



ORDINARY MEETING

MINUTES

9 MAY 2017

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 9 MAY 2017 COMMENCING AT 9.04AM**

1 OPENING

The opening prayer presented by Father Bryan Hanifin from Catholic Parish of Rockhampton South.

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr M Rowe – General Manager Community Services
Mr S Waters – General Manager Regional Development and Aviation
Mr S Gatt – Manager Planning and Regulatory Services
Mr R Palmer – Senior Executive Industry Engagement
Mr D Morrison – Executive Coordinator to the Mayor
Mr G Randall – Coordinator Local Laws
Ms T Fitzgibbon – Coordinator Development Assessment
Mr M Mansfield – Supervisor Media and Engagement
Mr T Gardiner – Planning Officer
Mr B Diplock – Planning Officer
Ms A Johnson – Planning Administration Officer
Ms E Brodel – Media Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Tony Williams as he is attending the LGAQ Disaster Management Conference in Mackay.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 26 April 2017 be taken as read and adopted as a correct record.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 2 MAY 2017

9:06AM Councillor Rutherford attended the meeting

COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 2 May 2017 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Smith

Seconded by: Councillor Fisher

MOTION CARRIED

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

Recommendation of the Planning and Regulatory Committee, 2 May 2017**9.1.1 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES FOR MARCH 2017****File No:** 1464**Attachments:**

1. Traffic Light Report for March 2017
2. Financial Matters Report for March 2017
3. Monthly Operations Report for Planning, Building and Plumbing - March 2017
4. Monthly Operations Report for Health & Environment - March 2017
5. Monthly Operations for Local Laws - March 2017

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

SUMMARY

The monthly operations report for the Planning and Regulatory Services Department as at 31 March 2017 is presented for Councillors information.

COMMITTEE RECOMMENDATION

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

Recommendation of the Planning and Regulatory Committee, 2 May 2017**9.1.2 COMMITTEE REPORT DELEGATIONS - MARCH 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 March 2017 and whether they will be decided under delegation or decided by Council.

COMMITTEE RECOMMENDATION

THAT the Committee Report Delegations – March 2017 be received.

Recommendation of the Planning and Regulatory Committee, 2 May 2017
9.1.3 D/6-2017 - DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS FOR AN ADVERTISING DEVICE (BILLBOARD)

File No: D/6-2017

Attachments:

1. Locality Plan
2. Site Plan
3. Plan and Elevation

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/6-2017

Applicant: Bishopp Outdoor Advertising Pty Ltd

Real Property Address: Lot 8 on RP603507 and Lot 9 on RP603507, Parish of Murchison

Common Property Address: 870-886 Yaamba Road, Parkhurst

Area of Site: 8.094 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone

Planning Scheme Overlays: Steep Land Overlay – 15-20% slope

Existing Development: Short-term accommodation units and caravan park

Existing Approvals: Town Planning Consent for Multiple Holiday Villas (eight) and Overnight Units

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

Level of Assessment: Impact Assessable

Submissions: TBA

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	20 January 2017
<i>Acknowledgment Notice issued:</i>	23 January 2017
<i>Request for Further Information sent:</i>	7 February 2017
<i>Request for Further Information responded to:</i>	17 February 2017
<i>Submission period commenced:</i>	21 February 2017
<i>Submission period end:</i>	14 March 2017
<i>Council request for additional time:</i>	20 March 2017
<i>Last receipt of information from applicant:</i>	15 March 2017
<i>Statutory due determination date:</i>	15 May 2017

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Operational Works for an Advertising Device (Billboard), made by Bishopp Outdoor Advertising Pty Ltd on land described as Lot 8 and Lot 9 on RP603507, Parish of Murchison, located at 870-886 Yaamba Road, Parkhurst, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposal is for the replacement and relocation of an existing Billboard and will not adversely affect the visual amenity of Yaamba Road as a main transport entrance into Rockhampton's urban areas nor the surrounding area;
- b) The Billboard is not located in proximity to any existing residential development and will not compromise the purpose of the Low Density Residential Zone from providing predominantly single detached Dwelling Houses;
- c) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- d) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- e) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for Operational Works for an Advertising Device (Billboard), made by Bishopp Outdoor Advertising Pty Ltd on land described as Lot 8 and Lot 9 on RP603507, Parish of Murchison, located at 870-886 Yaamba Road, Parkhurst, 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 this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.4.1 Building Works.
- 1.5 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.

2.0 APPROVED PLANS AND DOCUMENTS

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

Plan/Document Name	Plan/Document Reference	Dated
Site Plan	470206AB	18 January 2017
Plan & Elevation	17019.01, Revision A	14 February 2017
Footing Detail	17019.01, Revision A	16 February 2017

- 2.2 A set of the above approved plans are returned to you as the Consultant. The Consultant is to supply one (1) Approved set to the contractor to be retained on site at all times during construction.
- 2.3 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.4 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 Building Works.

3.0 ILLUMINANCE AND LUMINANCE

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

Table 1: Luminance levels Advertising Device

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

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

4.0 ASSET MANAGEMENT

- 4.1 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.

5.0 OPERATING PROCEDURES

- 5.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.
- 5.2 Any proposed works within the vicinity (or zone of influence) of existing Council infrastructure will not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of the proposed works will be at the Developer's expense.
- 5.3 The Advertising Device (Billboard) must be designed and constructed in accordance with the Ergon Energy policy document *Electricity Entity Requirements: Working Near Overhead and Underground Electrical Lines*'.
- 5.4 The Advertising Device (Billboard) must be designed and certified by a Registered Professional Engineer of Queensland and constructed in accordance with the requirements of the *Queensland Development Code* and the *Building Code of Australia*.
- 5.5 The Advertising must meet applicable wind loading requirements as specified in '*Australian Standard AS 1170.2: 2011 – Structural Design Actions Part 2 – Wind Actions*'.
- 5.6 All signage must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed.
- 5.7 The Advertising Device (Billboard) must be maintained in a safe, clean, tidy and sightly condition at all times.

10 COUNCILLOR/DELEGATE REPORTS

10.1 REQUEST FOR FINANCIAL ASSISTANCE FROM MAYOR STRELOW'S COUNCILLOR DISCRETIONARY FUND - ROCKHAMPTON MUSICAL UNION

File No: 8295

Attachments: 1. Quotation for renovations to Rockhampton Musical Union Choir Hall

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Nicole Semfel - Administration Officer

SUMMARY

Mayor Margaret Strelow is requesting approval to donate \$2,350 from her Councillor Discretionary Fund to the Rockhampton Musical Union Choir.

COUNCIL RESOLUTION

THAT approval be granted to donate \$2,350 from Mayor's Councillor Discretionary Fund to the Rockhampton Musical Union Choir.

Moved by: Councillor Swadling

Seconded by: Councillor Schwarten

MOTION CARRIED

11 OFFICERS' REPORTS

11.1 D/34-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR ANIMAL KEEPING

File No: D/34-2017

Attachments:

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevations
5. Roof Plan

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

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/34-2016

Applicant: Rockhampton Regional Council

Real Property Address: Lot 20 on SP206688, Lot 21 on SP206688, Lot 22 on SP206688 and Lot 23 on SP206688, Parish of Gracemere

Common Property Address: 158 Foster Street, Gracemere

Area of Site: 2.05 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Medium Impact Industry Zone

Planning Scheme Overlays: Creek Catchment Flood Overlay

Existing Development: Vacant Land

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for Animal Keeping

Level of Assessment: Impact Assessable

Submissions: Twenty-two (22)

Referral Agency(s): Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	17 March 2017
<i>Acknowledgment Notice issued:</i>	17 March 2017
<i>Submission period commenced:</i>	22 March 2017
<i>Submission period end:</i>	12 April 2017
<i>Last receipt of information from applicant (Notice of</i>	18 April 2017

<i>Compliance to Public Notification):</i>	
<i>Statutory due determination date:</i>	16 May 2017

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping, made by Rockhampton Regional Council at 158 Foster Street, Gracemere, on land formally described as Lot 20 on SP206688, Lot 21 on SP206688, Lot 22 on SP206688 and Lot 23 on SP206688, Parish of Gracemere, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Access and Parking Works;
 - (ii) Sewerage Works;
 - (iii) Stormwater Works;
 - (iv) Site Works;
 - 1.5.2 Building Works; and
 - 1.5.3 Plumbing and Drainage Works.
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

1.9 Lots 20, 21 and 22 must be amalgamated and registered as one lot prior to the commencement of the use.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan: Rev A	1026-26-MCU1	15 March 2017
Ground Floor – Buildings Stage 1	AF-01 Revision 04	10 August 2016
Roof Plan	AF-02 Revision 04	10 August 2016
Elevations	AF-03 Revision 04	10 August 2016

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

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

3.0 STAGED DEVELOPMENT

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

3.1.1 Carpark, Administration Building and Kennels (Stage One);

3.1.2 Kennels (Stage Two); and

3.1.3 Kennels (Stage Three),

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

Stage one must be completed prior to any other stage. All other stages are not required to be undertaken in any chronological order.

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

4.0 ACCESS AND PARKING WORKS

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

4.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).

4.3 All car parking and access areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).

4.4 All vehicles must ingress and egress the development in a forward gear.

4.5 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.

- 4.6 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.7 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.
- 4.8 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
- 5.0 SEWERAGE WORKS
- 5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the development site.
- 5.2 All sewerage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008*, and *Plumbing and Drainage Act 2002* and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 The existing sewerage access chamber and connection point for Lot 21 must be relocated adjacent to the new eastern boundary of the proposed development to avoid any conflicts with the proposed kennel of Stage two. This will include removing a section of redundant sewerage main. The new sewerage access chamber and connection point must be located within the lot it serves.
- 5.4 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.
- 6.0 WATER WORKS
- 6.1 The development must be connected to Council's reticulated water network.
- 6.2 The existing water service connection provided to the site may require an upgrade. Fitzroy River Water can provide a quote for the works upon request if required. All costs associated with these works will be the responsibility of the developer.
- 6.3 The existing fire hydrant must be relocated as per the approved plans (refer to condition 2.1) to be clear of the proposed driveway.
- 6.4 Adequate domestic and fire fighting protection must be provided to the development and must be certified by a hydraulic engineer or other suitably qualified person.
- 7.0 PLUMBING AND DRAINAGE WORKS
- 7.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 7.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002*, and Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 8.0 STORMWATER WORKS
- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development

approval.

- 8.2 A Stormwater Management Plan must be submitted with any application for Operational Works that addresses quantity and quality.
- 8.3 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*, and sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 8.4 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 8.5 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 8.6 The stormwater inlet inside Lot 21 must be relocated adjacent to the new eastern boundary of the proposed development to avoid any conflict with the proposed kennel of stage two. The inter-allotment drainage west of this inlet must be made redundant. The new inlet must be located within the lot it serves.

9.0 SITE WORKS

- 9.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 9.2 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 9.3 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.

10.0 BUILDING WORKS

- 10.1 All external elements, such as air conditioners must be adequately screened from public view, to Council's satisfaction.
- 10.2 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 10.3 Kennel sections for stages 1, 2 and 3 are to be constructed of concrete block for all external walls to improve noise attenuation.

11.0 LANDSCAPING WORKS

- 11.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 11.2 The landscaped areas must be subject to:
- 11.2.1 a watering and maintenance plan during the establishment moment; and
 - 11.2.2 an ongoing maintenance and replanting programme.

12.0 ELECTRICITY

- 12.1 Electricity services must be provided to the development in accordance with the

standards and requirements of the relevant service provider.

13.0 TELECOMMUNICATIONS

- 13.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.

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 undertaken and completed at no cost to Council.
- 14.2 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.
- 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 commencement of the use. This information must be provided in accordance with the *Guideline for the Creation and Submission of Asset Design As-Constructed Files*.

15.0 ENVIRONMENTAL

- 15.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan that addresses, but is not limited to, the following:
- (i) noise and dust suppression; and
 - (ii) waste management.
- 15.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:
- (i) objectives;
 - (ii) site location and topography;
 - (iii) vegetation;
 - (iv) top soil management;
 - (v) site drainage and an interim drainage plan during construction which also addresses water quality;
 - (vi) soils;
 - (vii) erosion susceptibility, silt and sedimentation management;
 - (viii) erosion risk;
 - (ix) concept;
 - (x) design; and
 - (xi) implementation,
- for the construction and post-construction phases of work.
- 15.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development

works.

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

16.0 ENVIRONMENTAL HEALTH

- 16.1 Noise emitted from the activity must not cause an environmental nuisance.
- 16.2 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy 2008*.
- 16.3 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 16.4 Regulated waste and any other waste must not be released to the environment, stored, transferred or disposed of in such a manner that it will or may cause environmental harm or nuisance. This includes any waste being burnt or incinerated at the premises.

17.0 OPERATING PROCEDURES

- 17.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Foster Street.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Animal Keeping, made by Rockhampton Regional Council at 158 Foster Street, Gracemere, on land formally described as Lot 20 on SP206688, Lot 21 on SP206688, Lot 22 on SP206688 and Lot 23 on SP206688, Parish of Gracemere, Council resolves not to issue an Infrastructure Charges Notice.

Moved by: Mayor Strelow

Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

11.2 WORKS FOR QUEENSLAND PROJECT STEERING COMMITTEE

File No: 12534
Attachments: 1. Minutes of Works for Queensland Steering Committee Meeting (Closed Session)
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Andrew Collins - Special Projects Officer

SUMMARY

A meeting of the Works for Queensland Project Steering Committee was held on Thursday 20 April 2017 to discuss current status of the projects.

COUNCIL RESOLUTION

THAT this report be dealt with in closed session.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.3 TOUR OF CENTRAL HIGHLANDS AND CENTRAL WESTERN QUEENSLAND

File No: 6137
Attachments: 1. Photos of inspection
Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Scott Waters - General Manager Regional Development and Aviation
Author: Rick Palmer - Senior Executive Industry Engagement

SUMMARY

This report outlines the results of a tour which Councillor Neil Fisher and Rick Palmer recently undertook of the Central Highlands and Central Western Queensland.

COUNCIL RESOLUTION

THAT Council:

1. Receive this report;
2. Contribute a third of the cost of obtaining the report on the condition of the Capricorn Highway;
3. Support further improvements to the Capricorn Highway;
4. Support the upgrading of the Blackall-Jericho Road and the Blackall-Alpha Road; and
5. That a quarterly report in relation to our east-west connections be presented to the table.

Moved by: Councillor Fisher

Seconded by: Mayor Strelow

MOTION CARRIED

11.4 INSPECTION OF POSSIBLE ROADS USED BY ADANI AUSTRALIA

File No: 8444
Attachments: 1. Road inspection photos
Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Scott Waters - General Manager Regional Development and Aviation
Author: Rick Palmer - Senior Executive Industry Engagement

SUMMARY

This report outlines the results of an inspection of possible Central Queensland roads which may be used by Adani Australia.

COUNCIL RESOLUTION

THAT Council receives the report on inspection of possible roads used by Adani Australia.

Moved by: Councillor Fisher
Seconded by: Councillor Swadling

MOTION CARRIED

11.5 STYX COAL PROJECT

File No: 9718

Attachments: 1. Initial Advice Statement
2. Draft Terms of Reference

Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Scott Waters - General Manager Regional Development and Aviation

Author: Rick Palmer - Senior Executive Industry Engagement

SUMMARY

This report recommends additions to the draft Terms of Reference for the Environmental Impact Statement.

COUNCIL RESOLUTION

THAT the suggested amendments be referred to the Department of Environment & Heritage Protection.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

11.6 DEVELOPING NORTHERN AUSTRALIA CONFERENCE 2017

File No: 4705
Attachments: 1. Conference Program 2017
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Scott Waters - General Manager Regional Development and Aviation

SUMMARY

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

COUNCIL RESOLUTION

THAT Council attend the 2017 Developing Northern Australia Conference, with delegates to include Mayor Strelow, Councillor Swadling, Councillor Fisher, Councillor Smith, Councillor Wickerson and up to 3 Council Officers; and

THAT furthermore the Chief Executive Officer:

- explore sponsorship and exhibition opportunities at the Conference to showcase the region;
- commence discussions and submit an expression of interest to host the next conference in Rockhampton; and
- discuss Council's expression of interest with Central Western and neighbouring Councils and seek support in hosting a future conference.

THAT the committee meetings scheduled for the week 19-23 June 2017 be cancelled.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

11.7 ADVANCE ROCKHAMPTON - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE**File No:** 1291**Attachments:** 1. Draft Terms of Reference - Advance Rockhampton Economic Development Advisory Committee**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer**Author:** Scott Waters - General Manager Regional Development and Aviation

SUMMARY

Council adopted the Advance Rockhampton Region Economic Action Plan 2017 – 2020. A key deliverable for the implementation of the plan was the formation of the Mayor's Economic Development Advisory Committee – Advance Rockhampton. This report contains a draft suggested terms of reference for the Committee.

COUNCIL RESOLUTION

THAT:

1. Council receive the draft Terms of Reference for the Advance Rockhampton – Economic Development Advisory Committee, as per the implementation of Council's Economic Action Plan; and
2. Any comments on the draft Terms of Reference be provided to the Chief Executive Officer by 17 May 2017.

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

11.8 APPOINTMENT OF CHAIRMAN TO CQ UNIVERSITY REGION ENGAGEMENT COMMITTEE

File No: 3540
Attachments: 1. CQ University RREC Terms of Reference
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Scott Waters - General Manager Regional Development and Aviation

SUMMARY

Council had previously held positions on the Rockhampton Region Engagement Committee of CQ University. The position of Chair was recently vacated and the General Manager Regional Development and Aviation was nominated for the position. An election was held within the Committee for the position and the General Manager Regional Development and Aviation was successful in the election process.

COUNCIL RESOLUTION

THAT Council note the appointment of the General Manager Regional Development and Aviation to the position of Chairman of CQ University's Rockhampton Region Engagement Committee.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED

11.9 CLEM CLARK ROAD AREA – BOULDERCOMBE ROADS TO BE INCLUDED IN ROAD ASSET REGISTER

File No: 8054
Attachments: 1. Road Asset Register Extensions
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: David Bremert - Manager Civil Operations

SUMMARY

The area around Clem Clark Road has been subdivided and the new roads brought up to Council satisfaction. The road network should be included in Council's Road Asset Register and therefore maintained.

COUNCIL RESOLUTION

THAT:

1. Council includes the roads as detailed in Attachment 1 of the report (extension of Clem Clark Road, roads marked A and B) in Council's Road Asset Register; and
2. Council undertakes a process to name the roads marked A and B in Attachment 1 of the report.

Moved by: Councillor Smith
Seconded by: Councillor Rutherford
MOTION CARRIED

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS QUESTIONS

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

File No: 1578

Responsible Officer: Peter Owens – Manager Arts and Heritage

SUMMARY

Councillor Schwarten requesting that Council 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.

COUNCIL RESOLUTION

1. THAT Rockhampton Regional Council, 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
2. THAT a report on progress made towards the above objective be presented at the first Ordinary Council meeting in July 2017.

Moved by: Councillor Swadling

Seconded by: Councillor Schwarten

MOTION CARRIED

9:57AM Councillor Schwarten left the meeting

9:58AM Councillor Swadling left the meeting and did not return

15 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

16.1 Capricornia Business Awards Sponsorship

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

11.2 Works for Queensland Steering Committee

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

Moved by: Councillor Rutherford

Seconded by: Councillor Wickerson

MOTION CARRIED

COUNCIL RESOLUTION

9:59AM

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

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

10:01AM Councillor Schwarten returned to the meeting

COUNCIL RESOLUTION

10:27AM

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

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 CAPRICORNIA BUSINESS AWARDS SPONSORSHIP

File No: 8026
Attachments: Nil
Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Scott Waters - General Manager Regional Development and Aviation
Author: Rick Palmer - Senior Executive Industry Engagement

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

SUMMARY

This report outlines the offer received by Council to sponsor the regional business awards.

COUNCIL RESOLUTION

THAT Council accept the proposed offer subject to the suggested changes.

Moved by: Councillor Wickerson
Seconded by: Councillor Rutherford

MOTION CARRIED

11.2 WORKS FOR QUEENSLAND PROJECT STEERING COMMITTEE**File No:** 12534**Responsible Officer:** Andrew Collins – Special Projects Officer

SUMMARY

A meeting of the Works for Queensland Project Steering Committee was held on Thursday 20 April 2017 to discuss current status of the projects.

COUNCIL RESOLUTION

1. THAT the Works for Queensland Project Steering Committee report be received; and
2. THAT urgent attention be given to the questions that have been raised about the appropriateness of location on the site for the playing fields.

Moved by: Mayor Strelow**Seconded by:** Councillor Rutherford**MOTION CARRIED**

17 CLOSURE OF MEETING

There being no further business the meeting closed at 10:29am.

SIGNATURE

CHAIRPERSON

DATE