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- 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).

- 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.

## 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 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.

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**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

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**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'.

9:47AM Mayor Strelow left the meeting and Deputy Mayor, Councillor Cherie Rutherford assumed the Chair.

### 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.*

#### COUNCIL RESOLUTION

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

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

9:48AM Mayor Strelow returned to the meeting and resumed the Chair.

**10 COUNCILLOR/DELEGATE REPORTS**

Nil

UNCONFIRMED

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## 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

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#### 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.*

#### COUNCIL RESOLUTION

THAT the matter lay on the table and be presented at the next Council meeting on 25 July 2017.

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

**MOTION CARRIED**



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**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

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**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.*

**COUNCIL RESOLUTION**

THAT Council approve the continuation of a CBD Façade Improvement Scheme in 2017/18 as described in the report.

**Moved by:** Councillor Wickerson  
**Seconded by:** Councillor Fisher

**MOTION CARRIED**

**COUNCIL RESOLUTION**

THAT Council seek a report for a similar program in additional areas.

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

**MOTION CARRIED**

**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.*

**COUNCIL RESOLUTION**

THAT the following apply for Rockhampton River Festival 2017:

1. Council to suspend timed restriction patrols in the CBD 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.

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

**MOTION CARRIED**

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**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

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**SUMMARY**

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

10:06AM Councillor Schwarten left the meeting

**COUNCIL RESOLUTION**

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.

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

**14 URGENT BUSINESS****14.2 LEAVE OF ABSENCE - MAYOR MARGARET STRELOW - 29 JULY 2017 TO 12 AUGUST 2017 INCLUSIVE****File No:** 10072**Responsible Officer:** Damon Morrison

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**SUMMARY**

*Mayor Margaret Strelow requesting leave of absence from 29 July 2017 to 12 August 2017 inclusive.*

**COUNCIL RESOLUTION**

THAT leave of absence be granted for Mayor Margaret Strelow for the period 29 July 2017 to 12 August 2017 inclusive.

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

## 11 OFFICERS' REPORTS

### 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).*

10:12AM Councillor Schwarten returned to the meeting

#### COUNCIL RESOLUTION

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 224m<sup>2</sup>) 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).

**Moved by:** Councillor Smith

**Seconded by:** Councillor Fisher

**MOTION CARRIED**

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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

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**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.*

**COUNCIL RESOLUTION**

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

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

**MOTION CARRIED**

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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

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**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.*

**COUNCIL RESOLUTION**

THAT the report presented on recording recollections of former Mayor Rex Pilbeam be 'received'.

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

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**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

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**SUMMARY**

*This report seeks Council's approval for delegations under State legislation to the position of Chief Executive Officer.*

**COUNCIL RESOLUTION**

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 the report.

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



**12 NOTICES OF MOTION**

Nil

UNCONFIRMED

**13 QUESTIONS ON NOTICE**

Nil

UNCONFIRMED

## 14 URGENT BUSINESS\QUESTIONS

### 14.3 DEVELOPING NORTHERN AUSTRALIA CONFERENCE OUTCOMES

File No: 8291

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#### SUMMARY

*Councillor Neil Fisher advised that Council's presence at the recent Developing Northern Australia Conference in Cairns identified links to the key area of recreational tourism as an economic driver.*

*A written report from Councillors who attended the conference will be submitted with a number of recommendations for further investigation for Council to consider and adopt.*

*The report will also include a request for an Officer's report on these opportunities.*

UNCONFIRMED

**15 CLOSURE OF MEETING**

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

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE

UNCONFIRMED