-profit housing providers to establish a mix of residential housing types within the CBD.

Supporting Creativity + Innovation

- Smart Hub: implement and develop the Smart Hub on Quay Street;
- CBD Tertiary Education Campus: work with Central Queensland University and other higher education providers to establish tertiary education operations within the CBD;
- Free Wi-Fi: provide free Wi-Fi to outdoor locations within the CBD;
- iBeacons: install iBeacons within the CBD Core to allow Council, retailers and businesses to develop and use promotion and information applications.
- Create places in the CBD that transform it into an arts and cultural destination of national significance.

Tourism and Events – Destination Rockhampton

The Rockhampton Region is a destination for a variety of reasons. Key markets for the region include:

- **Health, education and retail:** Rockhampton is a regional centre providing health, education and retail services to central and outback Queensland.
- **Military:** the City is a logistics and forward deployment base for Shoalwater Bay Training Area based exercises, with both foreign and domestic service people visiting the region.
- **Visiting friends and relatives:** with a population exceeding 80,000, many people visit Rockhampton to be with friends and relatives. Visits to friends and relatives normally include leisure activities with the benefits to the economy that this provides.
- **Leisure/Holiday:** the Rockhampton Region offers a rich and diverse range of natural, cultural and adventure experiences.
- **Business:** people travelling to Rockhampton to provide business services and attend meetings, conferences and exhibitions.
- **Traveling public:** Rockhampton is midway in the journey from the south to the north of the State. The City provides a convenient place to stop and rest for the travelling public and is a popular stop for “Grey Nomads”.
- **Major events:** Rockhampton hosts a range of community and commercial events. These events build on the natural strengths and unique attributes of the Region, celebrating its history, creativity, industry and role as the capital of Central Queensland.

Rockhampton Regional Council collaborates with Capricorn Enterprise in the marketing and promotion of Capricorn Region Tourism.

Rockhampton Regional Council has a direct operational interest in tourism through its ownership and operation of Rockhampton Airport and major attractions including the Rockhampton Zoo and Botanic Gardens, Regional Art Gallery and Heritage Village. Council also has an interest in the operation of Archer Park and Mount Morgan Rail museums and a substantial investment in signature events including Rockhampton River Festival, Wholly Cow Month and the Secret Sunday series of events.

Contributing nearly 2,100 full time equivalent jobs to the region, tourism plays an important part in Rockhampton's economy and development. As both the cultural and economic impacts of the sector increase, Council is playing a greater role in tourism planning, infrastructure provision, marketing and promotion, and major events attraction and promotion. Key tourism actions include:

- Deliver tourism and events under the auspice of “Destination Rockhampton”;
- Appoint a Tourism Officer with responsibility for tourism planning, development, marketing and promotion;
- Develop a Rockhampton Tourism and Events Strategy;
- Work with the airlines to increase seat capacity and routes;
- Progressively implement the Mount Archer Activation Master Plan;
- Progressively implement the Rockhampton Recreational Fishing Development Strategy;
- Investigate opportunities to improve infrastructure and amenities for motorhomes and recreational vehicles;
- Provide improved roadside signage and visitor information on the entrance to Rockhampton and Mount Morgan.

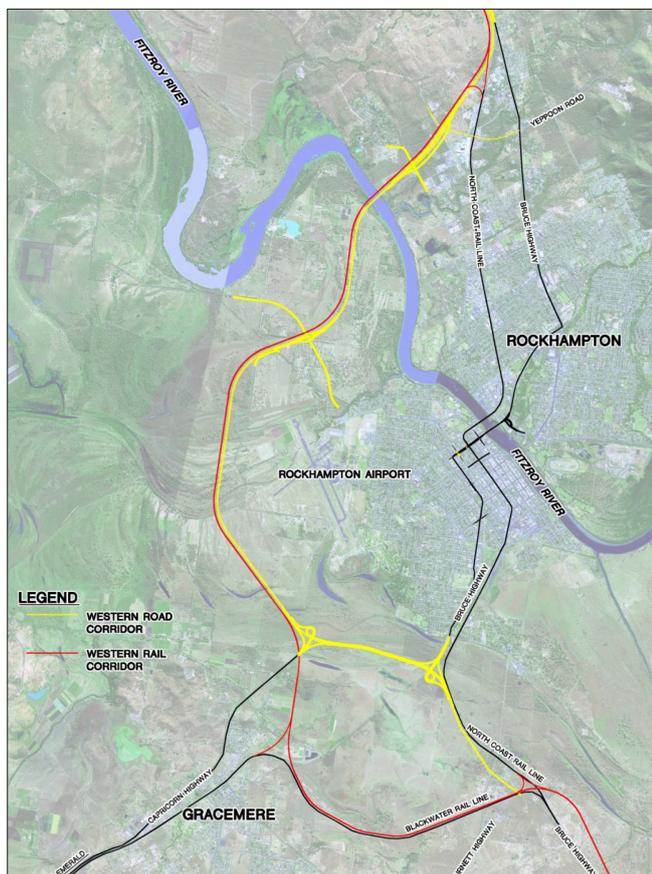
Transport and Logistics

Rockhampton is the nexus linking Central Queensland's goods and services to the nation and beyond.

In today's globalised economies, efficient and integrated transport and logistics systems are drivers of competitiveness and economic development. For Rockhampton to realise its economic potential, we must redevelop inefficient transport routes, improve national and international linkages and develop contemporary logistics facilities.

To achieve these, Rockhampton must address three critical challenges:

1. City road and rail bypass;
2. Development of regional integrated logistics and industry hub;
3. Airport planning and investment connecting people with the region and goods freight to consumers.



While the private sector will provide most of the investment needed, the State and Federal Government must prioritise and fund upgrades and improvements to critical transport infrastructure to create the networks and environment needed to mitigate risk and facilitate investment. Rockhampton Regional Council will work to ensure that critical investment is appropriately prioritised to remove constraints to investment and facilitate long awaited social benefits.

To provide the transport and logistics systems the region needs, Rockhampton Regional Council will:

- Appoint an Industry Champion to identify industry impediments, needs and opportunities and advocate for the investment needed;
- Lobby the State and Federal Governments to bring forward the full construction of the Western Road and Rail Corridor;
- Plan for and promote the development of the Gracemere Industrial Area to as a fully integrated regional logistics and industry hub;
- Deliver the Rockhampton Airport Master Plan;
- Work with the Airlines to develop new routes and seat capacity;
- Examine the opportunity for dedicated air freight facilities and national and international freight connections;
- Set aside airport strategic lands for future defence air and ground logistic purposes.

International Relations and Trade

With the Rockhampton Region at its eastern boundary, the north of Australia is seen as the future of the nation.

It covers more than 40 per cent of Australia's land mass and contains up to 17 million hectares of arable soil, around 60 per cent of the nation's water and 90 per cent of Australia's gas reserves.

By 2050, an extra three billion people across Asia will have living standards similar to those in Australia today. These people increasingly demand quality food, reliable energy and minerals supply, world's best education opportunities and premium travel experiences.

Rockhampton and Central Queensland has competitive advantages, opportunities and existing capacity in each of these areas. Relationships built on friendship, trust and mutual benefit are the cornerstone to building a solid reputation and attracting investment and trade.

The Australia Government has enacted free trade agreements with China, Singapore, Japan and Korea. These agreements arouse and focus interest, with new trade opportunities resulting. With competition strong however, Rockhampton can't rely on these agreements alone and that is why Council is taking a strategic and focused approach to international engagement, proactively building awareness and seeking opportunities for the region.

Rockhampton has longstanding relationships with Singapore and our Japan Sister City – Ibusuki, on which to build our ties to Asia. With China's economy growing from 2 to 13 percent of the global economy in the last 20 years, opportunities abound to build trade and investment partnerships with Southern China. Council will also foster relations with South Korea with a focus on tourism and education.

Working in partnership with Austrade, Trade and Invest Queensland, Rockhampton Regional Council will develop international markets and attract investment by:

- Appointing an Industry Champion to lead Rockhampton's development as an international trade and investment destination;
- Providing a key point of contact for international investment and trade opportunities;
- Leading a Mayoral Business Delegation to Singapore and China;
- Entering into a Friendship City Agreement with Zhenjiang China;
- Promoting and hosting international government and trade delegations;
- Examining opportunities to promote trade and investment with South Korea;
- Developing an international economic and investment prospectus in Mandarin, Korean and Japanese for use by partners and stakeholders.

Implementation

Rockhampton Regional Council is united in its vision to advance Rockhampton and will be accountable on the things that it controls.

This Action Plan outlines what Council will do to generate economic activity within the region. It identifies 10 broad areas for growth and the actions required to achieve against all of them.

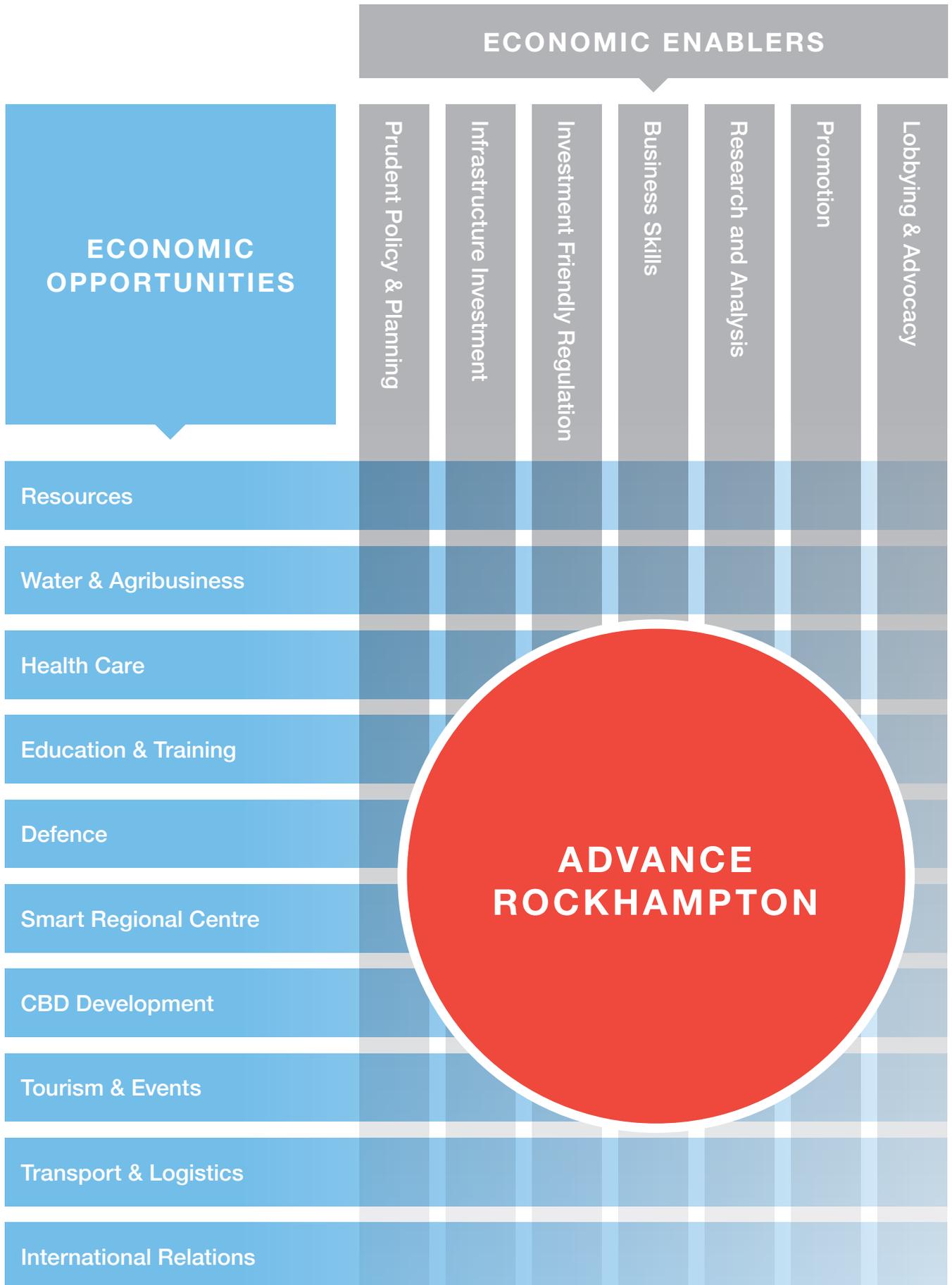
The intent is to provide a framework of action to be pursued through a partnership with the Rockhampton Business Community and Government. This partnership will be enacted through the foundation of the Mayor's Economic Development Advisory Committee – Advance Rockhampton, made up of local Industry Champions representing:

- The Resources Sector;
- Water and Agribusiness;

- Defence;
- The Smart Economy;
- The Development Industry;
- Tourism and Events;
- Transport and Logistics;
- International Relations and Trade;
- Central Queensland University;
- Central Queensland Health and Hospital Service.

Meeting quarterly and chaired by the Mayor, the Mayor's Economic Development Advisory Committee – Advance Rockhampton will monitor progress, and provide operational guidance and assistance in implementing this Action Plan. The Mayor's Economic Development Advisory Committee will report annually to the full Council in May.







empower

ECONOMICS

11.5 DISPOSAL OF COUNCIL PROPERTY TO ADJOINING OWNER - PART OF LOT 4 ON SP197254 (SPRINGFIELD DRIVE)

File No:	1680
Attachments:	1. Request from Vision Surveys 2. Aerial Map
Authorising Officer:	Drew Stevenson - Manager Corporate and Technology Services Ross Cheesman - Deputy Chief Executive Officer
Author:	Kellie Anderson - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on a request to dispose of part of Lot 4 on SP197254, 788 Norman Road (Springfield Drive).

OFFICER'S RECOMMENDATION

THAT Council authorises:

1. The Chief Executive Officer (Coordinator Property & Insurance) to negotiate and enter into an agreement to dispose of part of Lot 4 on SP197254 (approximately 224m²) to Bushflower Pty Ltd, registered owner of the adjoining property at Lot 102 on SP252937, in accordance with the *Local Government Regulation 2012, Section 236(1)(c)(iv)*, subject to the following conditions:
 - a) The sale price will be determined by an independent valuation report;
 - b) The portion of land disposed is to be dedicated as Road Reserve;
 - c) The land disposal will be subject to the approval of the Request to Change D/252-2011; and
 - d) All costs incurred will be paid by the purchaser including but not limited to the valuation report, stamp duty, survey costs, legal costs and registration fees (if applicable).
2. The Chief Executive Officer to sign Owner's Consent (if applicable).

BACKGROUND

Vision Surveys, the consultant who is acting on behalf of Bushflower Pty Ltd, wrote to Council on 21 June 2017 with a request to purchase approximately 224m² of Council land located at Lot 4 on SP197254 (refer Attachment 1).

The developer's reasoning for the request to purchase is they intend opening this portion of Council land as road reserve, which is linked to an existing Development Permit for a Reconfiguration of a Lot (D/252-2011).

A Request to Change D/252-2011 has been submitted to Council which will alter the development layout and also will open this portion of Council land as road (refer Attachment 2). The Request to Change removes the roundabout on Nagle Drive and changes access to the proposed lots from Springfield Drive, necessitating the additional land for road reserve.

If approved by Council, the disposal would not occur until such time as the Request to Change for D/252-2011 has been approved. If the Request to Change is not approved, then this portion of Lot 4 on SP197254 will not be disposed of to Bushflower Pty Ltd.

LEGISLATIVE CONTEXT

Section 236 of the Local Government Regulation 2012 must be adhered to when disposing of a valuable non-current asset (land).

Section 236(1)(c)(iv) states that:

“236 Exceptions for valuable non-current asset contracts”

“(1) Subject to subsections (2) to (4), a local government may dispose of a valuable non-current asset other than by tender or auction if—

(c) for the disposal of land or an interest in land—

(iv) the land is disposed of to a person who owns adjoining land if—

(A) the land is not suitable to be offered for disposal by tender or auction for a particular reason, including, for example, the size of the land or the existence of particular infrastructure on the land; and

(B) there is not another person who owns other adjoining land who wishes to acquire the land; and

(C) it is in the public interest to dispose of the land without a tender or auction; and

(D) the disposal is otherwise in accordance with sound contracting principles;”

“(2) An exception mentioned in subsection (1)(a) to (e) applies to a local government disposing of a valuable non-current asset only if, before the disposal, the local government has decided, by resolution, that the exception may apply to the local government on the disposal of a valuable non-current asset other than by tender or auction.”

“(3) A local government may only dispose of land or an interest in land under this section if the consideration for the disposal would be equal to, or more than, the market value of the land or the interest in land, including the market value of any improvements on the land.”

“(4) However, subsection (3) does not apply if the land or interest in land is disposed of under subsection (1)(b), (1)(c)(ii) or (1)(f).”

CONCLUSION

It is recommended that Council proceed with the disposal of approximately 224m² of Lot 4 on SP197254.

**DISPOSAL OF COUNCIL PROPERTY
TO ADJOINING OWNER - PART OF
LOT 4 ON SP197254
(SPRINGFIELD DRIVE)**

Request from Vision Surveys

Meeting Date: 11 July 2017

Attachment No: 1



Surveying | Town Planning | Urban Design

Date: 21 Jun. 17
Our Ref: 17110
Contact: Marcus Fossey

Attn: Kellie Anderson
Rockhampton Regional Council
PO BOX 1860
Rockhampton QLD 4700

Via Email: enquiries@rrc.qld.gov.au

Dear Kellie,

RE: Request to Purchase Council Land and Open Road – Lot 4 on SP197254, Springfield Drive, Norman Gardens

Vision Surveys (QLD) Pty Ltd [VSQ] act on behalf Bushflower Property Pty Ltd (the applicant), in formally request the purchase of Council's land zoned Open Space along Springfield Drive, Norman Gardens in accordance with Image 1 and Image 2 of this letter.

It is acknowledged that the current owners of this land is Rockhampton Regional Council Trustee Under Instrument 710185013.

The portion of land is measured to be 224m² subject to final survey measurements. Furthermore, the land is proposed to become a future road to for an existing Development Permit for a Reconfiguration of a Lot (RRC Ref: D/252-2011).

Currently, a Request to Change has been submitted to Council which will alter the layout and open this land as New Road.

It is acknowledged the applicant's will incur survey costs and purchase costs etc associated with the purchase of land.

Please consider this correspondence as a **formal request to purchase the land at market value**, subject to a valuation.

It is acknowledged that the assessment of the Request to Change will be assessed for other matters relating to the conditions of approval during the course of this process. It has been advised that Council Planning and Engineering officers can support the New Road location to Springfield Drive.

We have attached the following for your information:

- Smart Map
- D/252-2011 Decision Notice and Approved Plans
- Vision Surveys new Proposal Plan 17110-MP-01 Rev 0C
- Survey Plan: SP197254
- Property Report
- Title Search (dated: 13/11/2014)

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Townsville	Airlie Beach	Mackay	Rockhampton	Brisbane	Gold Coast
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Image 1: Sketch Plan
Source: Vision Surveys

Diagram A

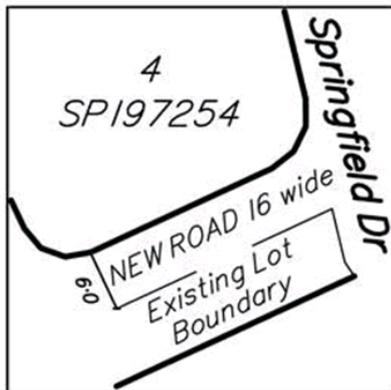


Image 2: Proposal Plan Extract
Source: Vision Surveys

If you have any queries please do not hesitate to contact me on (07) 4927 1744.

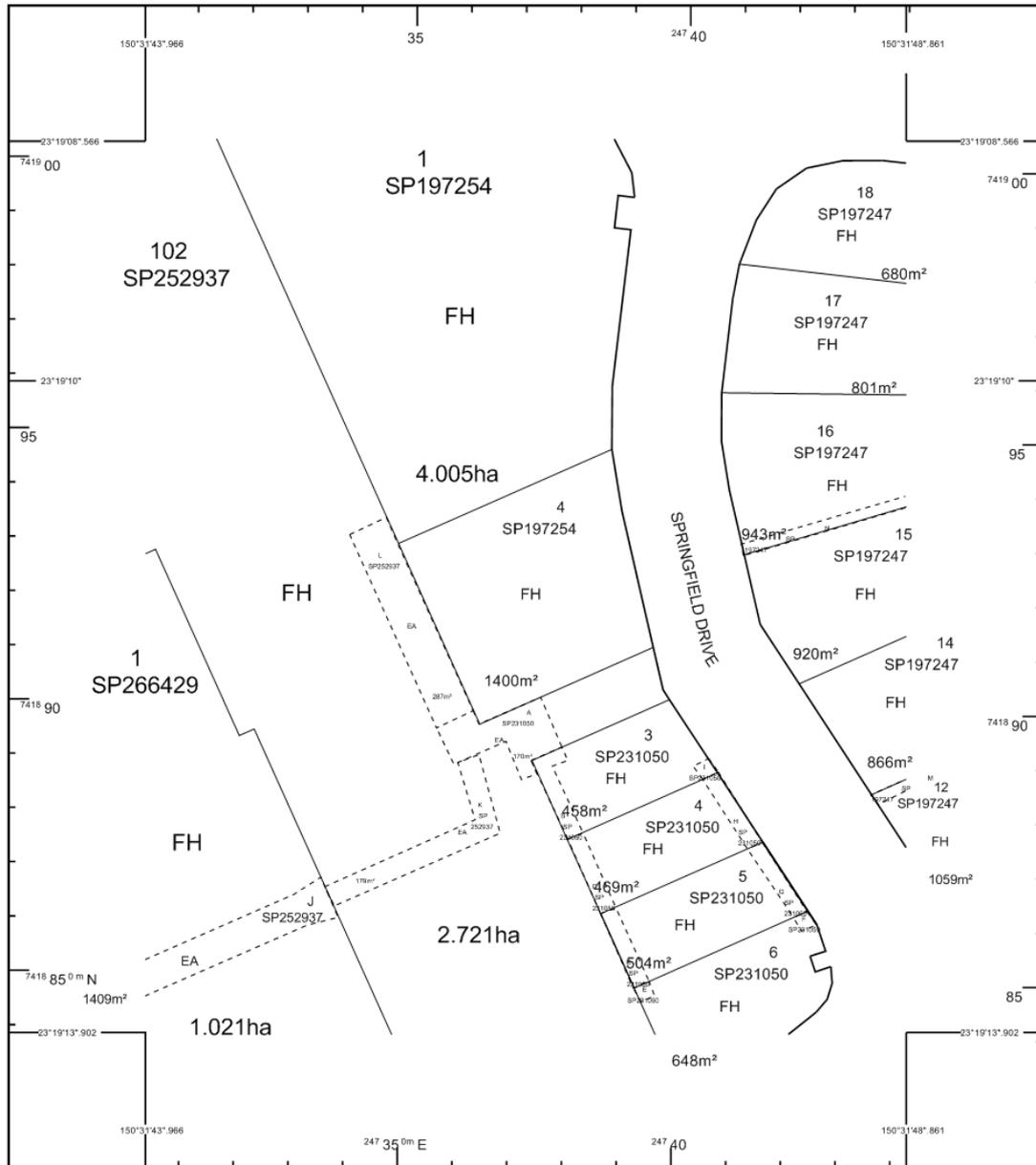
Yours faithfully,

Marcus Fossey
Town Planner
Vision Surveys (QLD) Pty Ltd
Office: 07 4927 1744
Mobile: 0478 183 573

Cc Mr David Hodson & Mr Mark Hodson, Bushflower Property, via email

Attached:

Smart Map
D/252-2011 Decision Notice and Approved Plans
Vision Surveys new Proposal Plan 17110-MP-01 Rev 0C
Survey Plan: SP197254
Property Report
Title Search (dated: 13/11/2014)



STANDARD MAP NUMBER
9051-34341



SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base

MAP WINDOW POSITION &
NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB	4/SP197254
Lot/Plan	1400m ²
Area/Volume	FREEHOLD
Tenure	ROCKHAMPTON REGIONAL
Local Government	NORMAN GARDENS
Locality	62758/227
Segment/Parcel	

CLIENT SERVICE STANDARDS

PRINTED: (ddmm/yyyy) 21/06/2017
DCDB 20/06/2017

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

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(c) The State of Queensland,
(Department of Natural
Resources and Mines) 2017.



Decision Notice Approval (amended)

SUSTAINABLE PLANNING ACT 2009, SECTION 376

Application number:	D/252-2011	Contact:	Rebecca de Vries
Date of Decision:	23 March 2012	Contact Number:	1300 22 55 77

1. APPLICANT DETAILS

Name:	Croakybill Limited C/- Flinders Group Pty Ltd		
Postal address:	PO Box 248 ROCKHAMPTON QUEENSLAND 4700		
Phone no:	(07) 4921 0847	Mobile no:	Fax: (07) 4921 2040

2. PROPERTY DESCRIPTION

Street address:	Lot 3A Nagle Drive, Norman Gardens
Real property description:	Lot 101 on SP252937 and Lot 102 on SP252937 (formerly Lot 2 on SP231050), Parish of Murchison

3. OWNER DETAILS

Name:	Croakybill Limited
Postal address:	PO Box 577, Hamilton Queensland 4007

4. DEVELOPMENT APPROVAL

Development Permit for Reconfiguring a Lot for (one lot into thirty-six lots)

5. APPLICATION TYPE

	Development Permit	Preliminary Approval
• Reconfiguring a lot	YES	NO

6. THE RELEVANT PERIOD

The standard relevant periods stated in section 367 of *Sustainable Planning Act 2009* apply to each aspect of development in this approval, if not stated in the conditions of approval attached.

7. THE APPROVED PLANS

The approved development must be completed and maintained generally in accordance with the approved drawings and documents:

Plan/Document Name	Plan Number	Dated
Proposed Subdivision: Plan of Stage 1	3742-Prop Amendment Q – Sheet 1 of 2	10 October 2011
Proposed Staging: Plan of Stage 2A, 2B and 2C	3742-Prop Amendment R – Sheet 1 of 1	16 October 2013

Plan/Document Name	Plan Number	Dated
Future Landscape Opportunities of Estate	110901.20	Undated
Landscape Master Plan	110901.00	Undated
Acoustic Report Recommendations (page 15)	2011039 R04 Norman Road, Norman Gardens RTN ENV.	10 August 2011
Stormwater Drainage Layout Plan	11-018-DA Sheet 10 of 15	Undated
Sewerage Reticulation layout Plan	11-018-DA Sheet 11 of 15	Undated

8. FURTHER DEVELOPMENT PERMITS REQUIRED

<i>Type of development permit required</i>	<i>Subject of the required development permit</i>
Operational Works	<i>Road Works</i> <i>Access Works</i> <i>Sewerage Works</i> <i>Water Works</i> <i>Stormwater Works</i> <i>Inter-allotment Drainage</i> <i>Site Works</i> <i>Landscaping Works</i>

9. SUPERSEDED PLANNING SCHEME NO**10. CHANGES TO CONDITIONS**

The conditions which have been changed or cancelled are as follows:

1)	Condition 1.9	changed	5 November 2013
2)	Condition 2.1	changed	5 November 2013
3)	Condition 3.1	changed	5 November 2013
4)	Condition 4.1	changed	5 November 2013
5)	Condition 4.5	changed	5 November 2013
6)	Condition 4.6	changed	5 November 2013
7)	Condition 5.1	changed	5 November 2013
8)	Condition 6.4.3	changed	5 November 2013
9)	Condition 6.5	changed	5 November 2013
10)	Condition 8.1	changed	5 November 2013
11)	Condition 9.1	changed	5 November 2013
12)	Condition 10.1	changed	5 November 2013
13)	Condition 10.4	changed	5 November 2013
14)	Condition 11.1	changed	5 November 2013
15)	Condition 12.1	changed	5 November 2013
16)	Section 7 Decision Notice	changed	5 November 2013

11. REFERRAL AGENCIES NIL

12. RIGHTS OF APPEAL

Rights of appeal in relation to this application are attached.

13. WHEN THE DEVELOPMENT APPROVAL TAKES EFFECT

This development approval takes effect:

- From the time the decision notice is given – if there is no submitter and the applicant does not appeal the decision to the court.

Or

- When the submitter's appeal period ends – if there is a submitter and the applicant does not appeal the decision to the court.

Or

- Subject to the decision of the court, when the appeal is finally decided – if an appeal is made to the court.

14. ASSESSMENT MANAGER

Name: Brett Bacon STRATEGIC MANAGER LAND USE	Signature: 	Date: 27 March 2012
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Rockhampton Regional Council Conditions

SUSTAINABLE PLANNING ACT 2009, SECTION 376

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 All 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.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
 - (ii) Access Works
 - (iii) Sewerage Works;
 - (iv) Water Works;
 - (v) Stormwater Works;
 - (vi) Inter-allotment Drainage;
 - (vii) Site Works; and
 - (viii) Landscaping Works.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 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.
- 1.9 The two 'Open Space' lots and 'Detention Basin and Bio-Filter' lot which are not identified as any number on the plan titled '*Proposed Staging: Plan of Stage 2A, 2B and 2C*' and identified by plan number *3742-Staging Prop; Amendment R; Sheet 1 of 1* must be amalgamated with Lot 1 on SP197254 and registered as one title prior to the issue of the Compliance Certificate for the Survey Plan for the respective stages, being Stage 2B and Stage 2C.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/ Reference</u>	<u>Dated</u>
Proposed Subdivision: Plan of Stage 1	3742-Prop Amendment Q – Sheet 1 of 2	10 October 2011
Proposed Staging: Plan of Stage 2A, 2B and 2C	3742-Prop Amendment R – Sheet 1 of 1	16 October 2013
Future Landscape Opportunities of Estate	110901.20	Undated
Landscape Master Plan	110901.00	Undated
Acoustic Report Recommendations (page 15)	2011039 R04 Norman Road, Norman Gardens RTN ENV.	10 August 2011
Stormwater Drainage Layout Plan	11-018-DA Sheet 10 of 15	Undated
Sewerage Reticulation layout Plan	11-018-DA Sheet 11 of 15	Undated

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Operational Works.
- 3.0 STAGED DEVELOPMENT
- 3.1 This approval is for a development to be undertaken in two (2) discrete stages, namely:
- 3.1.1 Lot 101 to Lot 102 (Stage 1);
- 3.1.2 Lot 8 to Lot 16, Lot 26 to Lot 28 and Lot 38 to Lot 39 (Stage 2A);
- 3.1.3 Lot 22 to Lot 25, Lot 29 to Lot 37 and Lot 40 to Lot 41 (Stage 2B); and
- 3.1.4 Lot 17 to Lot 21 (Stage 2C).
- in accordance with the approved plans (refer to condition 2.1).
- 3.2 The stages are required to be undertaken in chronological order.
- 3.3 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- 4.0 ROAD WORKS
- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any roadworks in Stage 2A, Stage 2B or Stage 2C.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 A concrete pathway must be constructed for the full length of the proposed road and open space pedestrian links within the subject allotment and constructed typically in

accordance with the plan titled *Future Landscape Opportunities of Estate* and reference number 110901.20 (refer to condition 2.1).

- 4.4 The construction of any new intersection to facilitate the subject development must allow unimpeded access to all existing dwellings along Nagle Drive and the lots on the south-eastern side of the proposed access road.
- 4.5 The intersection of Norman Road and Nagle Drive must be upgraded to a suitably configured signalised standard, prior to the issue of the Compliance Certificate for the Survey Plan for Stage 2A. The intersection must be constructed in accordance with the following:
- 4.5.1 The signalised intersection must comply with the 'Road Planning and Design Manual', and the 'Guide to Traffic Engineering Practice'. The 'Road Planning and Design Manual' must take precedence if there is any inconsistency between the two publications.
- 4.5.2 The configuration of the signalised intersection must provide for all traffic movements at the ten year post-completion of development design horizon such that a minimum level of service of 'C' is provided for the intersection.
- 4.5.3 The configuration of the signalised intersection must include, without limitation:
- (i) pedestrian movement phases across the southern leg of Norman Road, and across Nagle Drive;
 - (ii) on-road bicycle lanes, a minimum width of two (2) metres, in both directions (carriageways) on Norman Road;
 - (iii) a centrally-located, raised, reinforced concrete median, with a width of five (5) metres, in Norman Road, except where a protected right-turn lane is provided, in which case the width of the median must be reduced to a minimum residual width of two (2) metres in order to provide for a three (3) metres wide protected right-turn lane;
 - (iv) two (2) exclusive through movement lanes in Norman Road on the northbound approach to the intersection of Nagle Drive and Norman Road. The minimum length of each of these lanes must be 130 metres, excluding any required diverge taper. The minimum length of these lanes in Norman Road on the departure side of the intersection must be 150 metres. The minimum width of these lanes must be 3.5 metres;
 - (v) one (1) exclusive protected right-turn lane from Norman Road into Nagle Drive. The minimum width of this lane must be three (3) metres, and the minimum length of this lane must be 100 metres, excluding the required diverge taper length. The right-turn lane must not reduce the capacity of the through movement lanes on Norman Road;
 - (vi) one (1) exclusive through movement lane in Norman Road on the southbound approach to the intersection of Nagle Drive and Norman Road which continues through the intersection. The minimum width of this lane must be 3.5 metres;
 - (vii) one (1) shared through/left-turn movement lane in Norman Road on the southbound approach to the intersection of Nagle Drive and Norman Road. The minimum length of this lane must be 150 metres, excluding the required diverge taper length. The minimum length of this lane in Norman Road on the departure side of the intersection must be 150 metres. The minimum width of this lane must be 3.5 metres;
 - (viii) one (1) exclusive left turn lane in Nagle Drive on the approach to the intersection of Nagle Drive and Norman Road. The minimum width of this lane must be 3.5 metres;

- (ix) one (1) exclusive protected right-turn lane from Nagle Drive into Norman Road. The minimum width of this lane must be three (3) metres, and the minimum length of this lane must be thirty-five (35) metres, excluding the required diverge taper length; and
 - (x) a centrally-located, raised, reinforced concrete median, with a width of five (5) metres, in Nagle Drive, except where a protected right-turn lane is provided, in which case the width of the median must be reduced to a minimum residual width of two (2) metres in order to provide for a three (3) metres wide protected right-turn lane.
- 4.5.4 Category V3 road lighting must be provided in accordance with Australian and New Zealand Standard AS/NZS1158, and extended as necessary to comply with all other specified requirements in the Australian Standard AS1158 suite of standards.
- 4.5.5 The geometric design of all through-road elements on Norman Road must be based on a minimum design speed of sixty (60) kilometres per hour.
- 4.5.6 Road signage and pavement markings must be installed in accordance with the Manual of Uniform Traffic Control Devices.
- 4.6 The Developer may as an alternative to the requirement of condition 4.5 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:
- 4.6.1 the Developer must construct road infrastructure necessary to service the development and connectivity to existing road network systems; and
 - 4.6.2 the agreed cost of road headworks infrastructure constructed and provided by the Developer must be credited against headworks contributions 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 (Stage 2A only).
- 5.0 ACCESS WORKS
- 5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site in Stage 2A.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access works).
- 5.3 All vehicular access to all proposed lots must be via the proposed new road or Nagle Drive only. Direct vehicular access from Norman Road is prohibited, unless otherwise approved by Council.
- 5.4 A new access must be constructed for proposed Lot 8.
- 6.0 SEWERAGE WORKS
- 6.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 6.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).

- 6.3 Sewerage layout and sizing must be consistent with the findings of a completed Sewerage Network Analysis report to be provided by Fitzroy River Water.
- 6.4 The proposed development must be connected to Council's reticulated sewerage network.
- 6.4.1 Each of the proposed lots must be provided with its own separate sewer connection point, located wholly within its respective property boundaries.
- 6.4.2 Installation of gravity sewer mains and manholes must discharge to the existing sewer manhole located within Lot 2 on SP231050 in accordance with the approved plans (refer to condition 2.1) and the conditions of approval.
- 6.4.3 Proposed Lots 8 to 11 must as part of the operational works in Stage 2A, be serviced via a gravity connection to the Council's reticulated sewerage network.
- 6.5 The sewer main within proposed Lot 12 must be re-aligned from the existing sewerage access chamber located within the centre of the northern boundary of proposed Lot 12 and redirected to a standard alignment along the northern boundary and following along the western boundary in accordance with *Capricorn Municipal Development Guidelines* as part of the operational works in Stage 2A. The section of redundant sewerage infrastructure must be removed from proposed Lot 12.
- 6.6 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*.
- 6.7 Should any sewerage access chambers be located within a trafficable area, the access chamber must be raised or lowered to suit the finished surface level. The finished access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty cast iron cover must be provided in the trafficable area.
- 6.8 All sanitary drainage works must be completed in accordance with regulated work under the *Plumbing and Drainage Act*.
- 7.0 WATER WORKS
- 7.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 7.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 7.3 The proposed development must be connected to Council's reticulated water supply network. Each of the proposed Lots must be provided with its own separate water connection point, located wholly within its respective property boundaries.
- 8.0 STORMWATER WORKS
- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any works in Stage 2A, 2B or 2C.
- 8.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.

- 8.4 Any application for a Development Permit for Operational Works (stormwater works) must include an assessment of how the development meets the water quality objectives of the *State Planning Policy 4/10 – Healthy Waters*.
- 8.5 The proposed development must achieve no increase in peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 8.6 Easements must be provided over any other land required to accommodate the flows associated with the subject development.
- 8.7 Each allotment must be designed so as to be flood free in a one in one hundred year flood event (100 year Average Recurrence Interval).
- 8.8 Easements must be provided over all land assessed to be below the one in one hundred year flood event (100 year Average Recurrence Interval) inundation area.
- 9.0 INTER-ALLOTMENT DRAINAGE WORKS
- 9.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any works in Stage 2A, 2B or 2C.
- 9.2 All inter-allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 9.3 All inter-allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.
- 9.4 Inter-allotment drainage systems and overland flow paths must be wholly contained within a Council easement, with a minimum width of three (3) metres.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any works on the site in Stage 2A, 2B or 2C.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- (i) the location of cut and/or fill;
 - (ii) the type of fill to be used and the manner in which it is to be compacted;
 - (iii) the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - (iv) details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - (v) 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.
- 10.3 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.
- 10.4 The Developer may as an alternative to the requirement to pay contributions in accordance with Planning Scheme Policy 5 – Open Space Infrastructure Contributions, enter into an Infrastructure Agreement with Council, which specifies the development obligations relating to infrastructure for future development. The Infrastructure Agreement must incorporate (but not be limited to) the following principles:

- 10.4.1 the Developer must undertake earthworks over Lots 1, 2 and 4 on SP197254 for the purposes of parkland in accordance with the approved plan titled *Landscape Master Plan* (refer to condition 2.1) as part of Stage 2A; and
- 10.4.2 construct the three proposed pedestrian bridges between the development site and Lot 1 on SP197254 as identified on the plan titled *Landscape Master Plan* (refer to condition 2.1) as part of Stage 2A;
- 10.4.3 the agreed cost of open space infrastructure constructed and provided by the Developer as part of Stage 2A must be credited against open space headworks contributions 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.

11.0 BUILDING WORKS

- 11.1 Fencing must be provided as part of Stage 2B in accordance with the Acoustic Report in accordance with the approved plans (refer to condition 2.1). A 1.8 metre high acoustic fence must be constructed along part of the western boundary abutting Lots 40 and 41 and a 2.4 metre high acoustic fence must be constructed along the southern boundary of Lot 41 and along the northern-most boundary of Lot 101, unless otherwise approved by Council.
- 11.2 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*'.

12.0 LANDSCAPING WORKS

- 12.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any works on site in Stage 2A, 2B or 2C.
- 12.2 Any application for a Development Permit for Operational Works (landscaping works) within the subject allotment must be in accordance with plan titled *Future Landscape Opportunities of Estate* and reference number 110901.20 (refer to condition 2.1). The landscape plan must include, but is not limited to, the following:
 - 12.2.1 A "Planting Plan" and supporting documentation which includes:
 - (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (i.e. paving, fences, garden bed edging etc). All plants shall be located within an edged garden; and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 12.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 12.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
 - 12.4.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
 - 12.4.2 adversely affect any road lighting or public space lighting; or
 - 12.4.3 adversely affect any Council infrastructure, or public utility plant.
- 12.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

12.6 The Developer may as an alternative to the payment of contributions in accordance with the Adopted Infrastructure Charges Notice, 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:

- (i) the developer must construct pathways to service the development and connectivity to existing open space network systems; and
- (ii) the agreed cost of works constructed and provided by the developer must be credited against contributions 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.

13.0 ELECTRICITY AND TELECOMMUNICATIONS

13.1 Provide underground electricity and telecommunication connections to the proposed development to the requirements of the relevant authorities.

13.2 Evidence must be provided of a non-refundable contract 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.

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

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 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.

15.0 ENVIRONMENTAL

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

- (i) water quality and drainage;
- (ii) erosion and silt/sedimentation management;
- (iii) acid sulphate soils;
- (iv) fauna management;
- (v) vegetation management and clearing;
- (vi) top soil management;
- (vii) interim drainage plan during construction;
- (viii) construction programme;

- (ix) geotechnical issues;
 - (x) weed control;
 - (xi) bushfire management;
 - (xii) emergency vehicle access;
 - (xiii) noise and dust suppression; and
 - (xiv) waste management.
- 15.2 Any application for a Development Permit for Operational Works or a Development Permit for Building Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) objectives;
 - (ii) site location / topography;
 - (iii) vegetation;
 - (iv) site drainage;
 - (v) soils;
 - (vi) erosion susceptibility;
 - (vii) erosion risk;
 - (viii) concept;
 - (ix) design; and
 - (x) implementation, for the construction and post construction phases of work.
- The Erosion and Sediment Control Plan must incorporate detailed plans, control measures, monitoring programmes and maintenance procedures to ensure appropriate development and management practices within and adjacent to the site.
- 15.3 The Environmental Management Plan and the Erosion and Sediment Control Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 15.4 No works can commence on the site unless and until an Environmental Management Plan and an Erosion and Sediment Control Plan have been approved by Council as part of Development Permit for Operational Works.
- 16.0 OPERATING PROCEDURES
- 16.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Norman Road, Nagle Drive or Springfield Drive.

ADVISORY NOTES

NOTE 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 Environment and Resource Management website www.derm.qld.gov.au

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Adopted Infrastructure Charges Notice

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



Appeal Rights

SUSTAINABLE PLANNING ACT 2009

The following is an extract from the *Sustainable Planning Act* (Chapter 7).

Division 8 Appeals to court relating to development applications

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of a development application;
 - (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 424;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the applicant's appeal period) after the day the decision notice or negotiated decision notice is given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters

- (1) A submitter for a development application may appeal to the court only against—
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the submitter's appeal period) after the decision notice or negotiated decision notice is given to the submitter.

464 Appeals by advice agency submitters

- (1) The advice agency may, within the limits of its jurisdiction, appeal to the court about—
 - (a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

- (b) any part of the approval relating to the assessment manager's decision under section 327.

- (1) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.
- (2) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

465 Appeals about decisions relating to extensions for approvals

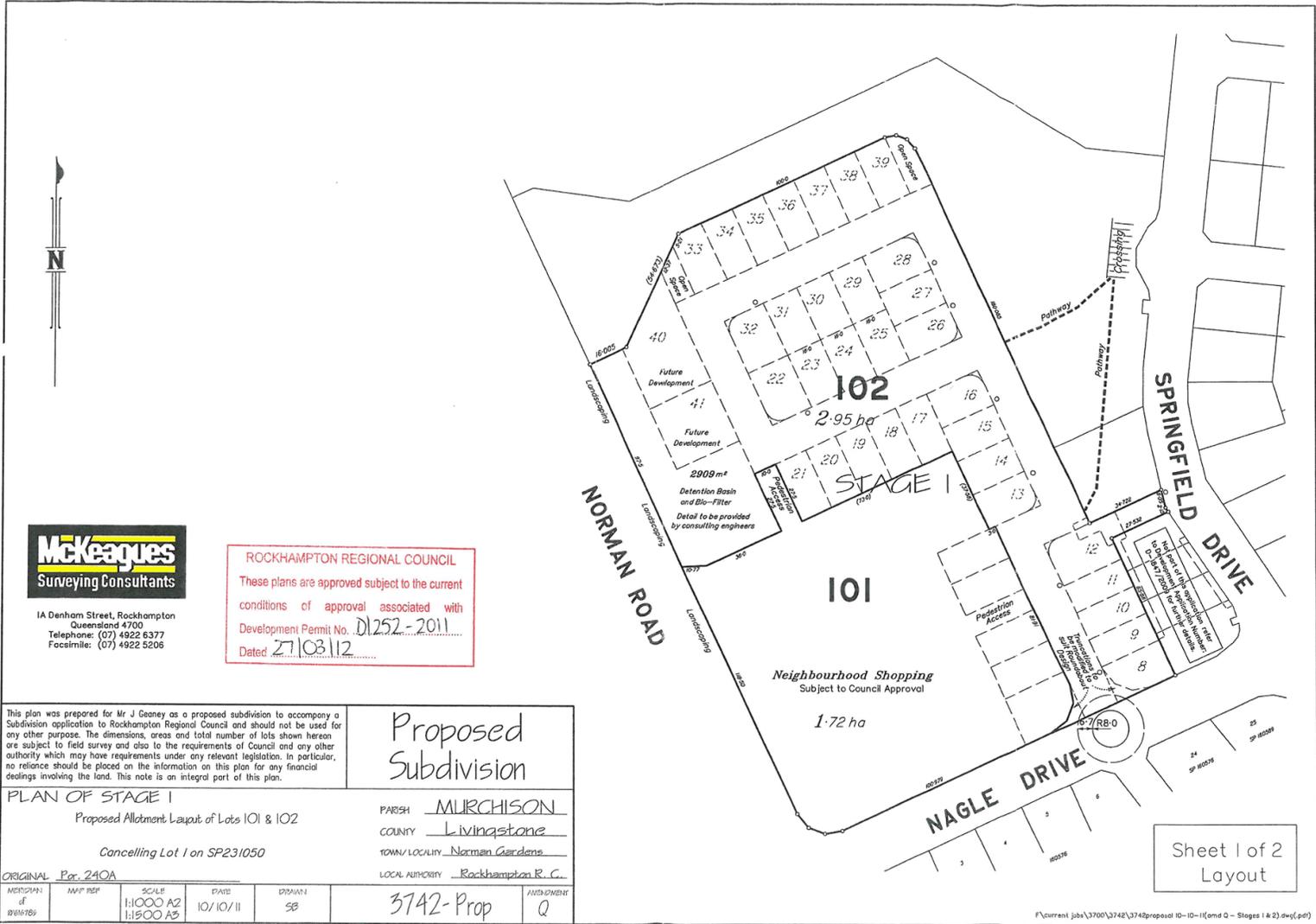
- (1) For a development approval given for a development application, a person to whom a notice is given under section 389, other than a notice for a decision under section 386(2), may appeal to the court against the decision in the notice.
 - (1) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.
 - (2) Also, a person who has made a request under section 383 may appeal to the court against a deemed refusal of the request.
 - (3) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

466 Appeals about decisions relating to permissible changes

- (1) For a development approval given for a development application, the following persons may appeal to the court against a decision on a request to make a permissible change to the approval—
 - (a) if the responsible entity for making the change is the assessment manager for the application—
 - (i) the person who made the request; or
 - (ii) an entity that gave a notice under section 373 or a pre-request response notice about the request;
 - (a) if the responsible entity for making the change is a concurrence agency for the application—the person who made the request.
- (1) The appeal must be started within 20 business days after the day the person is given notice of the decision on the request under section 376.
- (2) Also, a person who has made a request under section 369 may appeal to the court against a deemed refusal of the request.
- (3) An appeal under subsection (3) may be started at any time after the last day the decision on the matter should have been made.

467 Appeals about changing or cancelling conditions imposed by assessment manager or concurrence agency

- (1) A person to whom a notice under section 378(9)(b) giving a decision to change or cancel a condition of a development approval has been given may appeal to the court against the decision in the notice.
 - (1) The appeal must be started within 20 business days after the day the notice of the decision is given to the person.



1A Denham Street, Rockhampton
Queensland 4700
Telephone: (07) 4922 6377
Facsimile: (07) 4922 5206

ROCKHAMPTON REGIONAL COUNCIL
These plans are approved subject to the current
conditions of approval associated with
Development Permit No. D1252-2011
Dated 27/03/12

This plan was prepared for Mr J Geaney as a proposed subdivision to accompany a Subdivision application to Rockhampton Regional Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown hereon are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

Proposed Subdivision

PLAN OF STAGE I		PARISH	MURCHISON
Proposed Allotment Layout of Lots 101 & 102		COUNTY	Livingstone
Cancelling Lot 1 on SP231050		TOWN LOCALITY	Norman Gardens
ORIGINAL Per. 240A		LOCAL AUTHORITY	Rockhampton R.C.
MEMORANDUM of 18/04/09	MAP REF 1:1000 A2 1:1500 A3	DATE 10/10/11	DRAWN SB
		3742-Prop	APPROVED Q

Sheet 1 of 2
Layout

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ROCKHAMPTON REGIONAL COUNCIL
AMENDED PLANS APPROVED
 05/11/2015
 DATE
 These plans are approved subject to the current
 conditions of approval associated with
 Development Permit No 0252-2011 dated 27/03/2012



1A Denham Street, Rockhampton
 Queensland 4700
 Telephone: (07) 4922 6377
 Facsimile: (07) 4922 5206

- Stage 2A - Lots 8-16, & 26-28, & 38-39
- Stage 2B - Lots 22-25, & 29-37, & 40-41
- Stage 2C - Lots 17-21

This plan was prepared for Mr J Geaney as a proposed subdivision to accompany a Subdivision application to Rockhampton Regional Council and should not be used for any other purpose. The dimensions, areas and total number of lots shown herein are subject to field survey and also to the requirements of Council and any other authority which may have requirements under any relevant legislation. In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land. This note is an integral part of this plan.

Proposed Staging

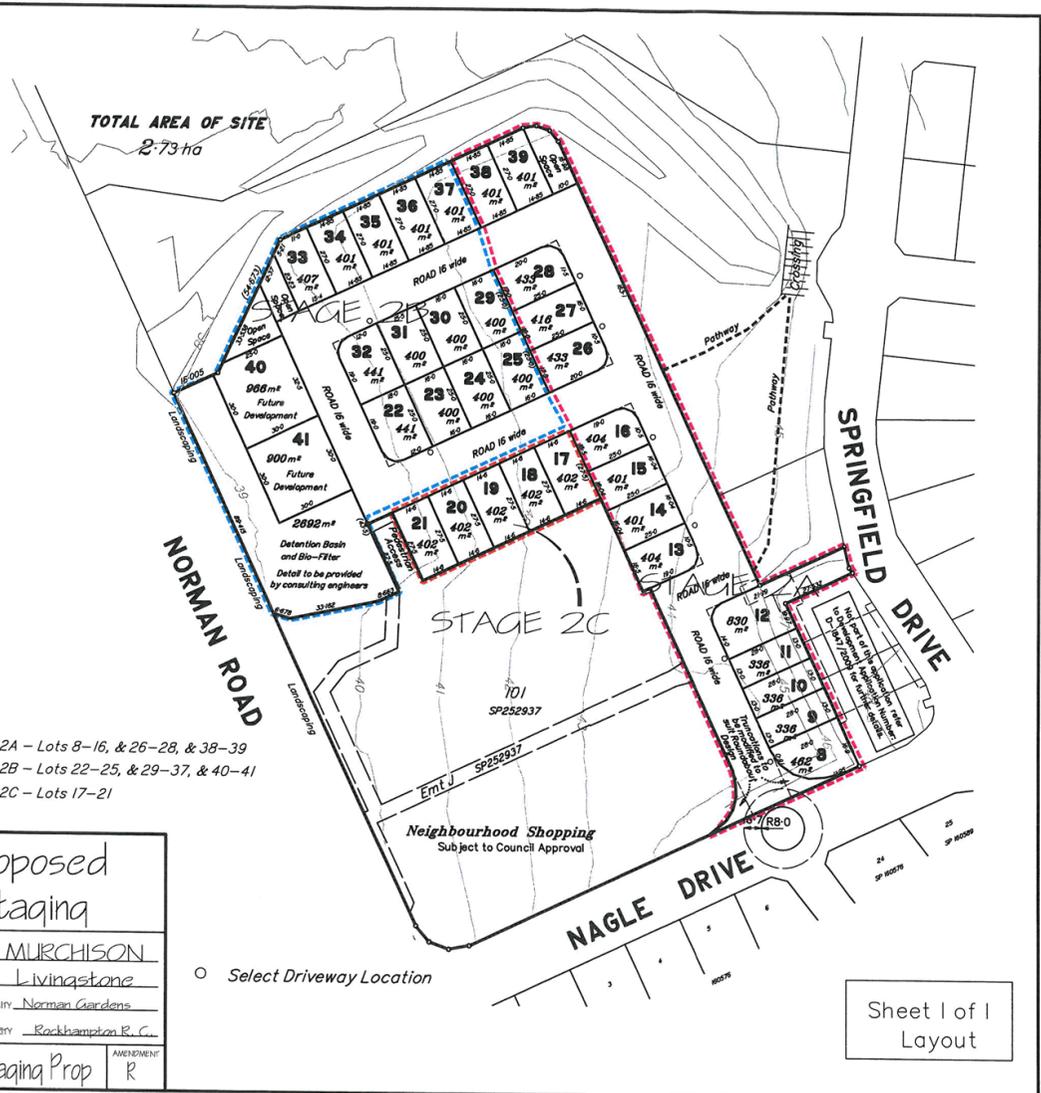
PLAN OF STAGES 2A, 2B, and 2C
 Staging for Proposed Allotment Layout of Lots 8 - 41

PARISH MURCHISON
 COUNTY Livingstone
 TOWN/LOCALITY Norman Gardens
 LOCAL AUTHORITY Rockhampton R.C.

Canvelling Lot 1 on SP231050

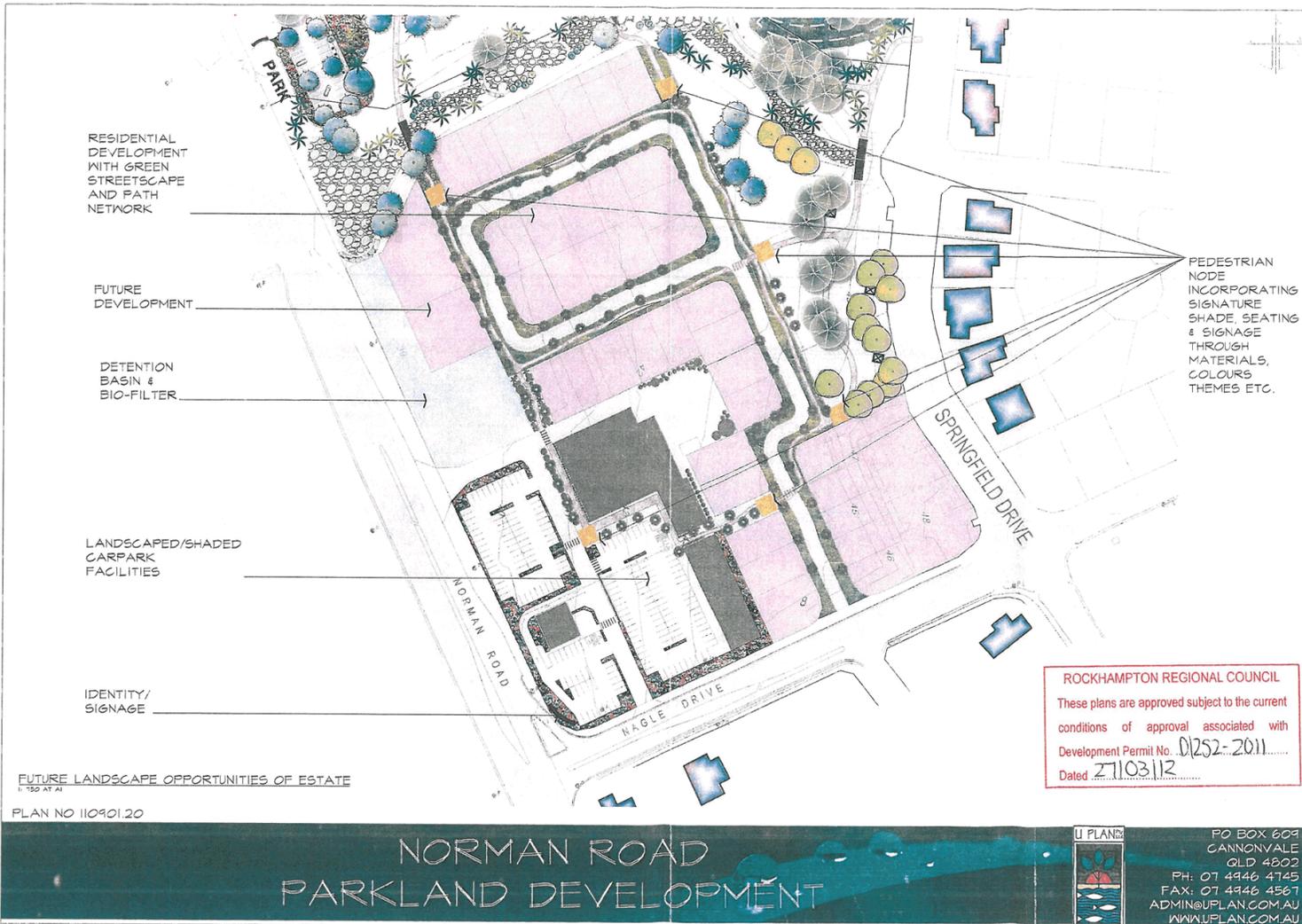
ORIGINAL of 1/4875	Par. 240A	SCALE 1:1000 A2 1:1500 A3	DATE 16/10/2015	DRAWN SB	AMENDMENT R
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3742- Staging Prop



Sheet 1 of 1
 Layout

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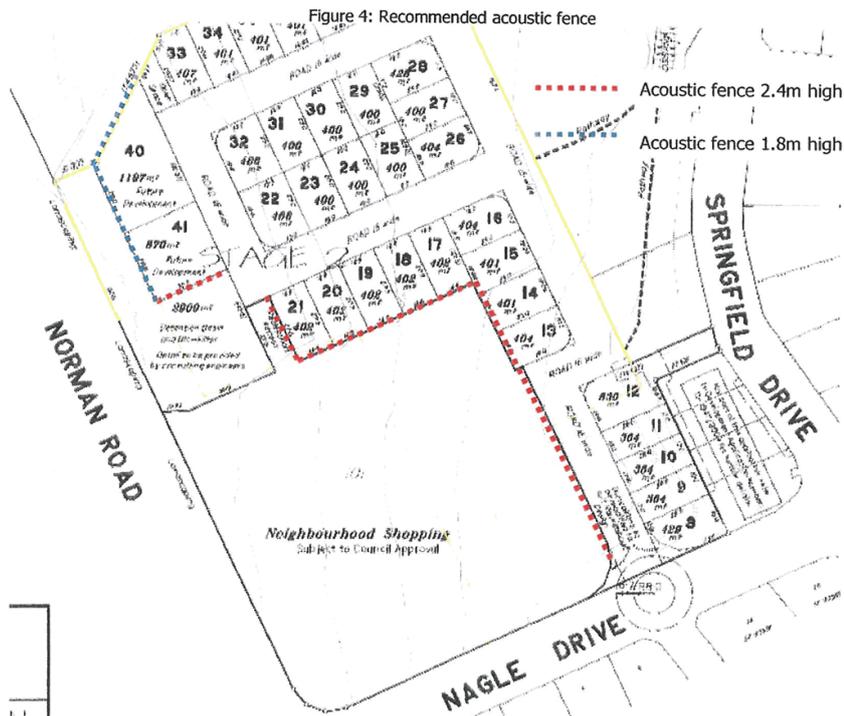
acoustic

8. Recommendations

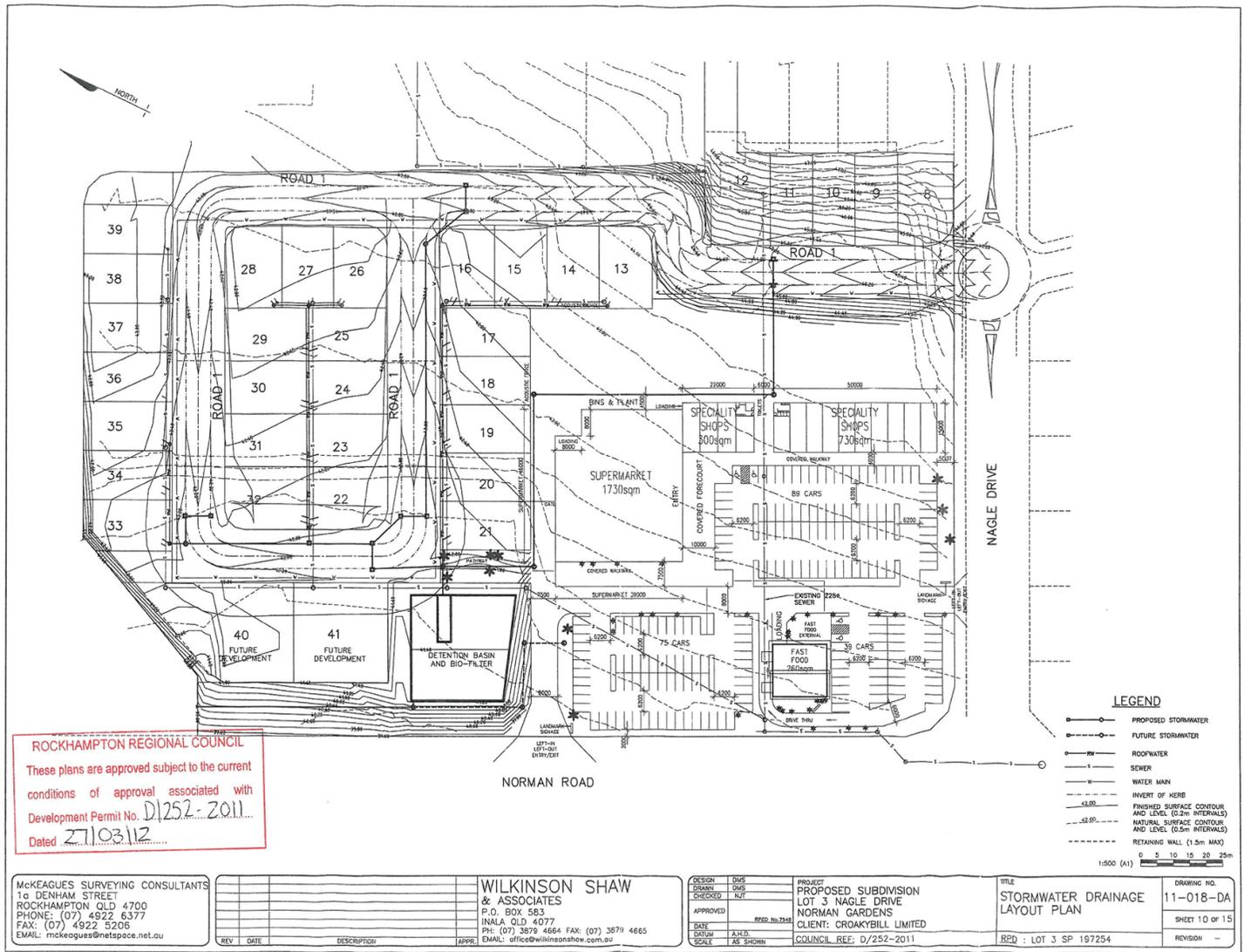
8.1 Acoustic Barrier

Based on preliminary investigations, an acoustic fence is recommended to be constructed along the boundaries as nominated in figure 3. The height of the fence shall be 1.8 to 2.4m above the existing boundary ground level. The fence should be constructed using lapped timber (minimum 50% lap), masonry, fibre cement sheet, Hebel, perspex, plywood or other material with a minimum surface density of 12kg/m². The fence should have no holes or gaps evident.

The position of the acoustic fence is shown in **Error! Reference source not found.** below.



ROCKHAMPTON REGIONAL COUNCIL
These plans are approved subject to the current
conditions of approval associated with
Development Permit No. D1252-2011
Dated 27/03/12



ROCKHAMPTON REGIONAL COUNCIL
 These plans are approved subject to the current conditions of approval associated with Development Permit No. D1252-2011
 Dated 27/03/12

McKEAGUES SURVEYING CONSULTANTS
 10 DENHAM STREET
 ROCKHAMPTON QLD 4700
 PHONE: (07) 4922 6377
 FAX: (07) 4922 5205
 EMAIL: mckeagues@netspcc.net.au

REV	DATE	DESCRIPTION

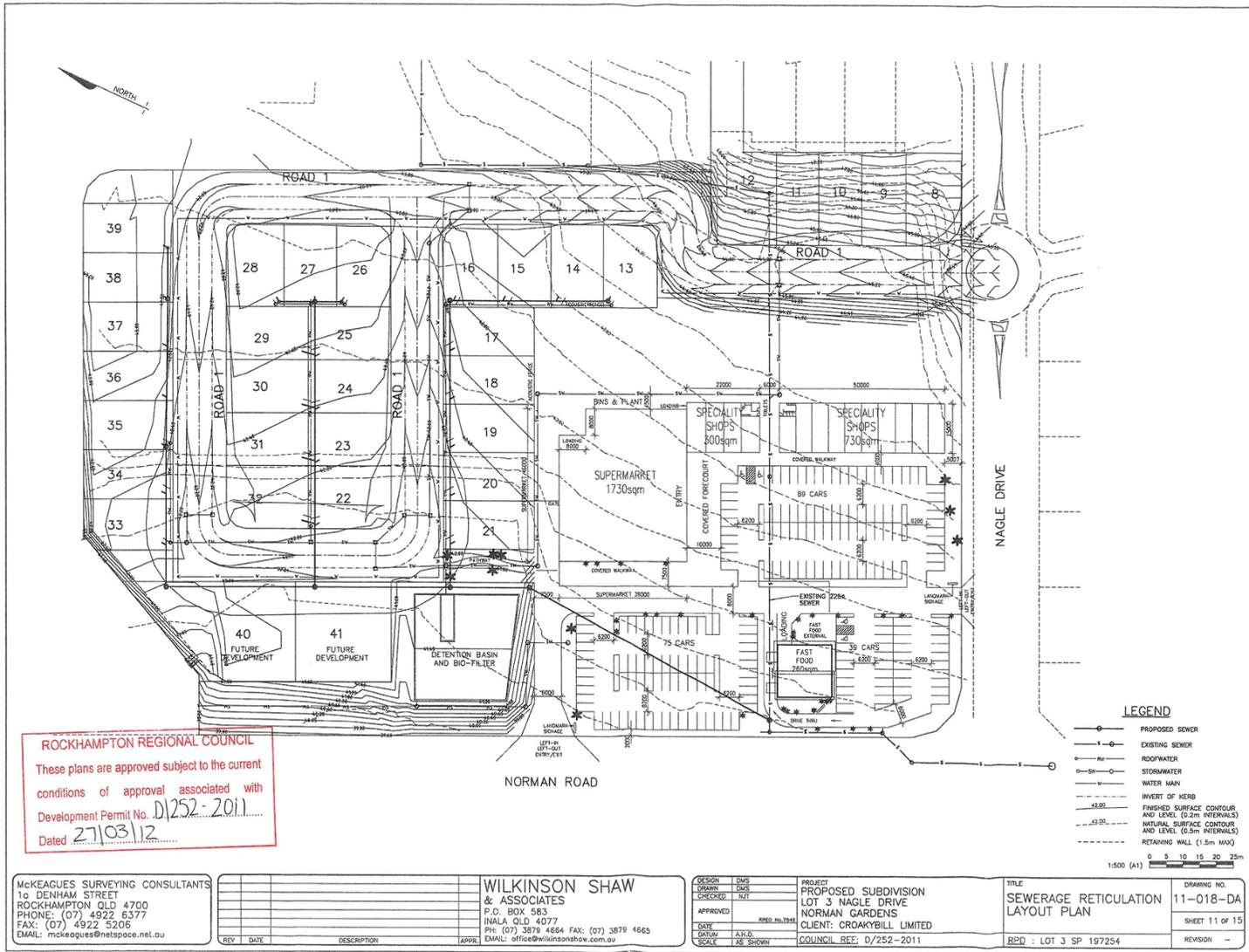
WILKINSON SHAW & ASSOCIATES
 P.O. Box 583
 INALA QLD 4077
 PH: (07) 3878 4664 FAX: (07) 3879 4665
 EMAIL: office@wilkinsonshaw.com.au

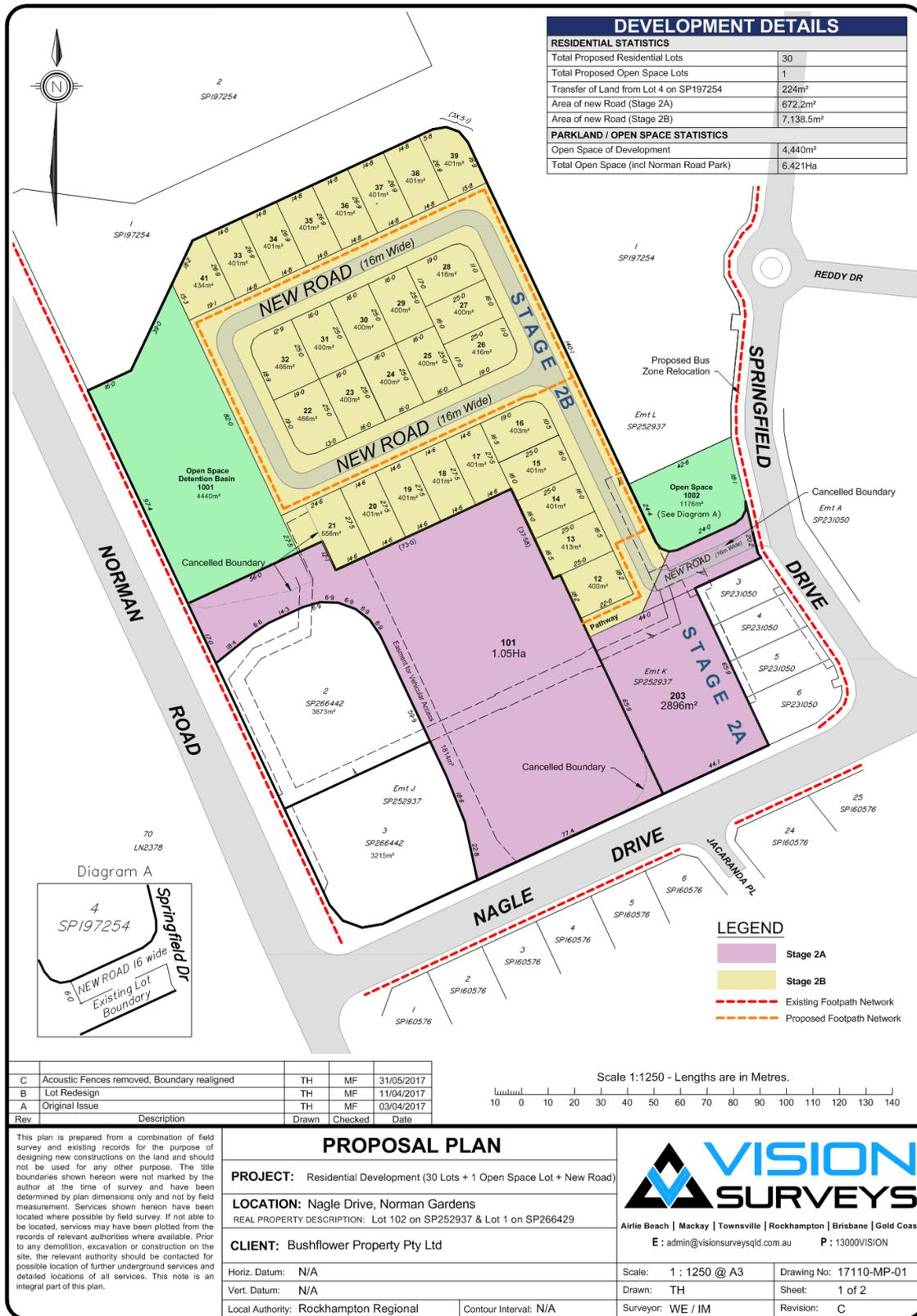
DESIGN: MWS
 CHECKED: NJT
 APPROVED: RFR
 DATE: 2/10/14
 SCALE: AS SHOWN

PROJECT: PROPOSED SUBDIVISION LOT 3 NAGLE DRIVE NORMAN GARDENS
 CLIENT: CROAKYBILL LIMITED
 COUNCIL REF: D/252-2011

TITLE: STORMWATER DRAINAGE LAYOUT PLAN
 RFD: LOT 3 SP 197254

DRAWING NO. 11-018-DA
 SHEET 10 OF 15
 REVISION: -





DEVELOPMENT DETAILS	
RESIDENTIAL STATISTICS	
Total Proposed Residential Lots	30
Total Proposed Open Space Lots	1
Transfer of Land from Lot 4 on SP197254	224m²
Area of new Road (Stage 2A)	672.2m²
Area of new Road (Stage 2B)	7,138.5m²
PARKLAND / OPEN SPACE STATISTICS	
Open Space of Development	4,440m²
Total Open Space (incl Norman Road Park)	6.421Ha



Rev	Description	Drawn	Checked	Date
C	Acoustic Fences removed. Boundary realigned	TH	MF	31/05/2017
B	Lot Redesign	TH	MF	11/04/2017
A	Original Issue	TH	MF	03/04/2017

Scale 1:1250 - Lengths are in Metres.

This plan is prepared from a combination of field survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose. The title boundaries shown hereon were not marked by the author at the time of the survey and have been determined by plan dimensions only and not by field measurement. Services shown hereon have been located where possible by field survey. If not able to be located, services may have been plotted from the records of relevant authorities where available. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services. This note is an integral part of this plan.

PROPOSAL PLAN	
PROJECT: Residential Development (30 Lots + 1 Open Space Lot + New Road)	
LOCATION: Nagle Drive, Norman Gardens	
REAL PROPERTY DESCRIPTION: Lot 102 on SP252937 & Lot 1 on SP266429	
CLIENT: Bushflower Property Pty Ltd	
Horiz. Datum:	N/A
Vert. Datum:	N/A
Local Authority:	Rockhampton Regional
Contour Interval:	N/A

VISION SURVEYS

Airrie Beach | Mackay | Townsville | Rockhampton | Brisbane | Gold Coast

E : admin@visionsurveysqld.com.au P : 13000VISION

Scale: 1 : 1250 @ A3	Drawing No: 17110-MP-01
Drawn: TH	Sheet: 1 of 2
Surveyor: WE / IM	Revision: C



LEGEND
 - - - Existing Footpath Network
 - - - Proposed Footpath Network

Scale 1:2000 - Lengths are in Metres.
 20 0 20 40 60 80 100 120 140 160 180 200 220

Rev	Description	Drawn	Checked	Date
C	Acoustic Fences removed. Boundary realigned	TH	MF	31/05/2017
B	Lot Redesign	TH	MF	11/04/2017
A	Original Issue	TH	MF	03/04/2017

This plan is prepared from a combination of field survey and existing records for the purpose of designing new constructions on the land and should not be used for any other purpose. The title boundaries shown hereon were not marked by the author at the time of survey and have been determined by plan dimensions only and not by field measurement. Services shown hereon have been located where possible by field survey. If not able to be located, services may have been plotted from the records of relevant authorities where available. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed locations of all services. This note is an integral part of this plan.

MASTER PLAN	
PROJECT: Residential Development (30 Lots + 1 Open Space Lot + New Road)	
LOCATION: Nagle Drive, Norman Gardens	
REAL PROPERTY DESCRIPTION: Lot 102 on SP252937 & Lot 1 on SP266429	
CLIENT: Bushflower Property Pty Ltd	
Horiz. Datum:	N/A
Vert. Datum:	N/A
Local Authority:	Rockhampton Regional
Contour Interval:	0.5m

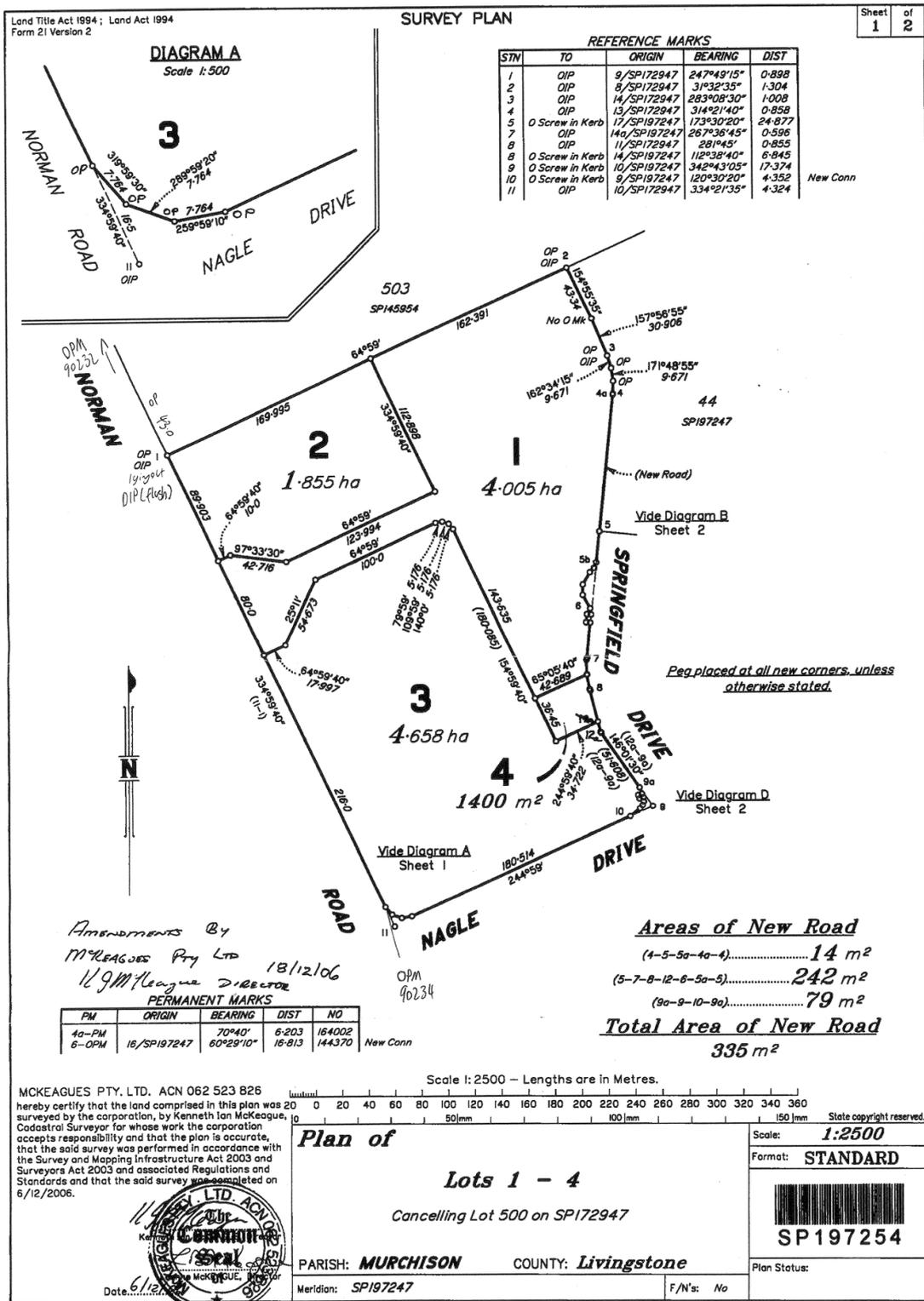
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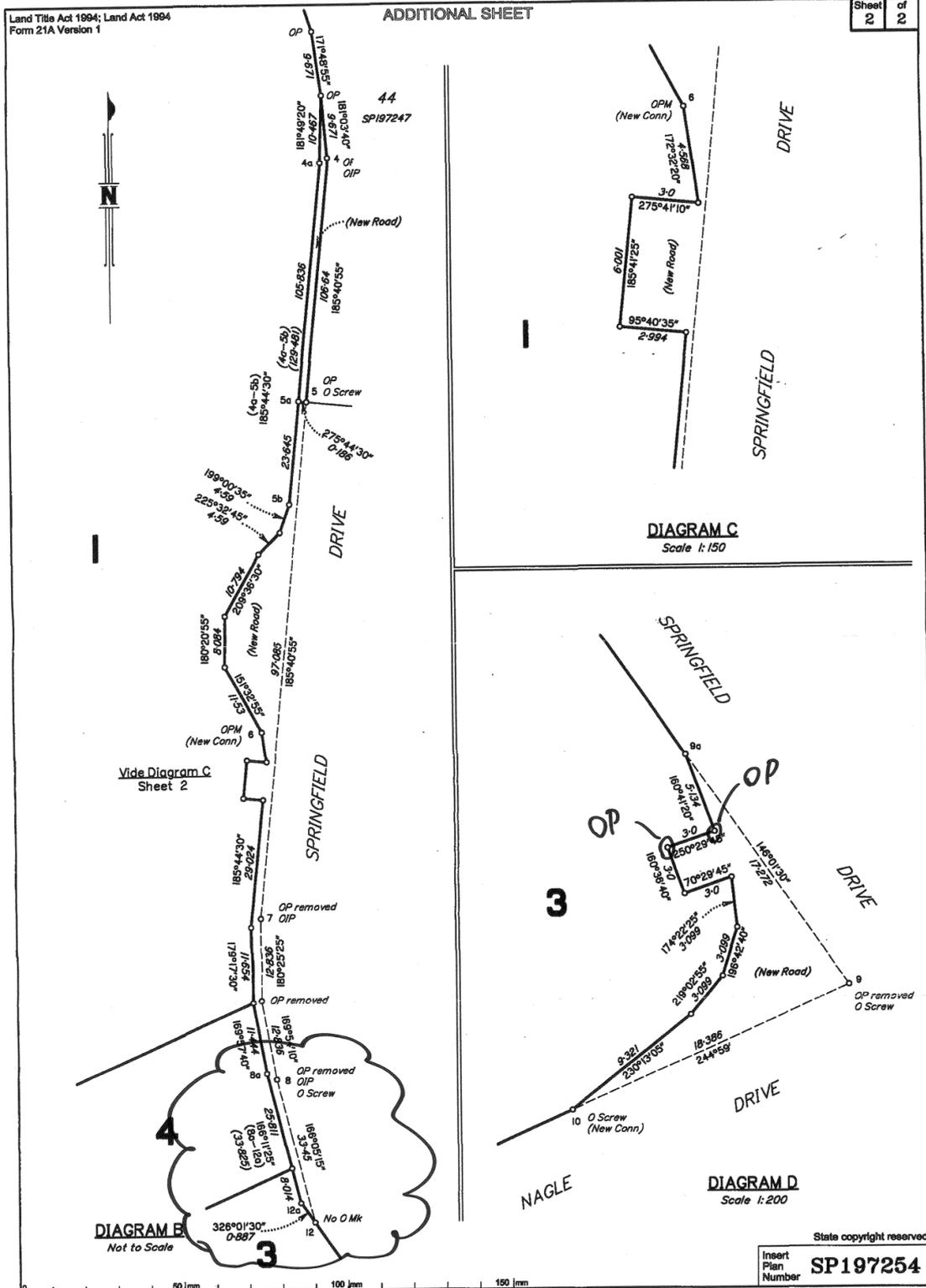
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Scale: 1 : 2000 @ A3	Drawing No: 17110-MP-01
Drawn: TH	Sheet: 2 of 2
Surveyor: WE / IM	Revision: C

SP197254 V1 REGISTERED Recorded Date 14/12/2006 13:55 Page 1 of 3 Not To Scale





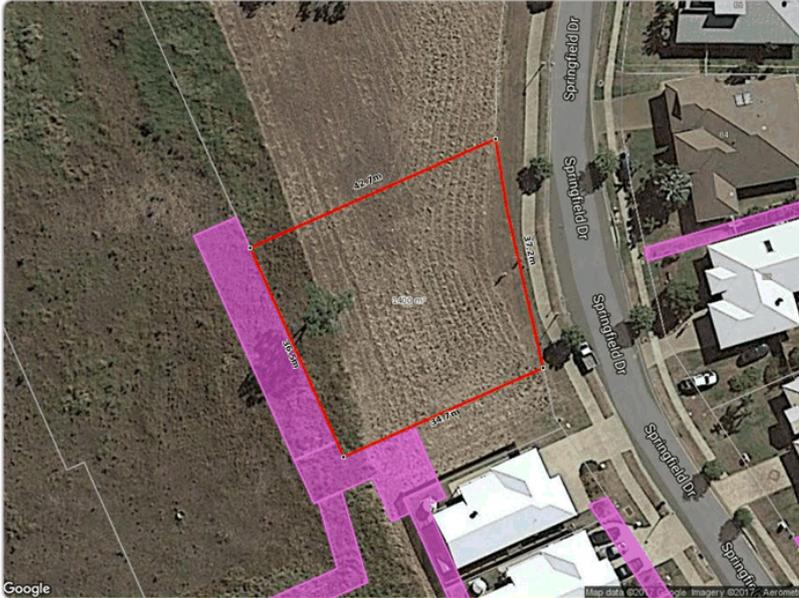


PROPERTY REPORT

788 SPRINGFIELD DRIVE, NORMAN GARDENS, QLD 4701



788 SPRINGFIELD DVE, NORMAN GARDENS, QLD 4701



Owner Details	
Owner Name(s):	ROCKHAMPTON REGIONAL COUNCIL AS TTE
Owner Address:	PO BOX 1860, ROCKHAMPTON QLD 4700
Phone(s):	
Owner Occupied:	
Owner Type:	

Property Details	
ID:	1725921 / QLD40772784
UBD Ref:	- - -
RPD:	L4 SP197254:PAR MURCHISON
Valuation Amount:	Type: Date: Property Type: Vacant Land - Freehold (Non-Area: 1,400 m²
Valuation Amount:	Type: Date: Area \$/m2:
Land Use (1):	VACANT URBAN LAND Land Use (2): LOCAL AUTHORITY Water/Sewerage:
Council:	ROCKHAMPTON REGIONAL
Features:	

Zoning		
Plan #:	Zoning:	Parish:
SP197254	Residential	MURCHISON



Sales History

Prepared on 21/06/2017 by Vision Surveys. © Property Data Solutions Pty Ltd 2017 (pricefinder.com.au)
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CURRENT TITLE SEARCH

DEPT OF NATURAL RESOURCES AND MINES, QUEENSLAND

Request No: 19789382

Search Date: 13/11/2014 14:56

Title Reference: 50642370

Date Created: 19/12/2006

Previous Title: 50540566

REGISTERED OWNER

Dealing No: 710185013 14/12/2006

ROCKHAMPTON REGIONAL COUNCIL TRUSTEE
UNDER INSTRUMENT 710185013**ESTATE AND LAND**

Estate in Fee Simple

LOT 4 SURVEY PLAN 197254
County of LIVINGSTONE Parish of MURCHISON
Local Government: ROCKHAMPTON**EASEMENTS, ENCUMBRANCES AND INTERESTS**

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10387204 (POR 240A)

ADMINISTRATIVE ADVICES - NIL**UNREGISTERED DEALINGS - NIL****CERTIFICATE OF TITLE ISSUED - No**

** End of Current Title Search **

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Requested By: D APPLICATIONS GLOBAL X

**DISPOSAL OF COUNCIL PROPERTY
TO ADJOINING OWNER - PART OF
LOT 4 ON SP197254
(SPRINGFIELD DRIVE)**

Aerial Map

Meeting Date: 11 July 2017

Attachment No: 2

Part of Lot 4 on SP197254 (224m²)



A4 scale at 1: 3,592.04

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11.6 FINANCE POLICY FOR REVIEW

File No:	5237
Attachments:	1. Draft Rates Concession Policy 2. Draft Rates Concession Policy (Track Changes)
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Alicia Cutler - Manager Finance

SUMMARY

Each year Council reviews the Rates and Concession policy for any changes. This year additional concessions are provided in support of Caravan Parks and Capping has now been removed. The updated policy is now provided for adoption.

OFFICER'S RECOMMENDATION

THAT in accordance with S.122 of the Local Government Regulation 2012, the Rates and Concession Policy be adopted.

COMMENTARY

The Rates and Concession Policy is a policy that outlines what concessions are provided to each class of ratepayer. The power to grant concessions is provided under Part of the Local Government Regulation 2012.

During the 2017/2018 Budget deliberations and prior, there have been discussions around the need to support Caravan Parks due to the decline in business as a result of opening of free camping sites. In granting this concession, Council recognises the importance of the tourism drive market and the extra value that Caravan Parks offer. The details are in Section 5.8 of the policy.

The other change to the policy relates to the removal of the capping clause. Previously there was a concession provided for unintended consequences of capping. This is now replaced by a statement that indicates there is no capping provided in 2017/2018.

CONCLUSION

Minor changes to the policy are provided for Council adoption to be implemented for the first issue of rates notices in 2017/2018.

FINANCE POLICY FOR REVIEW

Draft Rates Concession Policy

Meeting Date: 11 July 2017

Attachment No: 1



RATES CONCESSION POLICY (COMMUNITY POLICY)

1 Scope:

This policy applies to any person, group or organisation seeking rebates and concessions for rates and/or charges.

2 Purpose:

To identify target groups and establish guidelines to assess requests for rates and charges concessions in order to alleviate the impact of rates and charges, particularly in relation to not-for-profit/community organisations and ratepayers who are in receipt of an approved government pension.

3 Related Documents:

Primary

Nil

Secondary

Body Corporate and Community Management Act 1997

Local Government Act 2009

Local Government Regulation 2012

CBD Commercial Property Rates Concession Application Form

Pensioner Rate Subsidies Application Form

Revenue Policy

Rockhampton Regional Council Revenue Statement

Waste and Recycling Collection Services Policy

Waste and Recycling Collection Services Procedure

Waste Charges Rebate Form

4 Definitions:

To assist in interpretation, the following definitions apply:

CBD	Central Business District
Council	Rockhampton Regional Council

5 Policy Statement:

Rate concessions are considered for the following ratepayers categories, noting that Council's prompt payment discount is calculated on gross rates prior to concession.

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Adopted/Approved: DRAFT

Version:

Reviewed Date:

Department: Corporate Services

Section: Finance

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5.1 Approved Government Pensioners

Rate concessions/subsidies are available to approved pensioners, who are in receipt of a pension for entitlements from Centrelink or the Department of Veterans' Affairs or Widow's Allowance.

The Queensland Government Pensioner Rate Subsidy Scheme is directed to the elderly, invalid or otherwise disadvantaged citizens of the community whose principal or sole source of income is a pension or allowance paid by Centrelink or the Department of Veterans' Affairs and who are the owners of property in which they reside and have responsibility for payment of Council rates and charges thereon.

5.1.1 Eligibility

Approved Pensioner

A person who:

- Is and remains an eligible holder of a Queensland "Pensioner Concession Card" issued by Centrelink or the Department of Veterans' Affairs, or a Queensland "Repatriation Health Card – For All Conditions" issued by the Department of Veterans Affairs; and
- Is the owner or life tenant (either solely or jointly) of the property which is his/her principal place of residence; and
- Has, either solely or jointly with a co-owner, the legal responsibility for the payment of rates and charges which are levied in respect of the property.

Approved Widow/er

A person who is and remains in receipt of a Widow's Allowance.

Unless stated otherwise, the terms and conditions of the Queensland Government Pensioner Rate Subsidy Scheme will apply to the application of the Council subsidy.

5.1.2 Close of Applications

Applications for concessions are considered during the rating period (i.e. half year). Applications received after the date of levy are considered only from the commencement of the current rating period. Rebates are not granted retrospectively without prior approval from the State Government Concessions unit.

A completed Pensioner Rates Subsidies Application Form must be submitted, with a new application being submitted when a change of address occurs.

5.1.3 Amount of Rebate

Approved ratepayers whose property in which they reside is located within the boundaries of Council, may be entitled to a rebate of 20% (to a maximum of \$250) on all rates levied in respect of each eligible property, excluding environment separate charge, special rates/charges, water consumption charges and rural and state fire levies/charges.

Should a person be entitled to only part of the State subsidy, because of part ownership of the property, or other relevant reason, the Council rebate would be similarly reduced.

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5.2 Not-For-Profit/Charitable Organisations

Rate concessions are available to approved organisations whose objectives do not include the making of profit and who provide services to their membership and the community.

5.2.1 Eligibility

Not-For-Profit/Community Organisation – An incorporated body who:

- Does not include the making of profit in its objectives;
- Does not charge a fee for service;
- Is located within the Council area and the majority of its members reside in the Council area;
- Does not receive income from gaming machines and/or from the sale of alcohol in an organised manner (e.g. bar with regular hours of operation with permanent liquor license);
- Is the owner, lessee or life tenant of the property and is the incorporated bodies main grounds/base/club house or residence;
- Has, either solely or jointly with a co-owner, the legal responsibility for the payment of rates and charges which are levied in respect of the property; and
- Is not a religious body or entity or educational institution recognised under State or Federal statute or law.

Should an applicant only have part ownership of the property the Council remission is similarly reduced.

5.2.2 Close of Applications

Eligibility for a concession is assessed by Council annually prior to the issue of the first rate notice each financial year (generally June/July). Organisations not automatically provided with a concession, and believe they meet the relevant criteria, may apply for approval at any time. If an application is approved by Council, concessions are applied from the beginning of the current rating period (concessions are not applied retrospectively).

5.2.3 Amount of Rebate

(a) Category One (1) – Surf Life Saving Organisations

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap – N/A

(b) Category Two (2) - Showground Related Organisations

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%

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- Cap – N/A
- (c) *Category Three (3) – Kindergartens*
- Rebate Level General Rates – 50%
 - Rebate Level Road Network Separate Charge – 50%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Environment Separate Charge – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – Charged at residential rates
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 1,000.00
- (d) *Category Four (4)–Charitable Organisations Benefiting the Aged/Disadvantaged*
- Rebate Level General Rates – 100%
 - Rebate Level Separate Rates/Charges – 100%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – 0%
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 1,000.00 for Service Charges only
- (e) *Category Five (5) – Sporting Clubs and Associations – Without Liquor and Gaming Licenses*
- Rebate Level General Rates – 100%
 - Rebate Level Separate Rates/Charges – 100%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – Charged at residential rates
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 2,000.00 for Service Charges only
- (f) *Category Six (6) – Sporting Clubs and Associations – With Liquor Licenses but No Gaming Licenses*
- Rebate Level General Rates – 50%
 - Rebate Level Road Network Separate Charge – 50%
 - Rebate Level Environment Separate Charge – 0%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – Charged at residential rates
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 2,000.00
- (g) *Category Seven (7) – Sporting Clubs and Associations situated on highly valued leasehold land – With Liquor Licenses but No Gaming Licenses*
- Rebate Level General Rates – 75%
 - Rebate Level Road Network Separate Charge – 75%
 - Rebate Level Environment Separate Charge – 0%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – Charged at residential rates

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Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ 1,000.00 for Service Charges only

Applies to Assessment Number 105813 – Rockhampton Bowls Club only.

(h) *Category Eight (8) – Sporting Clubs and Associations – With Liquor and Gaming Licenses*

Rebate Level General Rates – 0%
 Rebate Level Separate Rates/Charges – 0%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 0%
 Rebate Level Water Consumption Charges – 0%
 Rebate Level Sewerage Charges – 0%
 Rebate Level Waste Charges – 0%
 Cap – N/A

(i) *Category Nine (9) - All Other Not-For-Profit/Charitable Organisations*

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ 2,000.00 for Service Charges only.

(j) *Category Ten (10) - Rural Fire Brigade*

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 100%
 Rebate Level Water Consumption Charges – 100%
 Rebate Level Sewerage Charges – 100%
 Rebate Level Waste Charges – 100%
 Cap - N/A

NOTE: Sewerage charges are not levied in respect of public amenities blocks that are locked and controlled by clubs.

5.3 General Rate Rebates

In accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, the properties where 100% rebate of general rates applies may be exempted from payment of general rates in lieu of the provision of a rebate.

5.4 Permits to Occupy Pump Sites and Separate Pump Site Assessments

Council will grant rebates on the following basis for those assessments that only contain pump sites and where the land area is 25 square meters or less:

- a) Separate Charges – 100% rebate
- b) General Rates – Maximum rebate of \$600.00.

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5.5 Water Consumption Charges

Council will grant a rebate on the following basis for the following assessments:

- 237107 – Gracemere Lakes Golf Club
- 237109 – Gracemere Bowling Club

Water Consumption Charges – 50% rebate.

5.6 Lot 1 South Ulam Rd, Bajool

Council grants a rebate on the following basis for the following assessment:

- 146963-2 – being Lot 1 South Ulam Rd, Bajool (L1 MLG80014 Parish of Ultimo)
 - a) General Rate 100%
 - b) Road Network Charge 100%
 - c) Environment Separate Charge 100%

5.7 Capping of General Rates

For the 2017-18 financial year Council will not be resolving to limit any increases in rates and charges.

5.8 General Rate Concession for Caravan Parks

Council will grant a concession of general rates for those assessments potentially impacted by the opening of free camping sites. Council recognises the importance of the tourism drive market and the extra value that Caravan Parks offer.

5.8.1 Eligibility

Properties must have a land use code of “49 – Caravan Parks” and must disclose the number of tent and caravan park sites that are available for itinerant use. They must also advise the number of ensuite sites. Sites where an ensuite is provided are not eligible.

5.8.2 Close of Application

Eligibility for this concession is assessed by Council annually prior to the issue of the first rate notice each financial year (generally June/July). Assessments not automatically provided with the concession, and believe they meet the relevant criteria, may apply for approval at any time. If an application is approved by Council, concessions are applied from the beginning of the current rating period (concessions are not applied retrospectively).

5.8.3 Amount of Rebate

An amount of \$20 per annum will be provided per eligible site, and capped at \$2,000 per annum.

5.9 Rockhampton CBD Commercial Properties with Mixed Residential Use

The purpose of this concession is to encourage inner city residential living and reduce vacancies in the Rockhampton CBD by providing an incentive for commercial property owners within the defined CBD area (as per Appendix A - Rockhampton

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CBD Extent) to utilise unoccupied commercial space for residential purposes. Residential purposes is defined as any space constructed and permitted for residential use and occupied by the owner or tenant as a residence.

Council will consider granting a concession of up to \$2,000 per annum for properties within the defined CBD area that are rated in Category 1 (commercial/light industry) and have a mixed use of commercial and residential. The concession is primarily intended to facilitate the adaptation of vacant commercial spaces, particularly above ground floor, to residential use. The actual concession amount will be \$2,000 or a maximum of 75% of the general rate whichever is the lesser.

To be eligible for the concession the completed CBD Commercial Property Rates Concession Application Form must be submitted and will be subject to approval by Council.

Applications for concessions will be considered during the rating period (i.e. half year). Applications received after the date of levy will be considered only from the commencement date of the current rating period (concessions are not applied retrospectively).

5.9.1 Conditions

- The residential component should not be vacant longer than 6 months within the financial year;
- Verification of use may be provided by a registered real estate agent or through pre-arranged inspection by a Council officer;
- Properties receiving the concession must advise Council if the residential use is discontinued.

The rates concession may be subject to reversal if the above conditions are not adhered to.

5.10 Leased Council Vacant Land

Council will grant rebates of 100% of the general rate and separate charges on vacant land owned or held as Trustee by Council if the land is leased to another person and the land is not used for any business or commercial/industrial purpose.

In accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, properties where 100% rebate of general rates and separate charges apply may be exempt from the payment of general rates and separate charges in lieu of the provision of a rebate.

5.11 Waste Remission for Multi-Residential Unit Developments

The purpose of this concession is to waive the waste/recycling charge where it has been deemed impractical for Council to provide waste/recycling collection services to a multi-residential unit development consisting of six or more individual attached or semi attached premises or units for which a community title scheme exists under the *Body Corporate and Community Management Act 1997*.

Council may grant a concession of 100% of the waste/recycling charge for each multi-residential unit or units for which a community title scheme exists.

To be eligible for the concession the completed Waste Charges Rebate Form must be submitted and will be subject to approval by Council.

Applications for concession will be considered during the rating period (i.e. half year). The concession may be applied retroactively for the full financial year where the

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service has not been provided in accordance with this policy and the Waste and Recycling Collection Services Policy and Procedure.

6 Review Timelines:

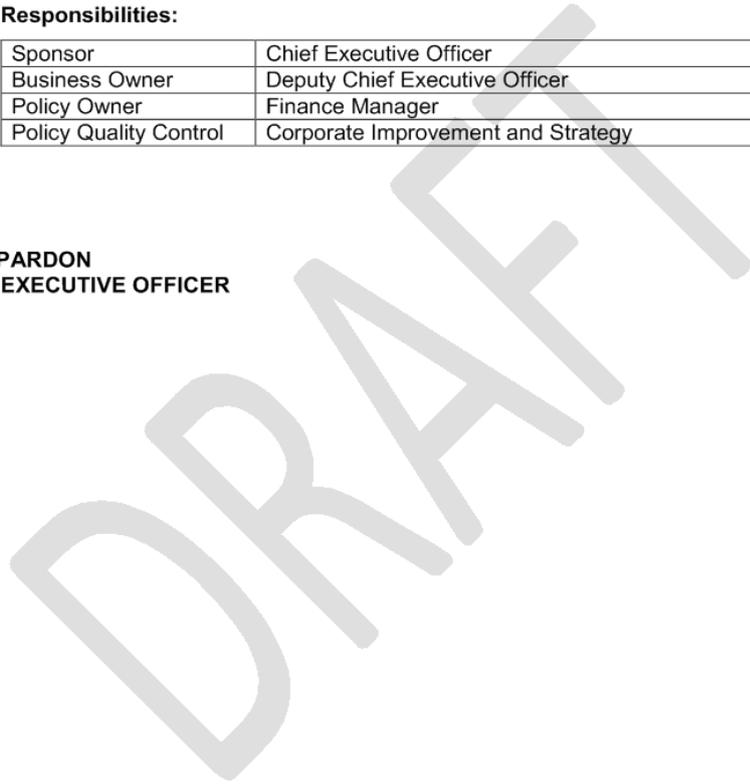
This policy will be reviewed when any of the following occur:

- 6.1** Annually in accordance with the Revenue Statement;
- 6.2** The related information is amended or replaced; or
- 6.3** Other circumstances as determined from time to time by the Council.

7 Responsibilities:

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Finance Manager
Policy Quality Control	Corporate Improvement and Strategy

**EVAN PARDON
CHIEF EXECUTIVE OFFICER**

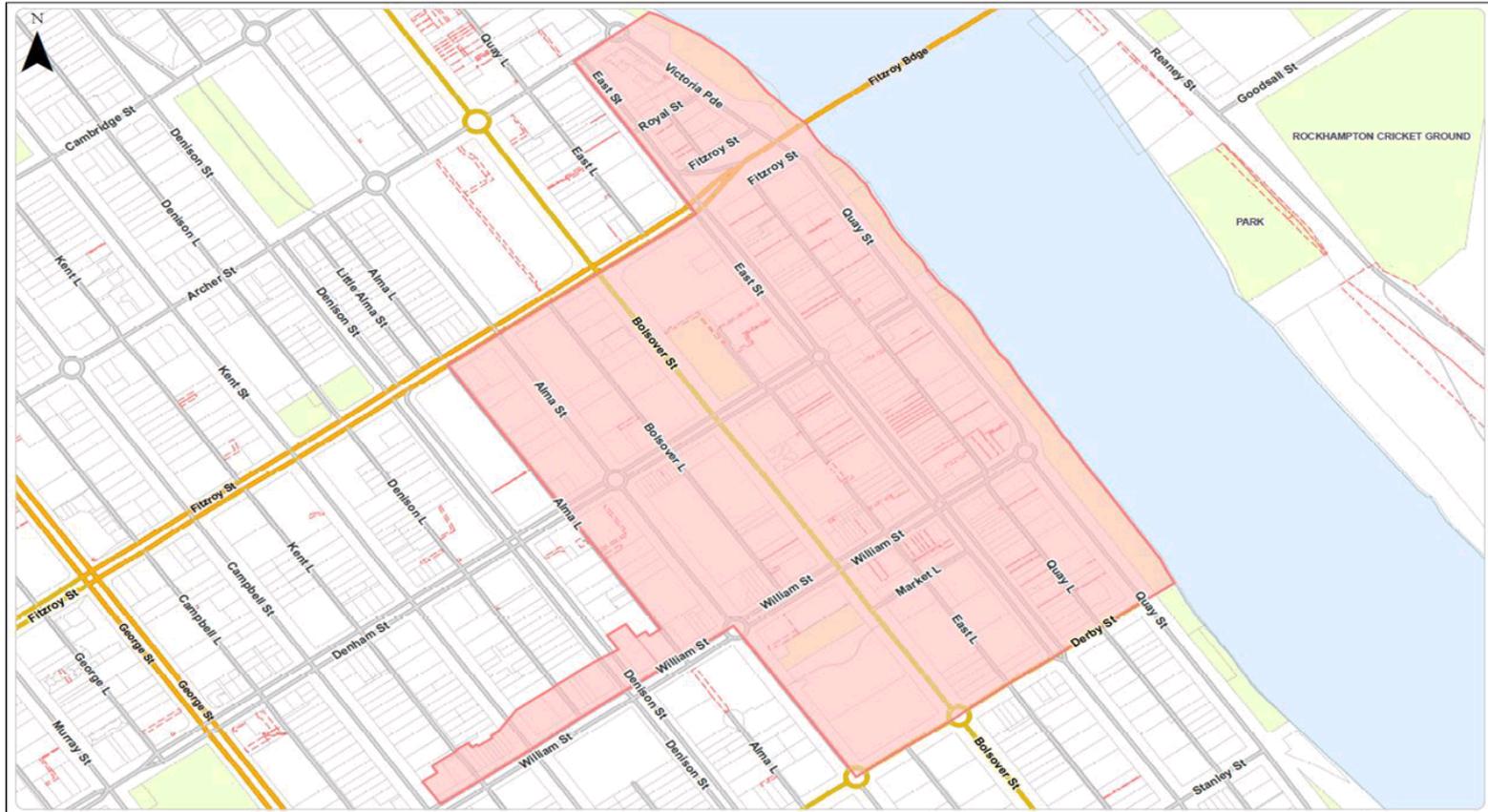


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Appendix A – Rockhampton CBD Extent



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Commercial Properties in CBD with mixed Residential Use qualifying for concession.



0 25 50 100 Metres
 4,000 at A3.

Adopted/Approved: Draft
Version:
Reviewed Date:

Department: Corporate Services
Section: Finance
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FINANCE POLICY FOR REVIEW

Draft Rates Concession Policy (Track Changes)

Meeting Date: 11 July 2017

Attachment No: 2



RATES CONCESSION POLICY (COMMUNITY POLICY)

1 Scope:

This policy applies to any person, group or organisation seeking rebates and concessions for rates and/or charges.

2 Purpose:

To identify target groups and establish guidelines to assess requests for rates and charges concessions in order to alleviate the impact of rates and charges, particularly in relation to not-for-profit/community organisations and ratepayers who are in receipt of an approved government pension.

3 Related Documents:

Primary

Nil

Secondary

Body Corporate and Community Management Act 1997

Local Government Act 2009

Local Government Regulation 2012

CBD Commercial Property Rates Concession Application Form

Pensioner Rate Subsidies Application Form

Revenue Policy

Rockhampton Regional Council Revenue Statement

Waste and Recycling Collection Services Policy

Waste and Recycling Collection Services Procedure

Waste Charges Rebate Form

4 Definitions:

To assist in interpretation, the following definitions apply:

CBD	Central Business District
Council	Rockhampton Regional Council

5 Policy Statement:

Rate concessions are considered for the following ratepayers categories, noting that Council's prompt payment discount is calculated on gross rates prior to concession.

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Adopted/Approved: ~~DRAFT~~ Adopted, 22-June
2016

Version: 12

Reviewed Date:

Department: Corporate Services

Section: Finance

Page No.: Page 1 of 9

5.1 Approved Government Pensioners

Rate concessions/subsidies are available to approved pensioners, who are in receipt of a pension for entitlements from Centrelink or the Department of Veterans' Affairs or Widow's Allowance.

The Queensland Government Pensioner Rate Subsidy Scheme is directed to the elderly, invalid or otherwise disadvantaged citizens of the community whose principal or sole source of income is a pension or allowance paid by Centrelink or the Department of Veterans' Affairs and who are the owners of property in which they reside and have responsibility for payment of Council rates and charges thereon.

5.1.1 Eligibility

Approved Pensioner

A person who:

- Is and remains an eligible holder of a Queensland "Pensioner Concession Card" issued by Centrelink or the Department of Veterans' Affairs, or a Queensland "Repatriation Health Card – For All Conditions" issued by the Department of Veterans Affairs; and
- Is the owner or life tenant (either solely or jointly) of the property which is his/her principal place of residence; and
- Has, either solely or jointly with a co-owner, the legal responsibility for the payment of rates and charges which are levied in respect of the property.

Approved Widow/er

A person who is and remains in receipt of a Widow's Allowance.

Unless stated otherwise, the terms and conditions of the Queensland Government Pensioner Rate Subsidy Scheme will apply to the application of the Council subsidy.

5.1.2 Close of Applications

Applications for concessions are considered during the rating period (i.e. half year). Applications received after the date of levy are considered only from the commencement of the current rating period. Rebates are not granted retrospectively without prior approval from the State Government Concessions unit.

A completed Pensioner Rates Subsidies Application Form must be submitted, with a new application being submitted when a change of address occurs.

5.1.3 Amount of Rebate

Approved ratepayers whose property in which they reside is located within the boundaries of Council, may be entitled to a rebate of 20% (to a maximum of \$250) on all rates levied in respect of each eligible property, excluding environment separate charge, special rates/charges, water consumption charges and rural and state fire levies/charges.

Should a person be entitled to only part of the State subsidy, because of part ownership of the property, or other relevant reason, the Council rebate would be similarly reduced.

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5.2 Not-For-Profit/Charitable Organisations

Rate concessions are available to approved organisations whose objectives do not include the making of profit and who provide services to their membership and the community.

5.2.1 Eligibility

Not-For-Profit/Community Organisation – An incorporated body who:

- Does not include the making of profit in its objectives;
- Does not charge a fee for service;
- Is located within the Council area and the majority of its members reside in the Council area;
- Does not receive income from gaming machines and/or from the sale of alcohol in an organised manner (e.g. bar with regular hours of operation with permanent liquor license);
- Is the owner, lessee or life tenant of the property and is the incorporated bodies main grounds/base/club house or residence;
- Has, either solely or jointly with a co-owner, the legal responsibility for the payment of rates and charges which are levied in respect of the property; and
- Is not a religious body or entity or educational institution recognised under State or Federal statute or law.

Should an applicant only have part ownership of the property the Council remission is similarly reduced.

5.2.2 Close of Applications

Eligibility for a concession is assessed by Council annually prior to the issue of the first rate notice each financial year (generally June/July). Organisations not automatically provided with a concession, and believe they meet the relevant criteria, may apply for approval at any time. If an application is approved by Council, concessions are applied from the beginning of the current rating period (concessions are not applied retrospectively).

5.2.3 Amount of Rebate

(a) Category One (1) – Surf Life Saving Organisations

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap – N/A

(b) Category Two (2) - Showground Related Organisations

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%

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- Cap – N/A
- (c) *Category Three (3) – Kindergartens*
- Rebate Level General Rates – 50%
 - Rebate Level Road Network Separate Charge – 50%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Environment Separate Charge – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – Charged at residential rates
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 1,000.00
- (d) *Category Four (4)–Charitable Organisations Benefiting the Aged/Disadvantaged*
- Rebate Level General Rates – 100%
 - Rebate Level Separate Rates/Charges – 100%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – 0%
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 1,000.00 for Service Charges only
- (e) *Category Five (5) – Sporting Clubs and Associations – Without Liquor and Gaming Licenses*
- Rebate Level General Rates – 100%
 - Rebate Level Separate Rates/Charges – 100%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – Charged at residential rates
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 2,000.00 for Service Charges only
- (f) *Category Six (6) – Sporting Clubs and Associations – With Liquor Licenses but No Gaming Licenses*
- Rebate Level General Rates – 50%
 - Rebate Level Road Network Separate Charge – 50%
 - Rebate Level Environment Separate Charge – 0%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%
 - Rebate Level Water Consumption Charges – Charged at residential rates
 - Rebate Level Sewerage Charges – 50%
 - Rebate Level Waste Charges – 50%
 - Cap - \$ 2,000.00
- (g) *Category Seven (7) – Sporting Clubs and Associations situated on highly valued leasehold land – With Liquor Licenses but No Gaming Licenses*
- Rebate Level General Rates – 75%
 - Rebate Level Road Network Separate Charge – 75%
 - Rebate Level Environment Separate Charge – 0%
 - Rebate Level Special Rates/Charges – 0%
 - Rebate Level Water Access Charges – 50%

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Adopted/Approved: **DRAFT** Adopted, 22-June
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Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ 1,000.00 for Service Charges only

Applies to Assessment Number 105813 – Rockhampton Bowls Club only.

(h) *Category Eight (8) – Sporting Clubs and Associations – With Liquor and Gaming Licenses*

Rebate Level General Rates – 0%
 Rebate Level Separate Rates/Charges – 0%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 0%
 Rebate Level Water Consumption Charges – 0%
 Rebate Level Sewerage Charges – 0%
 Rebate Level Waste Charges – 0%
 Cap – N/A

(i) *Category Nine (9) - All Other Not-For-Profit/Charitable Organisations*

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ 2,000.00 for Service Charges only.

(j) *Category Ten (10) - Rural Fire Brigade*

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 100%
 Rebate Level Water Consumption Charges – 100%
 Rebate Level Sewerage Charges – 100%
 Rebate Level Waste Charges – 100%
 Cap - N/A

NOTE: Sewerage charges are not levied in respect of public amenities blocks that are locked and controlled by clubs.

5.3 General Rate Rebates

In accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, the properties where 100% rebate of general rates applies may be exempted from payment of general rates in lieu of the provision of a rebate.

5.4 Permits to Occupy Pump Sites and Separate Pump Site Assessments

Council will grant rebates on the following basis for those assessments that only contain pump sites and where the land area is 25 square meters or less:

- a) Separate Charges – 100% rebate
- b) General Rates – Maximum rebate of \$600.00.

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5.5 Water Consumption Charges

Council will grant a rebate on the following basis for the following assessments:

- 237107 – Gracemere Lakes Golf Club
- 237109 – Gracemere Bowling Club

Water Consumption Charges – 50% rebate.

5.6 Lot 1 South Ulam Rd, Bajool

Council grants a rebate on the following basis for the following assessment:

- 146963-2 – being Lot 1 South Ulam Rd, Bajool (L1 MLG80014 Parish of Ultimo)
 - a) General Rate 100%
 - b) Road Network Charge 100%
 - c) Environment Separate Charge 100%

~~6 Exclusions from Capping of General Rates as an Unintended Consequence~~Capping of General Rates

~~Council will grant a concession of general rates for those assessments impacted as a result of an unintended consequence which negates or negatively impacts upon the application of the intent of capping of general rates as per Council's Revenue Policy. (For example, minor changes to property area as a result of boundary realignment.)~~

~~5.7 The amount of concession is set to reduce the amount of general rates payable to the amount that would have been levied if capping had been applied to the individual assessment subject to the event leading to the unintended consequence.~~

~~For the 2017-18 financial year Council will not be resolving to limit any increases in rates and charges.~~

5.8 General Rate Concession for Caravan Parks

Council will grant a concession of general rates for those assessments potentially impacted by the opening of free camping sites. Council recognises the importance of the tourism drive market and the extra value that Caravan Parks offer.

5.8.1 Eligibility

Properties must have a land use code of "49 – Caravan Parks" and must disclose the number of tent and caravan park sites that are available for itinerant use. They must also advise the number of ensuite sites. Sites where an ensuite is provided are not eligible.

5.8.2 Close of Application

Eligibility for this concession is assessed by Council annually prior to the issue of the first rate notice each financial year (generally June/July). Assessments not automatically provided with the concession, and believe they meet the relevant criteria, may apply for approval at any time. If an application is

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approved by Council, concessions are applied from the beginning of the current rating period (concessions are not applied retrospectively).

5.8.3 Amount of Rebate

An amount of \$20 per annum will be provided per eligible site, and capped at \$2,000 per annum.

6.25.9 Rockhampton CBD Commercial Properties with Mixed Residential Use

The purpose of this concession is to encourage inner city residential living and reduce vacancies in the Rockhampton CBD by providing an incentive for commercial property owners within the defined CBD area (as per Appendix A - Rockhampton CBD Extent) to utilise unoccupied commercial space for residential purposes. Residential purposes is defined as any space constructed and permitted for residential use and occupied by the owner or tenant as a residence.

Council will consider granting a concession of up to \$2,000 per annum for properties within the defined CBD area that are rated in Category 1 (commercial/light industry) and have a mixed use of commercial and residential. The concession is primarily intended to facilitate the adaptation of vacant commercial spaces, particularly above ground floor, to residential use. The actual concession amount will be \$2,000 or a maximum of 75% of the general rate whichever is the lesser.

To be eligible for the concession the completed CBD Commercial Property Rates Concession Application Form must be submitted and will be subject to approval by Council.

Applications for concessions will be considered during the rating period (i.e. half year). Applications received after the date of levy will be considered only from the commencement date of the current rating period (concessions are not applied retrospectively).

5.9.1 Conditions

- The residential component should not be vacant longer than 6 months within the financial year;
- Verification of use may be provided by a registered real estate agent or through pre-arranged inspection by a Council officer;
- Properties receiving the concession must advise Council if the residential use is discontinued.

The rates concession may be subject to reversal if the above conditions are not adhered to.

5.10 Leased Council Vacant Land

Council will grant rebates of 100% of the general rate and separate charges on vacant land owned or held as Trustee by Council if the land is leased to another person and the land is not used for any business or commercial/industrial purpose.

In accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, properties where 100% rebate of general rates and separate charges apply may be exempt from the payment of general rates and separate charges in lieu of the provision of a rebate.

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5.11 Waste Remission for Multi-Residential Unit Developments

The purpose of this concession is to waive the waste/recycling charge where it has been deemed impractical for Council to provide waste/recycling collection services to a multi-residential unit development consisting of six or more individual attached or semi attached premises or units for which a community title scheme exists under the *Body Corporate and Community Management Act 1997*.

Council may grant a concession of 100% of the waste/recycling charge for each multi-residential unit or units for which a community title scheme exists.

To be **eligible** for the concession the completed Waste Charges Rebate Form must be submitted and will be subject to approval by Council.

Applications for concession will be considered during the rating period (i.e. half year). The concession may be applied retroactively for the full financial year where the service has not been provided in accordance with this policy and the Waste and Recycling Collection Services Policy and Procedure.

6 Review Timelines:

This policy will be reviewed when any of the following occur:

- 6.1** Annually in accordance with the Revenue Statement;
- 6.2** The related information is amended or replaced; or
- 6.3** Other circumstances as determined from time to time by the Council.

7 Responsibilities:

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Finance Manager
Policy Quality Control	Corporate Improvement and Strategy

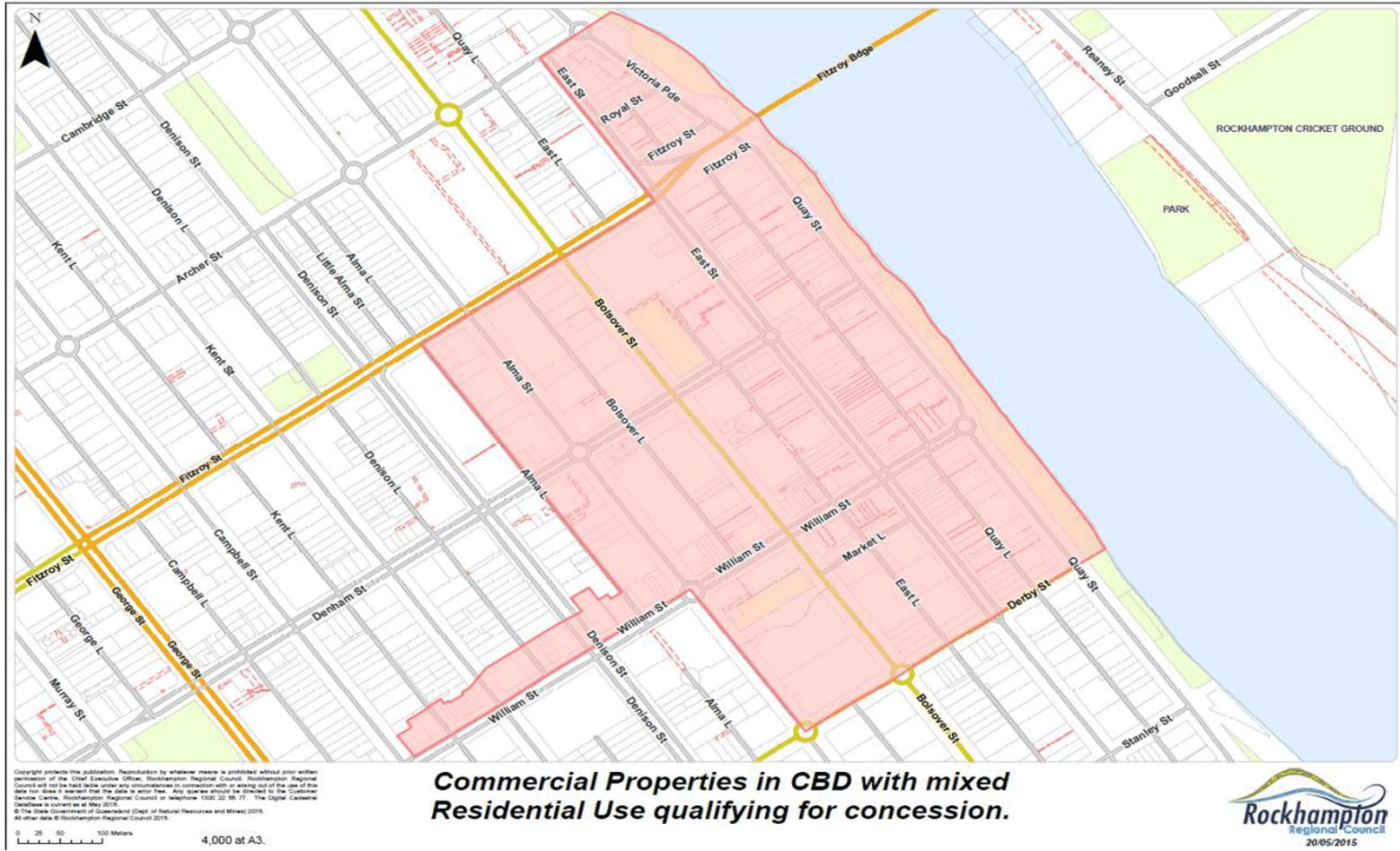
EVAN PARDON
CHIEF EXECUTIVE OFFICER

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Appendix A – Rockhampton CBD Extent



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11.7 RECORDING RECOLLECTIONS OF FORMER MAYOR, R.B.J. (REX) PILBEAM UPDATE

File No: 1578
Attachments: 1. Essay 'nothing like it in the country'
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Peter Owens - Manager Arts and Heritage

SUMMARY

At the meeting held on 9 May 2017, at the request of Councillor Schwarten, Council resolved to commission an oral historian to interview Rockhampton and District residents for recollections of activities of former Mayor, Rex Pilbeam and building the collection of original artworks held by Rockhampton Art Gallery. The Manager Arts and Heritage has provided an update on the project to date.

OFFICER'S RECOMMENDATION

THAT the report presented by the Manager Arts and Heritage be 'received'.

PREVIOUS DECISIONS

At the meeting held on 9 May 2017 Council resolved that, as a matter of priority, commission a suitably qualified oral historian, the purpose of whom shall be to locate and interview those Rockhampton and District residents who have first-hand recollections of the dogged and often colourful activities of former Mayor the late R.B.J. (Rex) Pilbeam in establishing and building the now highly valuable collection of original artworks held by Rockhampton Art Gallery; and that a report on progress made towards the above objective be presented at the first Ordinary Council meeting in July 2017.

COMMENTARY

The Manager Arts and Heritage has commenced work on the project and has discussed with the Manager Communities and Facilities, the possible scope for staff at Council's own History Centre at the Rockhampton Regional Library undertaking some preliminary investigation into the material already held both locally and nationally about the subject.

Councillors may wish to also review the attached extract from the catalogue for the CREAM exhibition, an essay entitled 'nothing like it in the country', researched and written by then Rockhampton Art Gallery Curator, Ms Diana Warnes. The essay provides background to the establishment of the collection and purchase of the original artworks.

It is understood that none of the four original artwork selection committee, comprising Mayor Pilbeam, Bishop Bayton, Art Gallery Director Don Taylor and architect Neil McKendry are now able to be interviewed.

The Manager Communities and Facilities having worked for Council at the time, has also suggested that in her opinion it may be difficult to find other individuals with "first-hand recollections" of the process of establishing the collection.

The Manager Communities and Facilities has however, undertaken to have Council officers at the Rockhampton Regional Library attempt to contact some of the early donors to the Rockhampton Art Gallery Trust with a view to these individuals being invited to become involved in such a project.

It is however important to note that, given the collection was established, now some forty years ago, there is every possibility that the task of developing a more clear picture of the activities from those who may have been involved as donors at the time may be problematic.

Once this preliminary work has been completed it may well provide a clearer picture as to whether or not there is the potential for the project to be undertaken successfully and at which time a detailed scoping document can be created and a suitably qualified oral historian can be engaged.

**RECORDING RECOLLECTIONS OF
FORMER MAYOR, R.B.J. (REX)
PILBEAM UPDATE**

Essay 'nothing like it in the country'

Meeting Date: 11 July 2017

Attachment No: 1

‘nothing like it in the country’

The story of Rockhampton Art Gallery’s enviable art collection is a remarkable tale of imagination, philanthropy, hard work and cultural pride. Led by Rex Pilbeam, Mayor of the City of Rockhampton, and supported by regional businesses and local residents, the Gallery amassed tens of thousands of dollars in order to develop an art collection. This effort was motivated by a government funding scheme that was introduced in 1973. The Australian Contemporary Art Acquisition Program, run by the Visual Arts Board of the Australia Council, would match dollar for dollar (later doubled) all monies raised locally.¹ In just one financial year, 1976–77, the Rockhampton community acquired modern Australian art worth around \$500 000—a collection that today is valued at \$14 million. This achievement reflects the pride and generosity of Rockhampton residents and the civic devotion of Mayor Pilbeam.

As Rockhampton’s Mayor for thirty years (1952–82), Pilbeam has left an indelible mark on the provincial city. He was born in Longreach in 1907, attended primary school at Emu Park on the Capricorn Coast, entered the Queensland Public Service in Brisbane, and became an accountant. He served in the Australian Army during the Second World War and in 1949 moved to Rockhampton, where three years later he was elected mayor. Pilbeam began to modernise the city—sealing roads, improving the town’s water supply, and creating recreation facilities.²

Rex Pilbeam was a larger-than-life character, and those who knew him all have a story to tell, relayed with varying levels of shock, horror or admiration. In 1978 *Australian Women’s Weekly* reporter Daphne Guinness offered this character assessment in 1978: ‘The mayor has all the tricks of the trade at his fingernails (which he cleans with a paperclip). He shouts, jokes, kisses, winks, makes appalling puns, tells off-colour jokes, is one of the boys and has an eye for the girls’.³ Indeed, Pilbeam’s relationships with women were sometimes fraught. Back in 1953, Council stenographer Jean Francis McGregor Jennings—a jaded former lover—attempted to murder Pilbeam and then kill herself. She was unsuccessful on both accounts. The bullet remained lodged behind Pilbeam’s eleventh rib for the remainder of his life, and Jennings received a two-year suspended jail sentence.⁴ Jennings recalled his charms at the sentence hearing. ‘I know he’s poison’, she said, ‘he’s poison for me, but, oh what sweet poison’.⁵

This story received national attention—which refocused on Pilbeam in 1978 due to his public stance on working women. The City of Rockhampton still held to the outdated practice of sacking female employees once they married, in order to create jobs for younger unemployed women. This action had held to be discriminatory by the Australian Arbitration Commission, but Pilbeam was unrepentant. In his view, ‘The most wonderful woman is the feminine one and the woman who is the most charming and attracts me is the woman who makes her life task staying home and looking after the children’.⁶

Fortunately, Pilbeam’s mayoral legacy includes more than controversy. Along with improving amenities, he envisaged a cultural heart for Rockhampton. He worked to establish a free-of-charge cultural centre for local community groups, a new theatre, a second library, a velodrome named in honour of Commonwealth sprint cyclist Kenrick Tucker, a second Olympic swimming pool, and a thriving art gallery.⁷

From the start, Pilbeam was ambitious about developing the Gallery’s collection. He identified a financial opportunity in the Australian Contemporary Art Acquisition Program, initiated by the Australia Council for the Arts in 1973. He sought the advice of the Australia

Council, which confirmed that Rockhampton Art Gallery qualified for the program. Under the guidelines, an art acquisition had to meet four criteria. It must be a work by a recognised visual artist; must be purchased from the artist or a primary dealer; might be purchased through an acquisitive art prize; and the artist must be a living Australian or have resided in the country for two years.⁸ Pilbeam wrote to potential donors in 1975, outlining his vision in typically cavalier style:

As you are doubtless aware, the City of Rockhampton is quite unique in Queensland in having the only Municipal owned and controlled Art Gallery. We are very concerned to build up this gallery into one which will be acclaimed right throughout the Commonwealth.⁹

Pilbeam highlighted, astutely, the income tax concessions available for all donations over two dollars, and the acquisition subsidy being offered by the Australian Government. After acknowledging the positive achievements of each business, he requested a \$2000 contribution (that could be spread over two years). Due to financial hardship, not all businesses approached agreed to participate; on a letter from one such company, Pilbeam wrote 'received with grief!'.¹⁰ But another local business acknowledged the favourable circumstances that Council had created for them over the years and was pleased to contribute funds.¹¹ Pilbeam's appeal began to garner success and donations arrived at City Hall.

The inaugural meeting of the Gallery's Art Acquisition Fund was held on 25 February 1976. A committee was elected, chaired by the Dean of Rockhampton, the Very Reverend John Bayton. The Gallery Director, Don Taylor, became chair of the selection panel, which would advise on artists and artworks for acquisition. Letters were soon sent to the Directors of State Galleries in Queensland, Victoria, New South Wales, Tasmania and South Australia, and to the Director of the Australian National Gallery (now National Gallery of Australia) in Canberra. Each was invited to sit on the selection panel and to suggest suitable artists. The committee was clearly seeking a representative collection of Australian art. The Director of the Art Gallery of New South Wales, Peter Laverty, declined due to heavy commitments, as did James Mollison from the National Gallery—who suggested purchasing works from current exhibitions and warned against commissioning, due to its unpredictable nature. Other directors suggested leading artists from their state, and David Thomas from the Art Gallery of South Australia encouraged a print collection.¹² By September, the Rockhampton Art Gallery, armed with advice and flush with donations and the promise of more government funds, was ready to start buying.

The selection committee, comprising Mayor Pilbeam, Bishop Bayton, Director Don Taylor and architect Neil McKendry, flew to Sydney courtesy of Trans Australian Airlines. They visited the commercial galleries—Holdsworth, Bonython, Macquarie, Artarmon, Barry Stern and Rudy Komon—negotiating the purchase of works by Lloyd Rees, Russell Drysdale, Donald Friend, Sidney Nolan, James Gleeson, John Coburn, Arthur Boyd and many more. After the initial fundraising success, Pilbeam wrote again to businesses and individuals in December 1976 seeking further assistance. The response was positive and the acquisition bender continued into 1977.

In January, Pilbeam sought the opinion of Sir William Dargie, a leading portraitist and former long-serving member of the Commonwealth Arts Advisory Board. Dargie, who was generally considered a conservative, was generous with his knowledge and liberal in his opinions of Melbourne's modern painters, identifying Fred Williams, John Brack, Clifton

Pugh, John Perceval and Noel Counihan, among others, as collectable artists. He provided artists' phone numbers and insider advice for negotiating prices:

Almost certainly, each will be asking a high price for his work although all are very keen to sell. Rumour has it that the big fees they are used to receiving a couple of years ago are now much diminished because of the catastrophic drop in auction prices for the paintings at Joels, Sotheby's and Christies. I should also tell you that most are under water-tight contract to Sydney art-dealer Rudy Komon and that he has already been informed by them of your interest and his advice asked. With this information, I am sure you can handle the negotiations better than I—or anyone else—could.¹³

The committee flew south to Sydney later that month and negotiated to purchase key works by more leading Australian modernists, including Charles Blackman, Judy Cassab and Kenneth Macquenn. They flew on to Melbourne, this time meeting with artists in their studios. On his return to Rockhampton, Pilbeam issued a press release about his Melbourne visit:

I feel it will take me some weeks to get down to earth again, because I have never seen anything in my life like the life-style of Australian Artists, which feature amongst others a tame wombat, a dog living on the roof of a house, stained glass windows in kitchens, and significant landscapes painted on both sides of a toilet seat.¹⁴

He seems to be describing the artist enclave and Clifton Pugh's home, Dunmoochin, at Cottles Bridge outside of Melbourne. Pugh later expressed enthusiastic support for the efforts of Pilbeam and the committee:

I and the fellow artists I have spoken to are thrilled that Rockhampton is building such a gallery and collection. There is no doubt in a year or two (if not already) you are going to have the best contemporary collection outside the major cities. More power to you.¹⁵

Pilbeam record's another memorable experience, this time at the Melbourne home of Pugh's friend, the landscape painter Fred Williams, and his wife Lyn: 'Mr Williams' large talent in painting was not duplicated in his success in coffee-making—I could not manage more than 25% of my cup'.¹⁶ He expresses joy at being able to acquire such rich paintings for the people of Rockhampton, and highlights the quality and diversity of the works. The committee's experience motivated Bishop Bayton, himself an artist, to report back to the Rockhampton donors:

I believe that the Collection when hung will provide art lovers with great pleasure, art students with much encouragement, local artists with much inspiration and the donors with humble thankfulness for responding to the initial challenge to give Rockhampton a significant Collection. I believe that by every criteria of judgement the Art Acquisition Fund has made a very worthwhile contribution to the cultural, aesthetic and spiritual life of Central Queensland.¹⁷

The Australia Council required that all artists be paid within the same financial year as the purchase, and after these southern trips, the Gallery's Art Acquisition Fund was exhausted. In the 1976–77 financial year, 164 paintings, sculptures and prints by 106 Australian artists were submitted to the Australia Council for reimbursement. The total cost was \$360,258. The application immediately revealed a discrepancy between what the Gallery believed was on offer and what the Australia Council was actually offering. The selection committee had met representatives of the Australia Council in September 1976, and believed they had support to raise further funds for acquisitions. The Australia Council, however, had capped the reimbursement per gallery at \$35,000. So, Rockhampton Art

Gallery, which had already outlaid the funds to purchase the artworks, was suddenly faced with a huge financial deficit.

A spate of correspondence with the Australia Council and federal politicians ensued. Pilbeam considered subsidy limitation 'a deceit imposed on the people of Rockhampton', while AA Staley, Minister Assisting the Prime Minister in the Arts, described the situation as 'disturbing'.¹⁸ In a letter to Dean Bayton, John Cameron of the Australia Council was far more severe:

We will certainly be delighted to attend the opening of your new gallery, if invited, and I hope that it and the rest of the inhabitants of Rockhampton are not suffering too much from the present floods. I was interested to hear Rex Pilbeam make the national news on the efficacy of prayer. Perhaps he might agree to apply this technique to assist with the resolution of our present problem.¹⁹

How the matter was resolved is not clear, but Rockhampton Art Gallery did receive the funds requested, except for the figure of \$16,050 for artworks deemed ineligible. An overview of the Australian Contemporary Art Acquisition Program 1973–1979 makes note of 'the Australia Council's special payment to the City of Rockhampton'.

In just two years, Pilbeam had achieved his visionary ambition and assembled a stunning collection of Australian paintings for Rockhampton. James Gleeson, artist and then curator at the Australian National Gallery, visited in 1977 was very impressed by what the town had achieved. In his view, 'What had been happening in Rockhampton is the talk of Australia in the art world ... There has been nothing like it in the country before'.²⁰ To coincide with the opening of the new Rockhampton Art Gallery in 1978, now sited along the Fitzroy River, an exhibition of all the acquisitions was held. In its catalogue, Rex Pilbeam challenged the next generations:

I solemnly charge the future citizens of Rockhampton to maintain and advance this Gallery in years to come. This is the least that we can expect of the citizens of tomorrow in return for the splendid contribution made by the citizens of today.²¹

¹ Minutes of the fourth meeting of donors to the Rockhampton Art Gallery acquisition fund, 28 September 1976.

² See Doug Tucker, 'Transforming a Provincial City: the Pilbeam mayoralty in Rockhampton 1952–1982', in *Queensland Review*, Vol. 10, No. 1, May 2003, pp.163-174.

³ Daphne Guinness, 'Mayor Pilbeam lays down his pecking order', *Australian Women's Weekly*, 24 May 1978, p.14.

⁴ Tucker, 'Transforming a Provincial City', p. 164.

⁵ 'Attempted murder verdict: shooting of Mayor', *Morning Bulletin*, 28 August 1953, p. 5.

⁶ Guinness, 'Mayor Pilbeam'. See also 'Women dismissed on marriage: Bench censures council policy', *Canberra Times*, 25 April 1978, p. 3.

⁷ Tucker, 'Transforming a Provincial City', p. 172.

⁸ Australia Council, Visual Arts Board and Australia Council Arts Information Program, *Australian Contemporary Art Acquisition Scheme / Visual Arts Board Arts Information Program*, Australia Council, Sydney, 1980, p. 3.

⁹ Pilbeam to The Manager, Ampol Petroleum, letter dated 28 July 1975.

¹⁰ RJ White, Secretary Consolidated Fertilizers Limited to Pilbeam, letter dated 3 September 1975.

¹¹ RL Allchin, Manager Queensland Humes Limited to Pilbeam, letter dated 20 August 1975.

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- ¹² James Mollison to GT Hoffmann, letter dated 30 April 1976; David Thomas to GT Hoffman, letter dated 17 May 1976.
- ¹³ William Dargie to Pilbeam, letter dated 7 January 1977.
- ¹⁴ Pilbeam, media release, c. February 1977.
- ¹⁵ Clifton Pugh to Don Taylor, letter dated 29 January 1977.
- ¹⁶ Pilbeam, media release, c. February 1977.
- ¹⁷ Dean Bayton, 'Report to donors Rockhampton Gallery Art Acquisition Fund', 28 September 1978.
- ¹⁸ Pilbeam to C Carige, Member for Capricornia, letter dated 24 November 1977; AA Staley, Minister Assisting the Prime Minister in the Arts, to C Carige, Member for Capricornia, letter dated 2 December 1977.
- ¹⁹ John Cameron to Dean Bayton, letter dated 7 February 1978.
- ²⁰ Quoted in 'City Art Collection 'best in north', *Morning Bulletin*, c.1977.
- ²¹ Pilbeam, 'Foreword', *The Rockhampton Gallery*, exhibition catalogue, Rockhampton Art Gallery, Rockhampton, c.1977.

11.8 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No:	12660
Attachments:	1. INSTRUMENT OF DELEGATION - PLANNING ACT 2016
Authorising Officer:	Tracy Sweeney - 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 Instrument attached to this report:
- Planning Act 2016
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Instrument of Delegation attached to this report.

COMMENTARY

On 27 June 2018 Council approved various powers under the *Planning Act 2016* be delegated to the Chief Executive Officer. Since 27 June 2018, MacDonnells Law has identified new powers under the Act listed within the Officer's Recommendation. The approved powers have been the subject of a further review.

Subsequently, the Instrument of Delegation containing the new legislative updates for the Act has been prepared for Council's consideration and is attached to this report.

Attachment 1 – Planning Act 2016

The *Planning Act 2016 (PA)* commenced on 3 July 2017. To assist with the streamline implementation of the new PA, and transition from the *Sustainable Planning Act 2009 (SPA)*, MacDonnells Law has provided delegable powers. Existing delegations under the SPA remain in place as there are transitional arrangements under the PA for existing development applications and other existing planning matters that means the SPA continues to apply in some circumstances.

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. The information provided herein is as recommended by MacDonnells Law.

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.

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 the Instrument of Delegation for the *Planning Act 2016* 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 Instrument of Delegation attached to this report subject to any limitations contained in schedule 2 of the Instrument 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
CHIEF EXECUTIVE OFFICER**

**INSTRUMENT OF DELEGATION -
PLANNING ACT 2016**

Meeting Date: 11 July 2017

Attachment No: 1



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 – 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: 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	46(2)(a)	Power to give an exemption certificate for a development.
Local	46(3)(a)	Power to seek agreement in writing from referral agencies about the giving

Government		of an exemption certificate.
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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	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.
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.

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.

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
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(1A)	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	87(3)	Power to agree to extend the 20 business day period.

Manager		
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 breakup agreement) 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 trunk 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.
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.

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 CLOSURE OF MEETING