



# **ORDINARY MEETING**

## **MINUTES**

**19 NOVEMBER 2019**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 19 NOVEMBER 2019 COMMENCING AT 9.01 AM**

**1 OPENING****2 PRESENT**

## Members Present:

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

## In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services  
Mr T Cullen – General Manager Advance Rockhampton  
Ms C Worthy – General Manager Community Services  
Ms A Cutler – Chief Financial Officer  
Mr J Gillard – Manager Economic Development  
Ms T Sweeney – Manager Workforce and Governance  
Mr D Scott – Manager Planning and Regulatory Services  
Mr A Russell – Manager Strategy and Planning  
Mr D Morrison – Executive Coordinator to the Mayor  
Mr M Mansfield – Coordinator Media and Communications  
Ms A Brennan – Coordinator Legal and Governance  
Ms C Bell – Coordinator Environmental Sustainability  
Ms A O'Mara – Acting Coordinator Development Assessment  
Ms T Koekemoer – Project and Governance Officer  
Mr B Diplock – Strategic Planner  
Mr B Robson – Senior Building Surveyor  
Ms E Brodel – Media Officer  
Ms G Dwyer – Media Officer  
Ms C Pointing – Community Engagement Officer  
Ms L Leeder – Senior Committee Support Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

Councillor Schwarten tendered his apology and was not in attendance

## 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

### COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 5 November 2019 be taken as read and adopted as a correct record.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

## 5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

### 9:01AM

Councillor Cherie Rutherford informed the meeting of a perceived conflict of interest in Item 9.1.1 – Request for an ‘other change’ to Development Permit D/278-2013 for a Material Change of Use for an Extractive Industry which was previously declared at the Planning and Regulatory Committee meeting on 12 November 2019:

“I declare that I have a perceived conflict of interest in this matter as one of the applicants for Development Permit D/278-2013, Mr Waardyk, is a neighbour.”

Council considered the conflict of interest.

### COMMITTEE RESOLUTION

THAT Council considers that there is no conflict of interest in the matter, and Councillor Rutherford may participate in the meeting and vote in the public interest.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Swadling

**MOTION CARRIED**

### 9:03AM

Councillor Drew Wickerson informed the meeting of a perceived conflict of interest in Item 9.1.1 - Request for an 'other change' to Development Permit D/278-2013 for a Material Change of Use for an Extractive Industry:

“I declare that I have a conflict of interest in this matter as I was employed by the applicant and worked on this project in another capacity approximately 4 or 5 years ago, and I will be dealing with this conflict of interest by leaving the meeting when the matter is discussed and voted on.”

9:04AM Mayor Strelow declared a recess until 9:30am for presentation of Certificates of Long Service to Councillors Cherie Rutherford, Ellen Smith and Tony Williams.

9:31AM The meeting resumed.

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services  
Mr T Cullen – General Manager Advance Rockhampton  
Ms C Worthy – General Manager Community Services  
Ms A Cutler – Chief Financial Officer  
Mr J Gillard – Manager Economic Development  
Ms T Sweeney – Manager Workforce and Governance  
Mr D Scott – Manager Planning and Regulatory Services  
Mr A Russell – Manager Strategy and Planning  
Mr D Morrison – Executive Coordinator to the Mayor  
Mr M Mansfield – Coordinator Media and Communications  
Ms A Brennan – Coordinator Legal and Governance  
Ms C Bell – Coordinator Environmental Sustainability  
Mr C Wyatt – Coordinator Strategic Planning  
Ms A O'Mara – Acting Coordinator Development Assessment  
Ms T Koekemoer – Project and Governance Officer  
Mr B Diplock – Strategic Planner  
Mr B Robson – Senior Building Surveyor  
Ms K Talbot – Senior Media Officer  
Ms E Brodel – Media Officer  
Ms G Dwyer – Media Officer  
Ms C Pointing – Community Engagement Officer  
Ms L Leeder – Senior Committee Support Officer

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**



**8 PRESENTATION OF PETITIONS**

Nil

## **9 COMMITTEE REPORTS**

### **9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 12 NOVEMBER 2019**

9:32AM

Councillor Wickerson left the meeting room having earlier declared a conflict of interest in Item 9.1.1 - Request for an 'other change' to Development Permit D/278-2013 for a Material Change of Use for an Extractive Industry.

#### **COUNCIL RESOLUTION**

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 12 November 2019 as circulated, be received and that the recommendations contained within these minutes be adopted.

**Moved by:** Councillor Smith

**Seconded by:** Councillor Williams

**MOTION CARRIED**

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

**Recommendation of the Planning and Regulatory Committee, 12 November 2019****9.1.1 REQUEST FOR AN 'OTHER CHANGE' TO DEVELOPMENT PERMIT D/278-2013 FOR A MATERIAL CHANGE OF USE FOR AN EXTRACTIVE INDUSTRY**

**File No:** D/278-2013

**Attachments:**

1. Locality Plan
2. Site Plan

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Doug Scott - Manager Planning & Regulatory Services  
Colleen Worthy - General Manager Community Services

**Author:** Brandon Diplock - Planning Officer

**SUMMARY**

*Development Application Number:* D/278-2013

*Applicant:* P. Waardyk and M. Stokes

*Real Property Address:* Lot 100 on SP120491, Parish of Rockhampton

*Common Property Address:* Lot 100 Nine Mile Road, Fairy Bower

*Area of Site:* 74.39 Hectares

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Rural Zone

*Planning Scheme Overlays:* Biodiversity Overlay – MSES Wetlands  
Flood Hazard Overlay – Extreme Hazard

*Existing Development:* Extractive Industry

*Existing Approvals:* D/278-2013

*Approval Sought:* Request for an 'Other Change' to Development Permit D/278-2013 for a Material Change of Use for an Extractive Industry

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

*Referral Agency(s):* Department of State Development, Manufacturing, Infrastructure and Planning

*Infrastructure Charges Area:* Charge Area 3

**COUNCIL RESOLUTION****RECOMMENDATION A**

THAT in relation to the request for an 'Other Change' to Development Permit D/278-2013 for a Material Change of Use for an Extractive Industry, made by P.Waardyk and M. Stokes, located at Lot 100 Nine Mile Road, Fairy Bower, described as Lot 100 on SP120491, Parish of Rockhampton, Council resolves that:

1. **Item 9 and Condition 2.1 be amended and replaced with the following condition:**
- 2.1 The approved development must be completed and maintained generally in accordance

with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Proposed Site Development Layout	WD1057.1 Rev C.	14 September 2011
Location of Proposed Project Area	6208-06 Rev B	18 November 2011
Material Change of Use (Extractive Industry) 'Other Change'	7379-01-MCU-A	14 June 2019
Hydraulic and Water Quality Assessment	228155	15 March 2012
Aurecon letter in Addendum to Hydraulic and Water Quality Assessment	-	27 March 2013
Site Management Plan to Extract Sand from the Corner of Fogarty Road & Nine Mile Road (Lots 431 & 432 on LIV401245)	Not numbered	Not Dated
Preliminary Acid Sulphate Soil Investigation Proposed Sand Extractive Industry	3798-100810-1.0	August 2010
Letter from McMurtrie Consulting Engineers to DTMR regarding Traffic Engineering Assessment of Proposed Use		15 May 2013

**2. Condition 3.1 to 3.3 be deleted.**

**3. Condition 9.3 be included:**

9.3 Noise emitted from the activity must not cause an environmental nuisance.

**4. Condition 9.4 be included:**

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

**5. Condition 9.5 be included:**

9.5 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

**RECOMMENDATION B**

That to reflect the above changes, P. Waardyk and M.Stokes, be issued with an Amended Decision Notice:

**1.0 ADMINISTRATION**

1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or

discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
  - (ii) Access Works;
  - (iii) Stormwater Works; and
  - (iv) Site Works;
- 1.6.2 Plumbing and Drainage Works.
- 1.7 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.10 Lot 257 on LN882, Lot 428 on LIV401245, Lot 431 on LIV401245, Lot 432 on LIV401245 must be amalgamated and registered as one title 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 the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Proposed Site Development Layout	WD1057.1 Rev C.	14 September 2011
Location of Proposed Project Area	6208-06 Rev B	18 November 2011
Material Change of Use (Extractive Industry) 'Other Change'	7379-01-MCU-A	14 June 2019
Hydraulic and Water Quality Assessment	228155	15 March 2012
Aurecon letter in Addendum to Hydraulic and Water Quality Assessment	-	27 March 2013
Site Management Plan to Extract Sand from the Corner of Fogarty	Not numbered	Not Dated

Road & Nine Mile Road (Lots 431 & 432 on LIV401245)		
Preliminary Acid Sulphate Soil Investigation Proposed Sand Extractive Industry	3798-100810-1.0	August 2010
Letter from McMurtrie Consulting Engineers to DTMR regarding Traffic Engineering Assessment of Proposed Use		15 May 2013

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 Deleted.

3.2 Deleted.

3.3 Deleted.

### 4.0 ROAD WORKS

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

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

4.3 The existing intersection of Fogarty Road and Nine Mile Road must be upgraded to incorporate, as a minimum, a Basic Left Turn on a Rural Road with adequate turning radius. The intersection must comply with the *Road Planning and Design Manual Figure 13.79*, and the *Guide to Traffic Engineering Practice*.

Alternatively, the Development may enter into an Infrastructure Agreement with Council to pay half the cost of the intersection works for Fogarty Road and Nine Mile Road, Fairy Bower. 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.

4.4 A road maintenance agreement must be entered into with the Rockhampton Regional Council. The agreement must provide for payments, from the start of the operations, on a six monthly basis, for the duration of this activity calculated by the owner/operator of the development, based on audited returns of the tonnage transported per period. The calculation, is based on this clause:

"A maintenance levy must be paid on a six monthly basis on the following calculation. The amount shown below dates to March 2013 values and will be calculated in future years adjusted each year by the Current Price Index (All Groups Brisbane)."

Tonnage (in 6 month period)	Rate
0-250,000 tonnes	\$0.4153 per tonne

### 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.

- 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 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access).
- 5.3 A rural access must be provided to the development in accordance with the *Capricorn Municipal Development Guidelines*.
- 6.0 STORMWATER WORKS
- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any drainage works on the site.
- 6.2 All stormwater drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 6.3 All stormwater 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.
- 6.4 A detailed Stormwater Treatment Strategy must be prepared in accordance with the Hydraulic and Water Quality Assessment (refer to condition 2.1) and submitted as part of the application for a Development Permit for Operational Works (stormwater).
- 7.0 SITE WORKS
- 7.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 7.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 7.2.1 the location of cut and/or fill;
  - 7.2.2 the type of fill to be used and the manner in which it is to be compacted;
  - 7.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - 7.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
  - 7.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 7.3 As recommended in the report titled Preliminary Acid Sulphate Soil Investigation (refer to Condition 2.1), further testing for acid sulphate soils must be completed in accordance with the *State Planning Policy 2/02 – Planning and Managing Development Involving Acid Sulphate Soils*, the *Guidelines for Sampling and Analysis of Lowland Acid Sulphate Soils in Queensland 1998* and *Queensland Acid Sulphate Soil Technical Manual – Soil Management Guidelines*. The results of this further testing must be submitted to Council as part of any application for a Development Permit for Operational Works (site works).
- 7.4 Groundwater extraction activities (including drainage, pumping or other activity that removes groundwater) carried out in association with excavation activities require a groundwater investigation in accordance with Section 7 of the *State Planning Policy 2/02 Planning and Managing Development Involving Acid Sulphate Soils*. The results of this investigation are to be submitted as part of any application for a Development Permit for Operational Works (site works).
- 7.5 Sampling associated with the acid sulfate soils investigation should follow the *Guidelines for Sampling and Analysis of Lowland Acid Sulphate Soils in Queensland (Ahern et al 1998)*. Laboratory analysis associated with the acid sulphate soils investigation should follow the *Laboratory Methods Guidelines of the Queensland Acid*

*Sulphate Soil Technical Manual.*

- 7.6 If Acid Sulphate Soils are found to be present an appropriate management plan must be submitted to Council for approval along with any application for a Development Permit for Operational Works (site works).
- 7.7 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 7.8 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.
- 7.9 All site works must be undertaken to ensure that there is:
- 7.9.1 no increase in upstream or downstream flood levels for all levels of immunity up to Q100;
  - 7.9.2 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
- 7.10 No bund walls are to be constructed around the perimeter of the site.

**8.0 ASSET MANAGEMENT**

- 8.1 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.
- 8.2 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.
- 8.3 As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

**9.0 ENVIRONMENTAL**

- 9.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Erosion and Sedimentation Control Plan as detailed in the Site Management Plan To Extract Sand From The Corner of Fogarty Road and Nine Mile Road (Lots 431 and 432 on LIV401245) prepared by Hardcore Performance Pty Ltd.
- 9.2 The Erosion and Sedimentation Control Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion and Sedimentation Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 9.3 Noise emitted from the activity must not cause an environmental nuisance.
- 9.4 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 9.5 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by



noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

10.0 OPERATING PROCEDURES

- 10.1 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 Fogarty Road or Nine Mile Road.
- 10.2 This approval is for the extraction and transportation of sand from the subject premises which must be undertaken in accordance with the endorsed plans (refer to condition 2.1) and at an extraction rate of no more than 250,000 tonnes per annum.
- 10.3 The hours of operations must be limited to:
- (i) 0600 hours to 1800 hours on Monday to Saturday; and
  - (ii) no operations on Sunday or Public Holidays
- 10.4 A detailed record of the extraction, including date, quantity extracted and transported from site must be maintained on site for inspection by Council.
- 10.5 There must be no servicing or maintenance of vehicles on the site.
- 10.6 Excavation and filling must be located sufficiently clear of the boundary so that there is no damage to adjoining properties or road reserves due to the effects of erosion.
- 10.7 Dust suppression:
- (i) Measures must be implemented to suppress dust during the operation. There must be no visible dust emissions onto any adjoining properties during excavation, processing loading or transport of the material. All haulage trucks associated with the transportation of material extracted by this operation must have their loads covered by dust-proof material, to prevent sand and dust loss during transportation.
  - (ii) If any dust creates a nuisance to neighbouring properties, all activities must cease until corrective measures have been implemented to Council's satisfaction.
- 10.8 No contaminated water must be directly or indirectly released from the premises on to the ground, into groundwater or natural run-off systems.
- 10.9 Cleaning of plant and trucks must be carried out in area where contaminants cannot be released into the environment.

**Moved by: Councillor Smith**

**Seconded by: Councillor Williams**

**MOTION CARRIED**

9:33AM Councillor Wickerson returned to the meeting room

### Recommendation of the Planning and Regulatory Committee, 12 November 2019

#### 9.1.2 ENFORCEMENT PROCEEDINGS FOR DEVELOPMENT OFFENCES

**File No:** 4842  
**Attachments:** Nil  
**Authorising Officer:** Philip Harrison - Coordinator Building Plumbing and Compliance  
Colleen Worthy - General Manager Community Services  
**Author:** Steven Hill - Development Compliance Officer  
**Previous Items:** 12.1 – Enforcement Proceedings for Development Offences - Planning and Regulatory Committee - 02 Oct 2018 9.00am

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#### SUMMARY

*This report is a follow up to Report 12.1 of the Planning and Regulatory Committee held on 2 October 2018 summarising the continued failure to comply with a Development approval regarding illegal filling of the property.*

#### COUNCIL RESOLUTION

THAT Council adopt Option 1 as detailed in this report.

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

## 10 COUNCILLOR/DELEGATE REPORTS

### 10.1 FISHING FORUM BRIEFING

**File No:** 1731

**Responsible Officer:** Evan Pardon – Chief Executive Officer

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#### SUMMARY

*Councillor Tony Williams provided a briefing to the meeting following his attendance as a guest speaker at a fishing forum in Cairns recently.*

#### COUNCIL RESOLUTION

THAT the briefing on the Cairns fishing forum provided by Councillor Williams be received.

**Moved by:** Councillor Williams

**Seconded by:** Mayor Strelow

**MOTION CARRIED**

## 11 OFFICERS' REPORTS

### 11.1 2019-20 OPERATIONAL PLAN PROGRESS REPORT - QUARTER ONE

**File No:** 8320

**Attachments:**

1. 2019-20 Operational Plan Progress Report Quarter 1 Progress Report July - September 2019
2. 2019-20 Operational Plan Progress Report Summary - Q1 July to September 2019

**Authorising Officer:** Tracy Sweeney - Manager Workforce and Governance

**Author:** Allysa Brennan - Coordinator Legal and Governance

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#### SUMMARY

*Presenting the 2019-2020 Operational Plan progress report for quarter one as at 30 September 2019, pursuant to s174(3) Local Government Regulation 2012.*

#### COUNCIL RESOLUTION

1. THAT the 2019-2020 Operational Plan progress report for quarter one as at 30 September 2019 be received.
2. THAT a further report be brought back to the table with the amendment to the Operational Plan (1.2.1.1).

**Moved by:** Councillor Swadling

**Seconded by:** Councillor Smith

**MOTION CARRIED**

**11.2 COMMUNITY ASSISTANCE PROGRAM: ENVIRONMENT AND SUSTAINABILITY SCHEME - OCTOBER 2019 COMMUNITY INITIATIVES**

**File No:** 12535  
**Attachments:** 1. Application and assessment summary  
**Authorising Officer:** Alicia Cutler - Chief Financial Officer  
Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Christine Bell - Coordinator Environmental Sustainability

**SUMMARY**

*This report tables the community-based projects submitted for consideration under Council's Community Assistance Program – Environment and Sustainability Scheme, as part of the October 2019 funding round.*

9:47AM Councillor Fisher attended the meeting

**COUNCIL RESOLUTION**

That Council approves funding and support for the following community-led environment and sustainability initiatives:

- Wycarbah and District Landcare Group – *Weed control through shared resources* (portable weed sprayer) project, \$3,000 grant.
- Waraburra State School P&C Association – *Growing our knowledge* (food garden and outdoor learning space) project, \$2,000 grant.
- Berserker Street State School P&C Association – *Automatic watering system for kitchen garden* project, \$500 grant.
- Emmaus College P&F Association – *Partnering for sustainability* project, \$500 grant.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Smith

**MOTION CARRIED**

**11.3 DEVELOPMENT OF A RECONCILIATION ACTION PLAN**

**File No:** 2271  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Damon Morrison - Executive Coordinator to the Mayor

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**SUMMARY**

*This report provides details on a proposal for the development of a Reconciliation Action Plan by Council for Council's consideration and approval.*

**COUNCIL RESOLUTION**

THAT Council approves the commencement of the first stage of a Reconciliation Action Planning process "Reflect" and the proposed actions for the development of the plan as detailed in the report.

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

**MOTION CARRIED**

**11.4 ART GALLERY NAMING**

**File No:** 12155  
**Attachments:** 1. Public Consultation Results  
**Authorising Officer:** Damon Morrison - Executive Coordinator to the Mayor  
Evan Pardon - Chief Executive Officer  
**Author:** Matthew Mansfield - Coordinator Media and Communications

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**SUMMARY**

*This report provides a recommendation for the naming of the new Rockhampton Art Gallery based on public consultation for Council's consideration and adoption.*

**COUNCIL RESOLUTION**

THAT:

- 1) The new Art Gallery building be named 'Rockhampton Museum of Art'; and
- 2) Council approve the development of the brand identity for the 'Rockhampton Museum of Art' for further consideration and endorsement.

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

**MOTION CARRIED UNANIMOUSLY**

**11.5 2019-21 WORKS FOR QUEENSLAND PROGRAM**

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

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**SUMMARY**

*This report provides an update on the 2019-21 Works for Queensland Program, including the status of each project and capital budget phasing.*

**COUNCIL RESOLUTION**

THAT the 2019-21 Works for Queensland Program report be received.

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



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**11.6 INTRODUCTION OF COUNCILLOR BRIEFING SESSIONS ON MONDAYS  
IMMEDIATELY PRECEDING COUNCIL MEETINGS**

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

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**SUMMARY**

*This report considers a proposal to introduce Councillor briefing sessions on the Monday immediately preceding Council meetings. The purpose of this meeting will be to share information that Councillors may seek in relation to the next day's Council agenda. This will not be a decision making or consensus gathering forum.*

**COUNCIL RESOLUTION**

THAT Councillor briefing sessions on the Monday immediately preceding Council meetings be factored into the meeting schedule.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Swadling  
**MOTION CARRIED**

**11.7 ADVANCE ROCKHAMPTON OPERATIONAL REPORT OCTOBER 2019**

**File No:** 12614  
**Attachments:** 1. Advance Rockhampton October Monthly Report  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Marcus Vycke - Acting General Manager Advance Rockhampton

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**SUMMARY**

*The monthly operations report for the Advance Rockhampton Unit over the month of October 2019 is presented for Councillors' information.*

**COUNCIL RESOLUTION**

THAT the Advance Rockhampton Operational Report for October 2019 be received.

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

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**11.8 OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT - OCTOBER 2019****File No:** 1830**Attachments:**

1. Office of the CEO and Office of the Mayor - Monthly Report - October 2019
2. Workforce and Governance - Monthly Report - October 2019

**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Tracy Sweeney - Manager Workforce and Governance

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**SUMMARY**

*The operations report for the Office of the CEO Department for the period ending 31 October 2019 is presented for Councillor's information.*

**COUNCIL RESOLUTION**

THAT the Office of the CEO Departmental Operations Report as at 31 October 2019 be "received".

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

**11.9 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT - OCTOBER 2019****File No:** 1392**Attachments:**

1. CS Monthly Report October 2019
2. ES Monthly Report October 2019
3. Finance Monthly Report October 2019
4. SP Monthly Report October 2019

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

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**SUMMARY**

*The monthly operations report for the Corporate Services Department as at 31 October 2019 is presented for Councillors information.*

**COUNCIL RESOLUTION**

THAT the Corporate Services Departmental Operations report as at 31 October 2019 be 'received'.

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

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**11.10 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDING 31 OCTOBER 2019**

**File No:** 8148  
**Attachments:** 1. Income Statement - October  
2. Key Indicators Graphs October 2019  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Alicia Cutler - Chief Financial Officer

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**SUMMARY**

*The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 October 2019.*

10:24AM Chief Executive Officer left the meeting

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 October 2019 be 'received'.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Smith

**MOTION CARRIED**

**11.11 ADOPTION AND COMMENCEMENT OF ROCKHAMPTON REGION PLANNING SCHEME MAJOR AMENDMENT**

**File No:** RRPS-PRO-2015/001-01-06  
**Attachments:** Nil  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Alyce James - Strategic Planner

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**SUMMARY**

*This report seeks formal adoption and commencement of the Major Amendment to the Rockhampton Region Planning Scheme.*

10:27AM Chief Executive Officer returned to the meeting

**COUNCIL RESOLUTION**

1. THAT Council adopt the Major Amendment to the Rockhampton Region Planning Scheme.
2. THAT the Major Amendment to the Rockhampton Region Planning Scheme commence on Monday 25 November 2019.
3. THAT Council acknowledges the hard work of staff on completion of the Major Amendment to the Planning Scheme.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

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**11.12 APPROVAL FOR INTERNATIONAL TRAVEL - REGIONAL SERVICES**

**File No:** 3559  
**Attachments:** Nil  
**Authorising Officer:** Ross Cheesman - Acting Chief Executive Officer  
**Author:** Peter Kofod - General Manager Regional Services

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**SUMMARY**

*General Manager Regional Services seeking approval for a candidate to fly from New Zealand to Rockhampton for an interview with Regional Services.*

**COUNCIL RESOLUTION**

THAT approval be granted for a preferred job applicant to be flown from New Zealand to Rockhampton by Council for a formal job interview.

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

**MOTION CARRIED**

**12 NOTICES OF MOTION**

Nil



**13 QUESTIONS ON NOTICE**

Nil

## 14 URGENT BUSINESS QUESTIONS

### 14.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR NEIL FISHER

**File No:** 10072

**Responsible Officer:** Evan Pardon – Chief Executive Officer

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#### SUMMARY

*Councillor Neil Fisher seeking leave of absence for periods in December 2019.*

#### COUNCIL RESOLUTION

THAT Councillor Fisher be granted leave of absence for the following dates as requested:

- Monday 2 December to Friday 6 December 2019 inclusive
- Monday 16 December to Wednesday 18 December 2019 inclusive

**Moved by:** Councillor Swadling

**Seconded by:** Councillor Smith

**MOTION CARRIED**

## 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 Wheelie bins left on footpath at Edington Street

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 Swadling  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

### 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.

#### 16.2 Sale of Properties for Overdue Rates - 2019

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 Smith  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

### 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.

#### 16.3 Monthly Budget Review

This report is considered confidential in accordance with section 275(1)(c), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget.

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

**MOTION CARRIED**

**COUNCIL RESOLUTION****10:37AM**

**THAT** pursuant to s5.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

**Moved by:** Councillor Swadling

**Seconded by:** Councillor Wickerson

**MOTION CARRIED**

11:16AM Councillor Williams left the meeting

**COUNCIL RESOLUTION****11:23AM**

**THAT** pursuant to s5.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Swadling

**MOTION CARRIED**

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## 16 CONFIDENTIAL REPORTS

### 16.1 WHEELIE BINS LEFT ON FOOTPATH AT EDINGTON STREET

**File No:** 8038

**Attachments:** Nil

**Authorising Officer:** Doug Scott - Manager Planning & Regulatory Services  
Colleen Worthy - General Manager Community Services

**Author:** Jon Buckenham - Acting Coordinator Local Laws

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.

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#### SUMMARY

*On 5 November 2019, Council made resolution for a report to be presented at the next Council meeting regarding bins being left on the footpath in Edington Street, Berserker.*

#### COUNCIL RESOLUTION

THAT Council give notice to the owners that Council will be removing the bins due to continuous Local Law breach.

**Moved by:** Councillor Swadling

**Seconded by:** Mayor Strelow

**MOTION CARRIED UNANIMOUSLY**

**16.2 SALE OF PROPERTIES FOR OVERDUE RATES - 2019**

**File No:** 521  
**Attachments:** 1. Land Sale Report to Council November 2019  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Alicia Cutler - Chief Financial Officer

This report is considered confidential in accordance with section 275(1)(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.

**SUMMARY**

*Council has the authority under the provisions of the Local Government Regulation 2012 to recover outstanding rates and charges through a land sale process where the amounts have been overdue for three or more years. A number of properties meeting the criteria have been identified as being eligible for land sale.*

**COUNCIL RESOLUTION**

THAT Council proceed with action to sell the properties as listed below for overdue rates as provided for in *the Local Government Regulation 2012, Chapter 4, Part 12*:

L 15 LN 274	L 2 RP 604404
L 1 RP 602008, L 2 RP 602008	L 16 RP 603281
L 11 RP 606113	L 3 RP 601108, L 4 RP 601108
L 3 RP 600015, L 6 RP 600015	L 4 RP 600015, L 5 RP 600015
L 5 RP 600131, L 6 RP 600131	L 3 RP 605775
L 1 RP 600026, L 3 RP 600026	L 651 R 1675
L 3 RP 600166	L 2 RP 600381
L 15 RP 600405	L 2 RP 618064
L 6 BUP 60058	L 8 R 2687
L 1 RP 606074	L 1 RP 836227
L 6 RP 603433, L 2 RP 604142	L 52 RP 600722
L 2 RP 616569	L 11 RP 605605
L 17 RP 605247	L 1 RP 607360
L 2 RP 609747	L 7 RP 606698
L 87 RP 603355	L 52 RP 603352
L 11 R 26200	L 4 RP 604665
L 30 RP 603522	L 1 RP 615591
L 24 RP 611097	L 77 RP 611226
L 26 R 26206	L 99 RP 602981
L 62 RP 603522	L 38 RP 610215
L 45 RP 609491	L 98 RP 616772
L 5 RP 620247	L 1 RP 603310

L 12 RP 836549

L 2 SP 214938

L 18 SP 181937

L 57 RP 614413

L 31 G 51612

L 1 RP 614317

L 28 RP 848783

L 82 PL 641

L 56 SP 290187

L 1 RP 619711

L 361 PL 4027

L 32 SP 207627

L 43 SP 207627

L 10 MPH 31218

L 4063 CP 900424

L 2 RP 602451

L 1 RP 602209

L 1 MPH 25436

**Moved by: Mayor Strelow**

**Seconded by: Councillor Swadling**

**MOTION CARRIED UNANIMOUSLY**

**16.3 MONTHLY BUDGET REVIEW****File No:** 8785**Attachments:** 1. **October Monthly Budget Review****Authorising Officer:** **Ross Cheesman - Deputy Chief Executive Officer****Author:** **Alicia Cutler - Chief Financial Officer**

This report is considered confidential in accordance with section 275(1)(c), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget.

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**SUMMARY**

*Chief Financial Officer presented updated estimates for the financial year to date to 31 October, 2019.*

**COUNCIL RESOLUTION**

THAT the report be received and the budget estimate changes be endorsed.

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



**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 11:24am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE