



ORDINARY MEETING

AGENDA

13 SEPTEMBER 2022

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 13 September 2022 commencing at 9:00am for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be "C. P.", is positioned above the printed name of the Chief Executive Officer.

CHIEF EXECUTIVE OFFICER
7 September 2022

Next Meeting Date: 27.09.22

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING

- 1.1 Acknowledgement of Country
- 1.2 Opening Prayer delivered by Pastor John Buchholz, Lighthouse Baptist Church

2 PRESENT

Members Present:

Acting Mayor, Councillor N K Fisher (Chairperson)
Councillor S Latcham
Councillor C E Smith
Councillor C R Rutherford
Councillor M D Wickerson
Councillor D Kirkland
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

The Mayor, Councillor Tony Williams - Leave of Absence from 5 September 2022 to 30 September 2022

4 CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting held 23 August 2022

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 LIFTING MATTERS FROM THE TABLE

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

SUMMARY

Items laid on the table require a report to be lifted from the table before being dealt with. This report is designed to lift the reports that have been laid on the table at previous Ordinary Council Meetings.

OFFICER'S RECOMMENDATION

THAT the following matters be lifted from the table and dealt with accordingly:

- D/167-2021 - Development Application for a Material Change of Use for a Residential Care Facility (90 Bedrooms)

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COUNCILLOR/DELEGATE REPORTS

Nil

10 OFFICERS' REPORTS

10.1 SPONSORSHIP OF 2022 FITZROY RIVER BARRA BASH

File No:

Attachments: 1. [↓Impact Economic Report](#)
 2. [Proposal↓](#)

Authorising Officer: Wade Clark - Acting Executive Manager Advance
 Rockhampton

Author: Eileen Brown - Events Coordinator

SUMMARY

A request for sponsorship for the 2022 Fitzroy River Barra Bash event to be held in Rockhampton from 16 – 19 October 2022 is presented to Council for consideration.

OFFICER'S RECOMMENDATION

THAT Council approves the allocation of \$10,000 in funding for sponsorship of the 2022 Fitzroy River Barra Bash event to be held in Rockhampton from 16 - 19 October 2022.

COMMENTARY

The Fitzroy River Barra Bash (FRBB), one of Australia's richest Barramundi fishing tournaments, is an event that grows every year and has become an important event in the Rockhampton fishing calendar for both locals and visitors.

Last year it attracted 227 anglers resulting in 432 bed nights and provided over \$49,000 worth of overnight visitor expenditure in the region.

Strategically, the FRBB supports the Rockhampton Recreational Fishing Strategy – key projects – Fitzroy River Fishing Tournaments.

A request for Council to sponsor the 2022 Event has been received to be a major event partner for \$10,000.00 ex GST and it is recommended that Council supports this request.

PREVIOUS DECISIONS

Previously Council have provided support each year for the last 4 years.

BUDGET IMPLICATIONS

Council has approved allocation of the financial component of sponsorship of this event in its 2022/23 Operational Budget (Advance Rockhampton).

STAFFING IMPLICATIONS

There will be no implications to Council permanent staffing levels.

CORPORATE/OPERATIONAL PLAN

2017-2022 Corporate Plan:

2.1 A destination sought for lifestyle, community events and tourism.

2.1.3 Develop, deliver and support a calendar of events for the Region.

2022 Operational Plan:

Enable opportunities for events and sports tourism.

Rockhampton recreational Fishing Development Strategy.

CONCLUSION

On assessment of the request for sponsorship it is recommended Council approve the allocation for sponsorship outlined in the report.

SPONSORSHIP OF 2022 FITZROY RIVER BARRA BASH

Impact Economic Report

Meeting Date: 13 September 2022

Attachment No: 1

Fitzroy River Barra Bash

27 - 31 OCTOBER 2021

Queensland

ATTENDANCES



**SPECTATORS
(INC ACC PEOPLE)**
991



**TOTAL
COMPETITORS**
164



**TOTAL
ACCOMPANYING
PEOPLE**
63

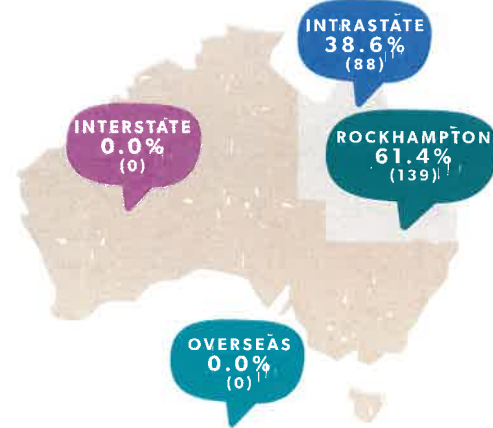


**NUMBER OF
INDIVIDUALS***
227

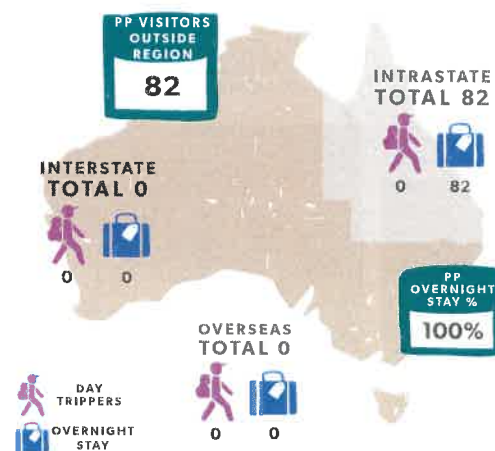
**TOTAL NUMBER
OF DAYS**



VISITOR ORIGINS



PRIMARY PURPOSE VISITORS



DIRECT VISITOR NIGHTS



Commercial in Confidence

*Number of total individuals includes only competitors and accompanying people (doesn't include general attendees/spectators)

ESTIMATED ECONOMIC AND TOURISM IMPACTS

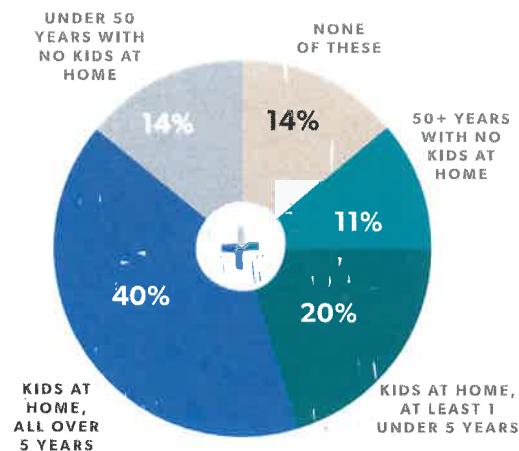
Expenditure for Rockhampton



Expenditure for Queensland



DEMOGRAPHIC PROFILE



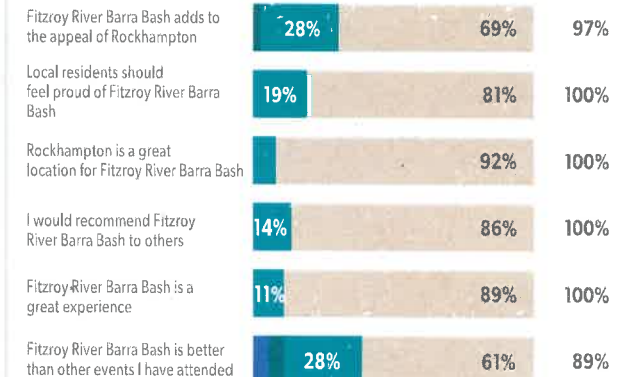
NET PROMOTER SCORE

This is a measure
of the degree of
advocacy amongst
Fitzroy River Barra
Bash attendees



Detractor Passive Promoter

COMMUNITY PRIDE



Strongly Disagree Disagree Neither agree or disagree Agree Strongly Agree

Please note: Expenditure figures for both the Rockhampton and Queensland have been established using average overnight and day tripper expenditure from a 'big data' set of previous events



SPONSORSHIP OF 2022 FITZROY RIVER BARRA BASH

Proposal

Meeting Date: 13 September 2022

Attachment No: 2



2022 FITZROY RIVER BARRA BASH

The Fitzroy River Barra Bash, Australia's richest Barramundi fishing tournament, delivered a sensational event despite challenging conditions. The results speak for themselves! This event has grown every year, and has become an important event in the tourism calendar. 318 Barramundi and 111 Threadfin Salmon hit the deck over the 3-day fishing competition, with 32 Barramundi being recorded as over the magic metre. A total of 24,406cm of Barramundi and 13,067cm of Threadfin were recorded. These results have been a hot talking point across the country and make for a very exciting 2022 event.

2022 PROGRAM OF EVENTS:

Sunday 16 October

12:00pm -Registration: Frenchville Sports Club

1:00pm - Compulsory Briefing: Frenchville Sports Club

3:00pm - Boat Draw: Frenchville Sports Club

Monday 17 October

5:00am to 5:00pm - Barra Bash Fishing Tournament Day 1

5:00pm to 7:00pm - Daily Tally Sheet to be provided and collection of Day 2 sheets/tokens

Tuesday 18 October

5:00am to 5:00pm - Barra Bash Fishing Tournament Day 2

5:00pm to 7:00pm - Daily Tally Sheet to be provided and collection of Day 3 sheets/tokens

Wednesday 19 October

5:00am to 12:00pm - Barra Bash Fishing Tournament Day 3

12:00pm to 3:00pm - Daily Tally Sheet to be provided

5:30pm - Presentation Dinner & Prizes at the Frenchville Sports Club

EVENT OBJECTIVES:

- Provide an industry leading fishing competition
- Provide a fishing competition that encourages repeat entrants while also allowing for growth
- Increased tourism in Central Queensland
- Increase community awareness of the benefits associated with the implementation of Net Free Zones
- Increased awareness of our region as a world class fishing destination
- Increase community awareness of the Rockhampton Fishing Voluntary Code of Practice
- Exceed stakeholder expectations and obligations by delivering an exceptional event
- Showcase the regions links to the Indigenous cultural history as since the time of Dreaming the Darumbal people have believed the "bardda moon di" originated in the Fitzroy River

Proposal

To build on the great success of previous years, we are looking towards sponsorship commitments for 2022. Event sponsorship provides an exceptional opportunity for our industry partner/s to gain exclusive product placement and exposure, along with the opportunity to showcase their latest release products. Contributions may be in cash and/or contra.

Major Event Partner

Commitment of \$10,000 ex GST

Inclusions

- 4 x tickets to the 2022 Barra Bash Launch event
- 1 x complimentary team entry into the 2022 Fitzroy River Barra Bash Competition
- 4 x additional tickets to the 2022 Fitzroy River Barra Bash Presentation Night
- Advertising opportunity at all 2022 Fitzroy River Barra Bash events
- Opportunity to add promotional materials into the 2022 Fitzroy River Barra Bash Team Bags
- Boosted social media advertising package on Fitzroy River Barra Bash and Frenchville Sports Club sites, with estimated reach of over 56,000 and an engagement rate of 22%
- Rockhampton Regional Council logo predominantly displayed on side panels of boat wrap, with the boat on display within the Club for a minimum of 109 days making your brand on display to over 50,000 patrons.
- Rockhampton Regional Council logo predominantly featured on all marketing collateral specifically pertaining to boat raffle
- Rockhampton Regional Council logo predominantly featured on all marketing collateral pertaining to event. Including, but not limited to, back of team shirts, banners, adverts, promotional videos and website.
- Recognition at all 2022 Fitzroy River Barra Bash events.
- Access to Frenchville Sports Club's data base of over 20,000 members for exclusive marketing campaigns year round
- Advertisement placement on Frenchville Sports Club's sponsor wall, digital media screens and scoreboard on Ryan Park - on average 308 impressions per day
- Naming rights of award category, for example "Rockhampton Regional Council Biggest Barramundi - 1st Place"
- Access to all media collateral, including pre, peri and post event video and stills
- Post event report

If you are interested in supporting the 2022 Fitzroy River Barra Bash as above, please contact Dean Lill or Kaitlyn Graham at the Frenchville Sports Club.

E: fitzroyriverbarrabash@fsports.com.au or P: 07 4932 6800

10.2 RISK REGISTERS - QUARTERLY UPDATE AS AT 1 JULY 2022**File No:** 8780**Attachments:**

1. Corporate Risk Register Summary Report as at 1 July 2022[↓](#)
2. Operational Risk Register Summary Report as at 1 July 2022[↓](#)

Authorising Officer: Ross Cheesman - Acting Chief Executive Officer**Author:** Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Submission of the quarterly risk register updates, as at 1 July 2022, for adoption by Council.

OFFICER'S RECOMMENDATION

THAT Council adopts the quarterly risk register updates as at 1 July 2022, as attached to the report.

LEGISLATIVE CONTEXT

The *Local Government Regulation 2012, Chapter 5, s164*, requires (1) a local government must keep a written record stating (a) the risks the local government's operations are exposed to...; and (b) the control measures adopted to manage the risks.

CORPORATE/OPERATIONAL PLAN

The Corporate/Operational Plans document Council's objectives for the period in which the Plan covers.

Council's commitment to risk management is outlined in the Enterprise Risk Management Framework and the Enterprise Risk Management Policy.

The 2022-2023 Operational Plan states that it will be implemented in accordance with the Enterprise Risk Management Process Procedure.

The purpose for doing risk management is to assist in decision making and improve the chances of an objective being realised. This requires identification, treatment and monitoring of the risks to the organisation, to ensure the stated objectives are met. Therefore, there is a strong link between the Corporate/Operational Plans and the enterprise risk management process. It is not about whether, overall, Council is risk averse or wishes to take risks. It is about considering all the available information at that time and making a well-informed decision to achieve the best outcome.

COMMENTARY

Over the years there has been a growing expectation that Councils do more in the risk management space to effectively manage their risks.

Council's Enterprise Risk Management Framework requires management to review and update the Corporate, and Operational Risk Registers. It also provides guidance on how these registers are reported to Council.

This period required the realignment of the risk statements with Council's newly adopted 2022-2027 Corporate Plan objectives. These have not been presented.

The following table highlights some of the additional changes made by the risk owners in this quarterly update, excluding: any minor changes (eg: employee's titles, minor wording/correction, etc); and the previously mentioned risk/objective realignment.

Further details for those with the risk number shaded, below, can be found in the attachment, Operational Risk Register Summary Report as at 1 July 2022, Assorted Risk Changes section.

RISK NUMBER	CHANGE	RISK OWNER
Operational Risk Register		
106	Percentage complete changed from 50% to 100%. (Next period this risk will be changed to Accept Risk and removed from the summary risks undergoing further treatment table unless it meets additional reporting criteria.)	Manager Workforce and Governance
109	Percentage complete changed from 70% to 90%.	Executive Manager Advance Rockhampton
110	Additional existing control added. (See High and Very High summary table)	Executive Manager Advance Rockhampton
214	Two additional existing controls identified	Manager Corporate and Technology Services
218	Additional causation identified	Manager Corporate and Technology Services
233	Existing control # 2 updated	Manager Corporate Technology Services
324	Future risk treatment re-worded and completion date extended from 28/1/22 to 30/9/22	Manager FRW
325	Existing control # 7 deleted	Manager FRW
326	Previous Future Treatment statement deleted and replaced with two Future Treatments which have been identified as 80% complete	Manager FRW
327	Has been added to the summary risks undergoing further treatment table owing to a Future Treatment being added with a completion date of 31/12/22. Note: changes to this risk also included deletion of Existing Control #7 <i>Glenmore Water Treatment Plant process upgrade completed [8/6/18]</i> .	Manager FRW
329	Previous future control deleted and replaced with a new one. It has been indicated at 60% completed with a completion date if 30/6/23 allocated	Manager FRW
429	Existing control # 4 deleted and a new Existing control added.	Manager Planning and Regulatory Services
434	One of the future controls has been completed	Manager Community Assets and Facilities
P605	Fuel Precinct Development (project). Management have indicated that this has been 100% completed. (Next period this risk will be removed from the risk register.)	Manager Airport
463	New future control added and completion date extended from 31/12/21 – 31/12/23	Manager Planning and Regulatory Services
P386	Project construction is now underway, completing 1-4 of the future controls, with the remaining future controls at 60% completed. This has led to the current risk rating being reassessed from 4 C (High 4) to the lower 4 B (High 5) rating.	General Manager Regional Services

RISK NUMBER	CHANGE	RISK OWNER
	Completion date has been extended from 30/4/22 – 1/2/23.	
P388	Current risk rating has been reassessed from 3 C (Moderate 5) to the lower 3 B (Moderate 6)	Manager Project Delivery
P342	Current risk rating has been reassessed from 4 C (High 4) to the lower 3 B (Moderate 6)	Manager Project Delivery
P343	Current risk rating has been reassessed from 2 C (Moderate 6) to the lower 2 B (Low 7)	Manager Project Delivery
P345	Current risk rating has been reassessed from 3 B (Moderate 6) to a higher rating of 3 D (High 4) (See High and Very High summary table)	Manager Project Delivery

The following table provides an analysis of the risks undergoing treatment, in terms of elapsed time, from the originally nominated completion date. Note: Council's process allows for the date to be extended. While these are the oldest dates listed, they may no longer be the current nominated completion dates.

OP RISK REG 157 Total		CORP RISK REG 13 Total
32	NUMBER OF RISKS being treated	0
91	LONGEST ELAPSED TIME (in months) for those being treated	0
30%	AVERAGE ELAPSED TIME (in months) for those being treated	0
31/12/2014	OLDEST DATE	0
125	# of ACCEPT (ALARP)	13

Note: there are two risks with the oldest date being treated. Risk # 325 – Failure of Water Treatment Plant; and 429 Inconsistent Regulation and Enforcement of Local Laws.

PREVIOUS DECISIONS

Nil.

BUDGET IMPLICATIONS

None specifically raised by the Risk Owners.

LEGAL IMPLICATIONS

None specifically raised by the Risk Owners.

STAFFING IMPLICATIONS

None specifically raised by the Risk Owners.

RISK ASSESSMENT

The failure of an organisation to undertake risk management can lead to goals not being met, lawsuits, financial losses, reputational damage, failure to thrive, and lack of transparency, to name but a few examples. By establishing a reliable, controlled process for managing risks, decision making can be enhanced. If properly implemented it can connect risks across various levels in Council, increasing transparency and threat to opportunity conversion, and enabling significant cost savings.

CONCLUSION

The risk registers, having undergone their quarterly review conducted by the respective managers, are now presented for adoption by Council.

RISK REGISTERS - QUARTERLY UPDATE AS AT 1 JULY 2022

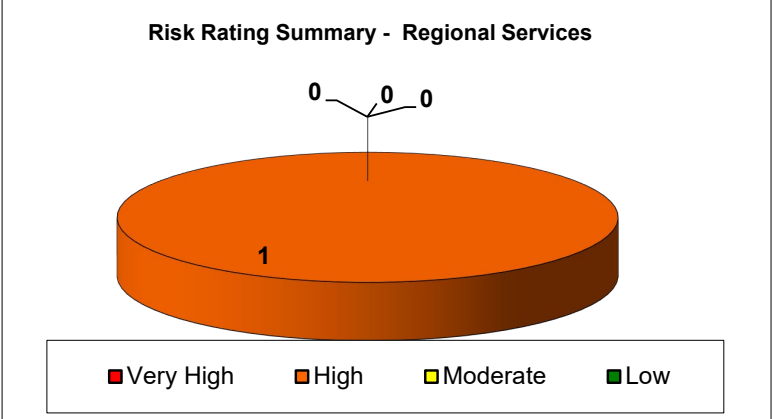
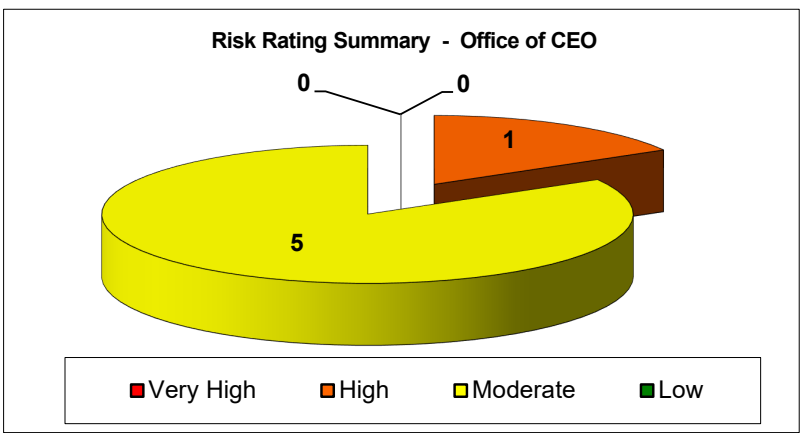
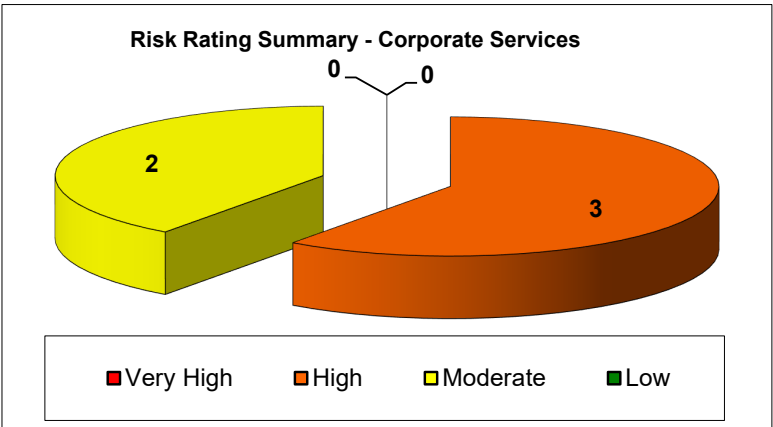
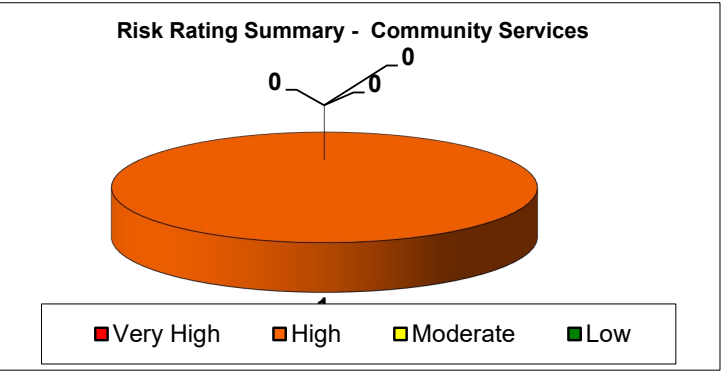
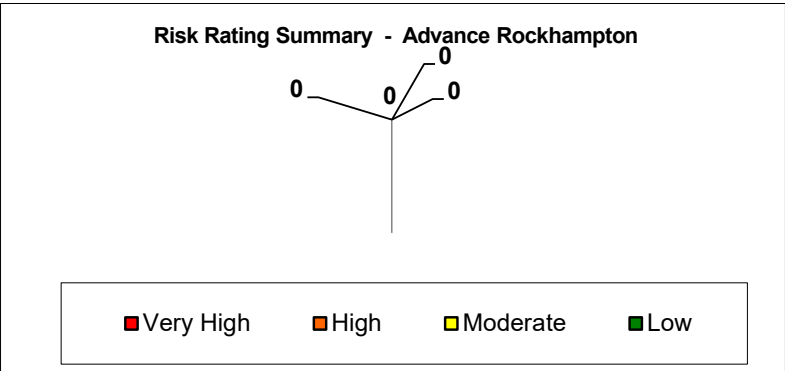
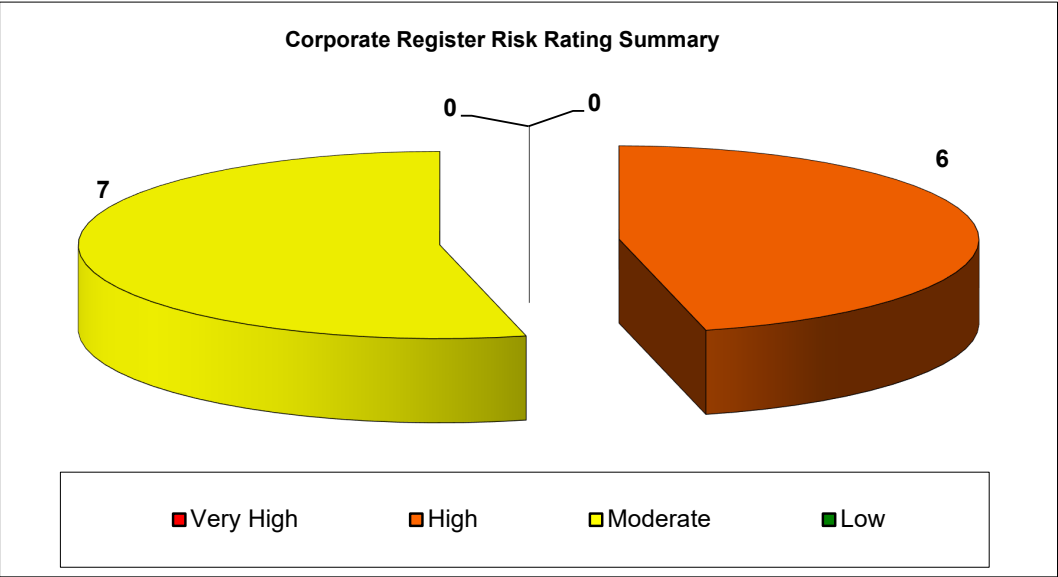
Corporate Risk Register Summary Report as at 1 July 2022

Meeting Date: 13 September 2022

Attachment No: 1

ERM CORPORATE RISK REGISTER SUMMARY REPORT
AS AT 01/07/22

Rockhampton Regional Council's Current Risk Rating Profile



CORPORATE RISKS

Very High' and 'High' Current Risk Ratings as at 01/07/2022

Risk Category	Risk Identification No.	Link to Planning (Objective)	Risk/Failure (including consequence/s)	Current Risk Rating	Existing Controls Implemented By Risk Owner	Risk Evaluation	Risk Owner	Management's Comments
02. Business Process Management	1	1.1 We are fiscally responsible.	Council processes and services are provided without due recognition of economy, efficiency and effectiveness (value for money) exposing Council to increased costs, loss in reputation and ratepayer confidence and impacting service delivery.	High 5	(1) Established Asset Management plans. (2) Non-priced based selection criteria included in the tender / quote assessment process to assist in the value for money assessment. (3) Tender evaluation plans with weighted selection criteria assessment that does not rely on price as having the highest weighting. (4) Capital Projects evaluation process includes whole of life cycle cost considerations. (4) Fleet asset assessment utilises a whole of life cost model as part of the acquisition and operations process. (5) Long term financial forecasts based around asset management plans adopted.	Accept Risk (ALARP)	Deputy CEO	01/07/2022: No change
05. Employees	3	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Failure to maintain a safe and healthy workplace and safe systems of work resulting in: preventable incidents, illness, injury or death; non-compliance with legislative requirements; legal action; reputational damage; reduced service levels; financial impacts and increased insurance premiums.	High 4	(1) A 3 year Health and Safety Strategy is annually endorsed by Leadership Team - yearly action plans cascade out of this strategy. Conduct regular reviews of WHS Management System. (2) CEO's commitment to safety is communicated to staff via the signed and dated "Workplace Health and Safety Policy Statement". Duty statements have been developed for all levels of workers. Organisational toolkits available on the hub. Safety leadership Training delivered to all workers. (3) Councils policy/procedures implemented and regularly reviewed to reflect staff/management requirements regarding WHS Act 2011/Regs. (4,5,10) Duty statements have been developed for all levels of workers. Safe work practices & procedures discussed at pre-start meetings & toolbox talks. Site visits taking place by WHSAs - includes reviews of SWMS used on site and providing instruction/guidance where needed/requested. (5) Senior Safety Advisors embedded within departments to provide direct coaching and mentoring to staff. (6) Risk assessments are captured in the Operational Safety Risk Registers which is regularly reviewed & discussed at safety committee meetings for effectiveness. (7) Incident reports and inspections are reported on and where approved investigations are completed to improve compliance. Timeframes are monitored for investigation completion rate. Implementation of the Rectification Action Plan (RAP) from audits. Riskware (software) now fully implemented and supports monitoring and reporting of hazards, incidents and rectification actions. (8) Legislation interpretation conducted in consultation with all WHS Team members. Where issues with interpretation arise external assistance is requested from competent persons (regulators). (9) Zero tolerance philosophy in regard to bullying and harassment in accordance with adopted and implemented Council policy and procedures. (10,5) Workplace Hazard Inspection program implemented and actions assigned in Riskware. (11) Corporate Rehabilitation Policy has been developed by LGW and is displayed on Notice Boards. Procedures developed by and adopted from LGW. Review and assess on a case by case basis to achieve improved injury management techniques.	Accept Risk (ALARP)	DCEO	01/07/2022: Move from CEO to the DCEO and Corporate Services. No other changes.
04. Disasters; Business Continuity; & Disaster Recovery	8	1.1 We are fiscally responsible.	Identified Disaster Mitigation Strategies not actioned resulting in increased impact/effect of disaster events on the community and potential for increased costs to Council in recovery and restoration costs.	High 5	(2) Identified disaster mitigation strategies implemented where possible within disaster management budget. (2) Appropriate funding opportunities identified and sourced to implement identified disaster mitigation strategies. 19/2/16: (1) Disaster mitigation strategies reviewed and reported on annually. (2) Forward works program for disaster mitigation strategies developed and considered through Council's Capital Project budget evaluation by 1 July each year. (2) Funding is pursued under Natural Disaster Relief, or similar program, if and when State Government make the funding available.	Accept Risk (ALARP)	GM Regional Services	01/07/2022:

Risk Category	Risk Identification No.	Link to Planning (Objective)	Risk/Failure (including consequence/s)	Current Risk Rating	Existing Controls Implemented By Risk Owner	Risk Evaluation	Risk Owner	Management's Comments
08. Fiscal Environment	9	1.1 We are fiscally responsible.	Council's financial operations fail to support and sustain Council's service provision, financial sustainability and the community's expectations resulting in revenue shortfalls, increased debt, reduced service levels, loss of reputation and community discontent.	High 5	(1) Council's Long Term Financial Forecast includes forecasts from asset management plans. (2) Long Term Financial Forecasts are reviewed annually. (3) Asset Management Plans reviewed regularly. (4) Finance staff are adequately qualified as per the respective Position Descriptions. (5) Council lobbies other levels of government for appropriate grants and subsidies. (5) Council financially operates in a surplus position. (6) Financial controls are monitored. Finance also works closely with Internal and External Audit in regards to internal controls. (7) Project Delivery procedure developed. (8) Regular credit reviews undertaken by Qld Treasury Corporation (23/10/20). (9) Monthly budget reviews (23/10/20).	Accept Risk (ALARP)	Deputy CEO	01/07/2022: No change
10. Legal, Regulatory & Compliance	10	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Actions of Council, Councillors or employees that fail to meet the standards of behaviour outlined in the Local Government Act and other Legislation, Council's Code of Conduct and other associated policies or procedures resulting in damage to Council's reputation, complaints, investigations, financial losses and regulatory breaches against Council or individuals.	High 4	(1-4) Policy implemented. (3) Controls within Local Government Act and policy. (2-3) Training in obligations undertaken. 30/1/15: (4) Management's ongoing review/update of authorisations and delegations (including signing of correspondence) 2/10/15: (1) Fraud and Corruption risk assessment undertaken annually by managers. 19/2/16: (5) Complaints Management Process adopted by Council. (5) Industrial Relations and Investigations Unit investigate and monitor administrative action complaints. (2, 4, 3) Councillors and staff are regularly reminded of obligations under LGA and Council's Code of Conduct along with other relevant legislation and policies.	Accept Risk (ALARP)	CEO	01/07/2022: Council resolution on 28/06/22 Councillor Conduct training to be sourced and provided.
06. Environmental	13	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Failure to appropriately prepare for, or respond to, local climate change impacts on Council's and the Community's interests resulting in: disruption to service delivery; damage to: infrastructure and assets; community; economy; environment; staff and council reputation.	High 5	1. Operational Plan 2. Environmental Sustainability Strategy 3. Waste Strategy 4. Increased budget for Tree Canopy 5. Fleet Vehicle Greenhouse Gas Emissions Reduction Policy 6. Planning Scheme 7. Disaster Management Plan 8. Energy Action Plan 9. Clean Growth Choices 10. Purchasing Policy 11. Bringing Back Nature Program 12. Queensland Climate Resilient Council's Program 13. Sustainability Unit established within Council who work with staff to identify local climate change risks and opportunities and embed response measure within Council's Operational Plan, associated strategies and normal operating activities. 14. Managers and key decision makers have ready access to climate change related information and resources. 15. Current legislative requirements are monitored. 16. Emerging national and state strategic frameworks are recognised, and best practice guidance is considered.	Accept Risk (ALARP)	GM Community Services	01/07/2022:

RISK REGISTERS - QUARTERLY UPDATE AS AT 1 JULY 2022

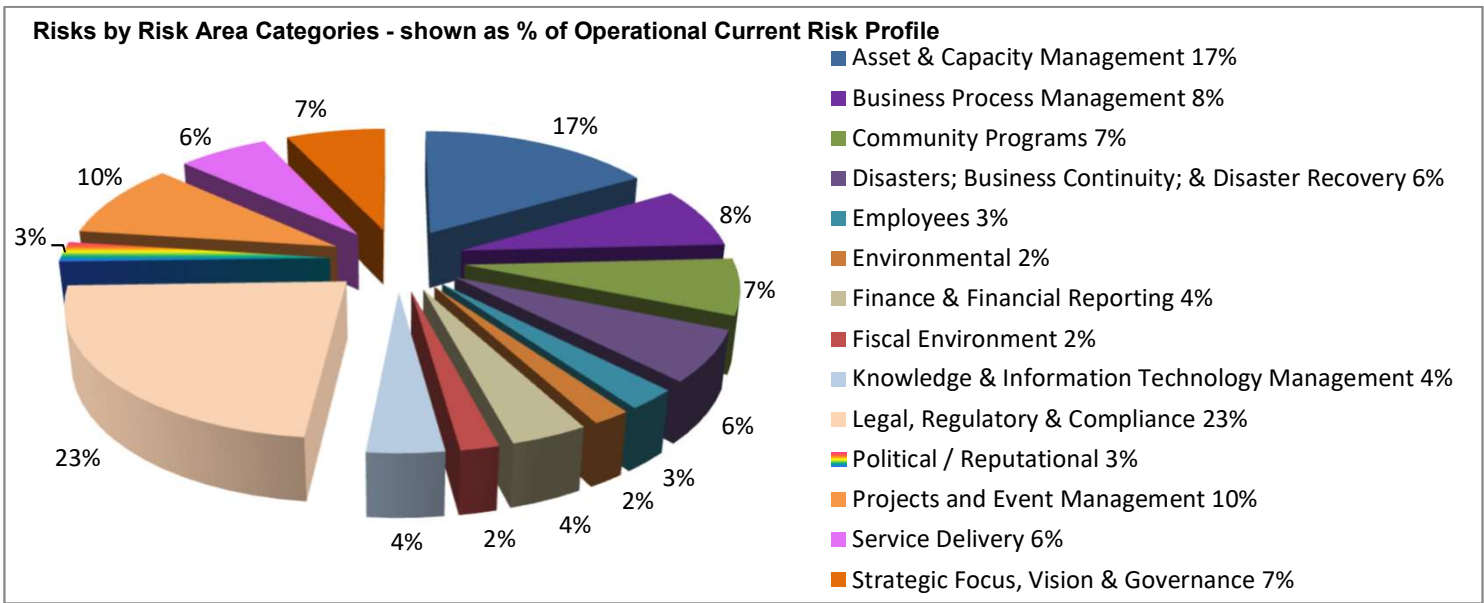
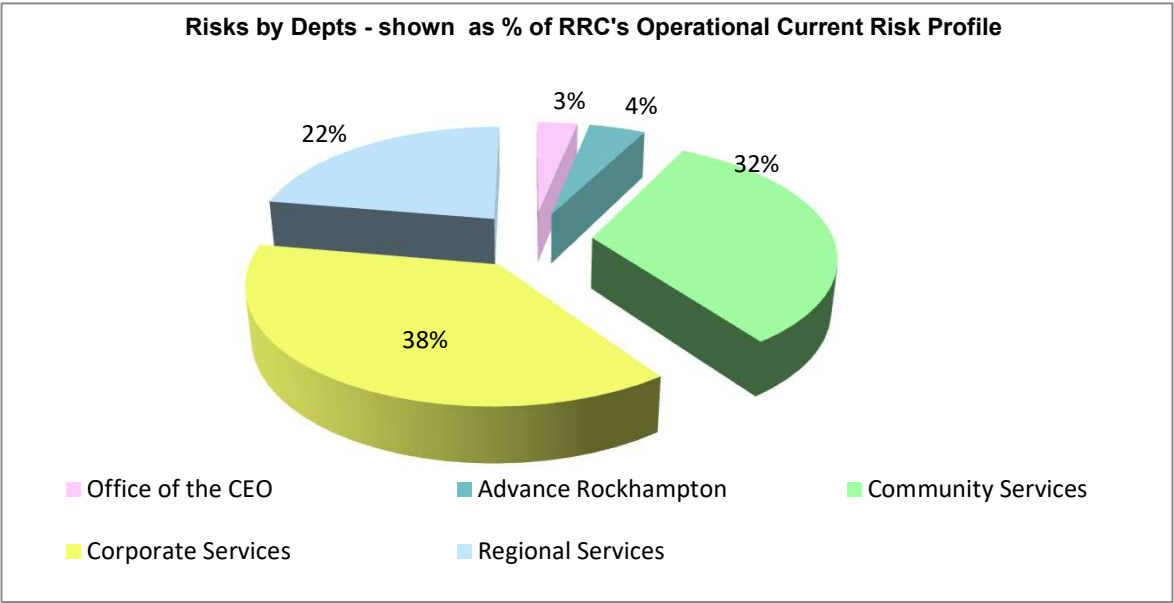
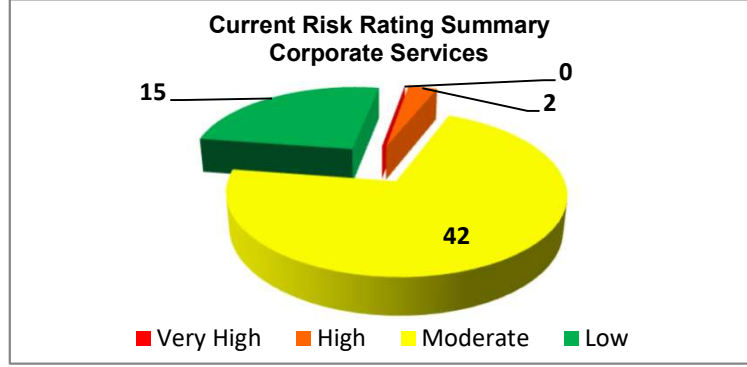
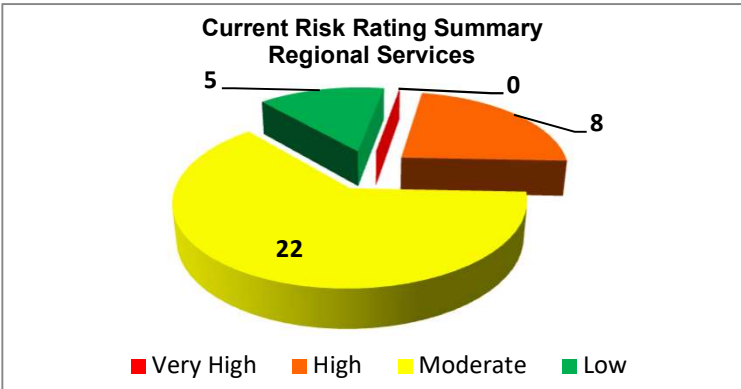
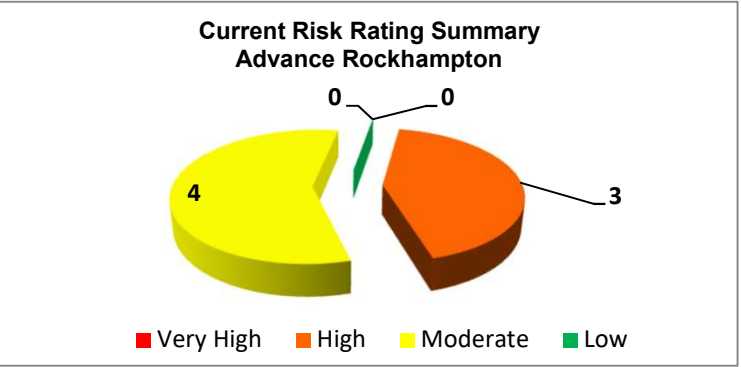
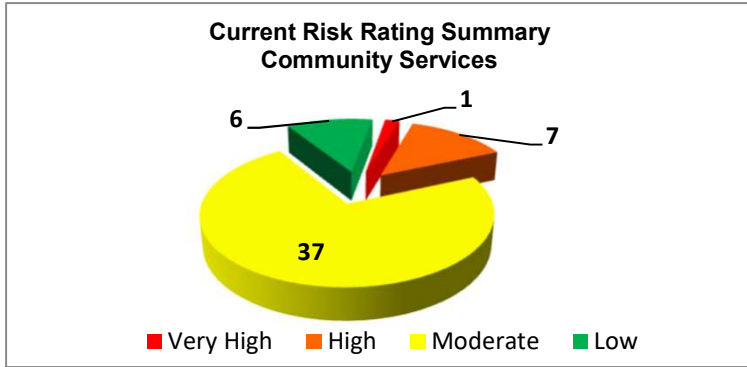
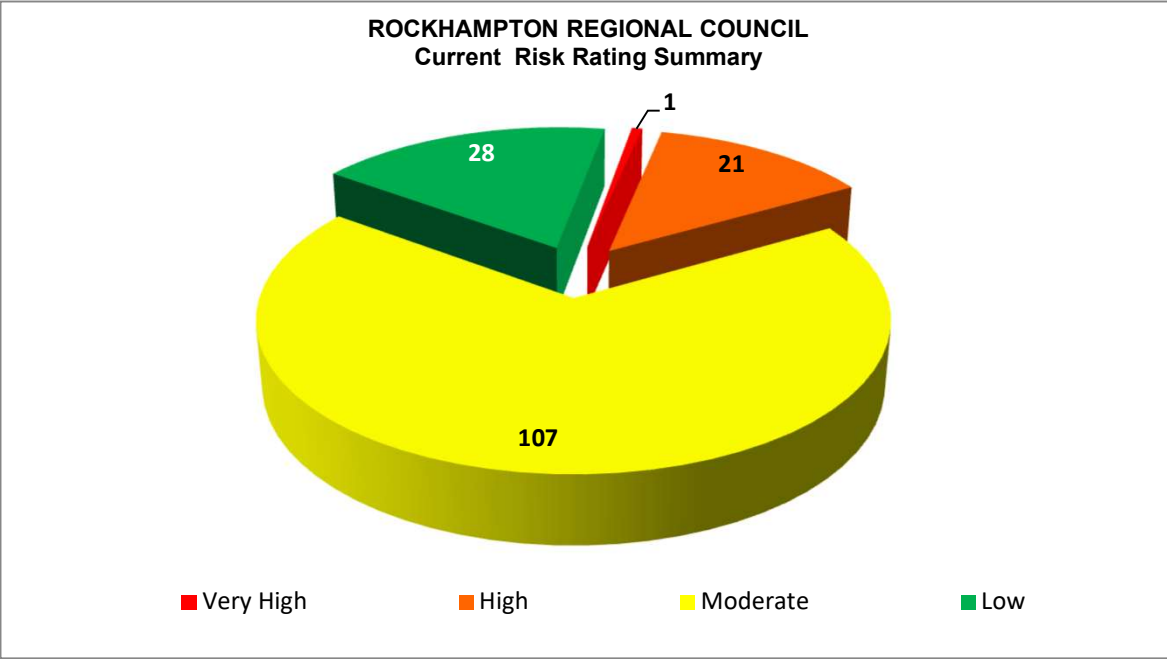
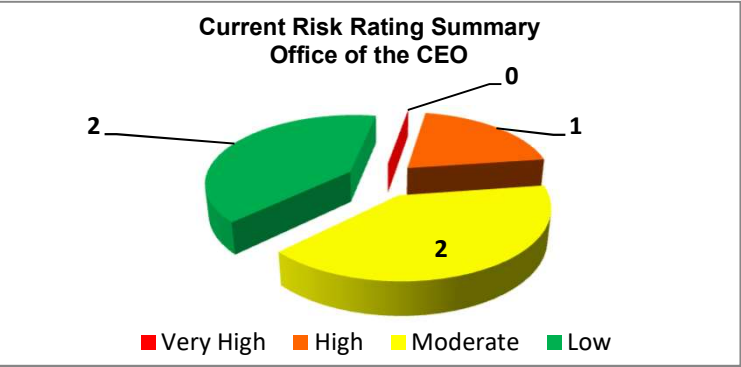
Operational Risk Register Summary Report as at 1 July 2022

Meeting Date: 13 September 2022

Attachment No: 2

ERM OPERATIONAL RISK REGISTER SUMMARY REPORT
AS AT 01/07/2022

Rockhampton Regional Council's Current Risk Rating Profile



OPERATIONAL RISKS

Very High and High Current Risk Ratings as at 1/07/2022

Risk Category	Risk Identification No.	OBJECTIVES (Links to Corporate Plan 2022-2027 - or other documentation)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	CURRENT RISK RATING	Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)	Risk Owner	MANAGEMENT COMMENT
14. Strategic Focus, Vision & Governance	110	3.4 We support our Region's economy through our projects and activities.	Failure to assist developers through the development application process, which can result fewer developments coming to fruition.	1. Duty Planner consultations. 2. Pre-lodgement meetings. 3. Executive Manager Advance Rockhampton case manages selected applications. 4. Development Advice Centre (DAC) to assist developers with Council's processes (1/7/22)	High 4	Accept Risk (ALARP)	Executive Manager Advance Rockhampton	01/07/22: Add: 4. Development Advice Centre (DAC) to assist developers with council's processes; Add: Coordinator Development Assessment, as a Control Owner
05. Employees	238	1.3 We are motivated to provide excellent service and have a strong organisational culture.	A legislatively compliant safety management system is not implemented, monitored and reviewed effectively, for Council and it's workers to achieve a safe place to work and acceptable compliance levels with regulator expectations and WH&S audits resulting in: increased worker injuries, legislative breaches, regulator action, reputational damage, reduced service levels, increased costs and non-compliance with a key council objective.	(1) A rolling Health and Safety Strategy is developed and endorsed by Leadership Team - with yearly action plans cascading out of the strategy developed for Council. (1,2) Rectification Action Plans from audit findings are developed and communicated to Management and WHS committees. Regular progress reports provided to Management & WHS committees. (2) Communicate and consult with all levels any WHS process improvements or updates to the Safety Management System through the W&G communication schedule, toolbox talk meetings, e-Bulletin, emails, Safety Advisors targeting specific workgroups & HSRs. (3) Zero tolerance philosophy in regard to unsafe acts in accordance with adopted and implemented Council policy and procedures. (4 - 2) Consultation occurs in accordance with relevant council policies and procedures. (5) Data currently collated and analysed using spreadsheets and presented as trends at PEAK Safety Committee Meeting to identify areas or systems that require review and possible improvements.	High 4	Accept Risk (ALARP)	Manager Workforce and Governance	01/07/22: Change department to Corporate Services
08. Fiscal Environment	251	1.1 We are fiscally responsible	The loss of revenue impacting on Council's financial position potentially resulting in higher future rate rises, additional borrowings or service level reductions.	1. Undertaken training workshops with Council on Financial Sustainability and implications of change. 2. Include a lower reliance on grants and subsidies from other levels of government in Council's long term financial forecast. 3. Conservative financial forecast estimates. 4. Conservative estimates used in conjunction with DA applications. 5. Align related capital expenditure directly with developer contributions. 6. Using historical forecasts trending with wetter seasons.	High 5	Accept Risk (ALARP)	Chief Financial Officer	01/07/22: No change
11. Political / Reputational	304	5.1 Our Region has infrastructure that meets current and future needs.	Failure of operation asset (roads, drainage, etc.) leading to: injury or death of public/staff; damage to property/equipment - resulting in legal outcomes, financial impacts and negative publicity for Council.	1. Asset inspection program in place (8/6/20) 2. Customer service requests monitored regularly (8/6/20) 3. Rapid response to high priority reactive maintenance (8/6/20)	High 4	Accept Risk (ALARP)	Manager Civil Operations	01/07/22: No change
13. Service Delivery	308	5.1 Our Region has infrastructure that meets current and future needs.	Landslip and/or rocks on road along Pilbeam Drive at Mt Archer - poses a threat to safety of road users resulting in public liability.	1. Bank stabilisation (8/6/20) 2. Stormwater upgrades (8/6/20) 3. Road alignment improvements and renewal pavement (8/6/20) 4. Inspections undertaken after major storm events (8/6/20)	High 4	Accept Risk (ALARP)	Manager Civil Operations	01/07/22: No change
01. Asset & Capacity Management	312	1.1 We are fiscally responsible	Inadequate Developer Contributions for Infrastructure resulting in a cost impost on ratepayers and reduction in funds available for other projects.	1. Infrastructure Charges Resolution No. 1 of 2022 was adopted on 25/1/22. (1/7/22) under State Planning Regulatory Provisions (SPRP) has been adopted by Council. (8/6/20) 2. Revised and updated Local Government Infrastructure Plan (LGIP) adopted 2020. (8/6/20)	High 4	Accept Risk (ALARP)	Manager Infrastructure Planning	01/07/22: Infrastructure Charges Resolution No. 1 of 2022 was adopted on 25th January 2022. This replaces existing control no. 1. no change to current risk rating.

Risk Category	Risk Identification No.	OBJECTIVES (Links to Corporate Plan 2022-2027 - or other documentation)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	CURRENT RISK RATING	Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)	Risk Owner	MANAGEMENT COMMENT
01. Asset & Capacity Management	315	5.1 Our Region has infrastructure that meets current and future needs.	Failure to maintain accuracy and value of the forward works program and adequately provide for the annual capital program resulting in projects nominated for delivery being deferred to accommodate increased costs within annual capital program and the Long Term Financial Strategy (LTFS).	1. (1.) Corporate capital planning framework currently in place. 2. (2.) Pre-project planning and design program initiated to provide early design of known fixed year projects. 3. (2.) Project Scoping confirmation process developed and implemented as part of design process. 4. Regular updates (project costs and timings) to LGIP to inform Forward Works Program (10/01/20)	High 4	Treat Risk	Manager Infrastructure Planning	01/07/22: No Change
14. Strategic Focus, Vision & Governance	330	3.1 We plan for growth with the future needs of the community, business and industry in mind.	Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	1. (1) Have staff employed working in this field. 2. (2) Have budget allocated for training. 30/1/15: 3. (1) Use attrition opportunities to hire new staff with required skill sets. 4. (2) Train existing staff to pursue strategic planning functions. 5. (3) Reduce time devoted to low risk, low value, tasks to free more time for strategic and placemaking planning. 6. (4) Continue to liaise with State Govt officers to ease regulatory burden on RRC's capacity for self determination. 7. (5) Pursue all opportunities to educate all sectors of the community on the benefits of quality targeted planning initiatives. 8. (5) Develop partnerships with business and community groups to pursue initiatives of joint benefit.	High 4	Accept Risk (ALARP)	Executive Manager Strategy and Planning	01/07/22: We prioritise our projects and activities to balance and achieve our long term goals. Department for Manager Strategy and Planning to be updated to Office of CEO to reflect organisational change.
03. Community Programs	414	2.2 We support our communities through our activities and programs.	Council fails to maintain, train and supervise adequate numbers of volunteers to assist with operations across its sites resulting in inability to deliver some services, or injury to volunteers or public.	1. Development and implementation of processes for engagement and training of volunteers. 2. Supervision of volunteer work on Council sites. 3. Training procedures for volunteers developed and distributed to sections. 3/3/17 4. Responsibility for volunteers at some sites have transitioned to community organisations. 3/3/17 5. Volunteer management software and processes implemented. 26/10/20	High 4	Accept Risk (ALARP)	Manager Communities and Culture	01/07/22: No change
03. Community Programs	417	2.2 We support our communities through our activities and programs.	Grant and sponsorship programs not delivered in accordance with regulations, policy and procedures resulting in loss of reputation for Council with community concerns about disbursement of funds, and withdrawal of matching funding from other levels of government meaning grant is unable to be offered.	1. Policy, procedure and funding regulations implemented and reviewed regularly.	High 4	Accept Risk (ALARP)	Manager Communities and Culture	01/07/22: Completed review of RADF terms of reference to be presented to Council for adoption prior to commencement of new funding round. Completion 10/22

Risk Category	Risk Identification No.	OBJECTIVES (Links to Corporate Plan 2022-2027 - or other documentation)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	CURRENT RISK RATING	Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)	Risk Owner	MANAGEMENT COMMENT
10. Legal, Regulatory & Compliance	422	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Inability to comply with regulatory obligations and conservation of heritage assets, asbestos inspections and treatment, resulting in facilities being non-compliant and deemed unsafe and unusable, with loss of service to community, possible injury to staff and public, and damage to reputation of Council.	1. Partial Completion of conservation management plan (CMP) program, however not funded in 13-14 and 15-16 budget to be updated as required. 2. Identified assets requiring inspection included in planned maintenance subject to funding. 19/2/16 - 3. Forward budget submission referencing Risk Register, Corporate Plan and legislative requirement developed. 19/2/16 - 4. Conservation and Maintenance plans incorporated into Asset Register and Management Plan. 3/3/17: 5. Renewal schedule within Asset Management Plan, and maintenance planned in accordance with budget allocation.	High 4	Accept Risk (ALARP)	Manager Community Assets and Facilities	01/07/22: CMP reviews and asbestos register in the process of being updated with new management plans.
10. Legal, Regulatory & Compliance	427	2.2 We support our communities through our activities and programs.	Council does not meet its legislative and service delivery responsibilities for Local Laws' community compliance leading to the possibility of legal action, significant damage to Council's reputation with multiple complaints, and general public dissatisfaction.	1. Budget submission for appropriate resources to address required compliance service levels. 2. Infringement financial management system (Pathways module). 3. 8/6/18: Infringement Notice Policy and Procedure implemented. 4. 8/6/18: Management has completed a process review internal audit and identified actions have been implemented. 5. Full contingent of staff in place (7/8/20) 6. Regular review of "case law" relevant to Council's services (30/10/21).	High 4	Accept Risk (ALARP)	Manager Planning and Regulatory Services	01/07/22: No Change
10. Legal, Regulatory & Compliance	429	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Inconsistent regulation and enforcement of local laws and legislation resulting in poor service and considerable public dissatisfaction.	1. Staff trained. 2. Local Law review. 3. Process and procedure review. 4. 2 x Local Law committee members for 2018 with Australian Institute of Animal Management. (8/12/17) (Deleted 1/7/22) 5. Regular Australian Institute of Animal Management webinar attended by Local Laws staff (1/7/22)	High 4	Treat Risk	Manager Planning and Regulatory Services	01/07/22: Remove - 2 x Local Law Committee members for 2018 with Australian Institute of Animal Management. Add - Regular Australian Institute of Animal Management webinar attended by Local Laws staff.
13. Service Delivery	331	1.1 We are fiscally responsible	Availability of staff to undertake essential Council Services, i.e.: Development Assessment, is impacted by changes made to State Legislation resulting in less capacity to provide planning services, requiring supplemental funding from other sources, eg: increased rates.	Current fees address service level requirements.	High 4	Accept Risk (ALARP)	Manager Planning and Regulatory Services	01/07/22: No change
10. Legal, Regulatory & Compliance	332	1.1 We are fiscally responsible	Failure to collect revenue, as dictated by legislation, results in less funds available and lack of confidence in Council business practices.	(1) Customer financial management system (Pathway) (1) Process and workflow developed to facilitate collection to ensure these are dealt with as they become due (9/8/19). (1 & 2) Threshold for collection activity identified (9/8/19).	High 5	Accept Risk (ALARP)	Manager Planning and Regulatory Services	01/07/22: No change

Risk Category	Risk Identification No.	OBJECTIVES (Links to Corporate Plan 2022-2027 - or other documentation)	Risk/Failure (including consequence/s)	Existing Controls Implemented By Risk Owner	CURRENT RISK RATING	Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)	Risk Owner	MANAGEMENT COMMENT
01. Asset & Capacity Management	458	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Damage or failure of Council's Open Space Facilities resulting in injury to public and potential litigation.	1. Condition assessment program in place on a three year cycle to identify need for corrective maintenance or capital renewal or upgrade. 2. Asset register and management plan maintained. 3. Reporting to Council on maintenance and renewal/upgrade requirements. 4. Regular safety hazard inspection program in place. 5. 10 year maintenance and renewal strategy, based on valuations and condition assessments, developed.	Very High 3	Treat Risk	Manager Community Assets and Facilities	01/07/22: No change
12. Projects and Event Management	607	3.3 Our work attracts visitors to the Region.	Rockhampton Agricultural Show is shut down, cancelled, or has low attendance resulting in a financial impact and reputational damage.	(2, 7, 8) Working with appropriate authorities to ensure events are delivered in a safe environment. (4) Marketing plan developed, funded and executed. (5) Research undertaken to ensure dates maximise attendance. (5) Alignment with Agricultural Show circuit. (7) Biosecurity Plan in place. Lease arrangement with Showmen's Guild	High 4	Accept Risk (ALARP)	Executive Manager Advance Rockhampton	01/07/22: Change Control Owner from Manager Tourism Events and Marketing , to Events Coordinator. Change Risk Owner from Manager Tourism Events and Marketing to Executive Manager Advance Rockhampton.
12. Projects and Event Management	609	3.3 Our work attracts visitors to the Region.	Rockynats event is shut down, cancelled, or has low attendance resulting in a financial impact and reputational damage.	(2, 7) Working with appropriate authorities to ensure events are delivered in a safe environment. (4) Marketing plan developed, funded and executed. (5) Research undertaken to ensure dates maximise attendance. (6) Contract in place to clearly define responsibilities. Risk shared with Rockynats P/L	High 4	Accept Risk (ALARP)	Executive Manager Advance Rockhampton	01/07/22: Change: Control Owner from Manager Tourism Events and Marketing to Events Coordinator, and Risk Owner to Executive Manager Advance Rockhampton.
12. Projects and Event Management	P 386	3.4 We support our Region's economy through our projects and activities.	Failure to deliver the North Rockhampton Sewage Treatment Plant augmentation project within budget, timeframe and to expected quality could result in damage to reputation, financial loss, and serious disruption of service.	1. Peer Review commissioned. 2. P90 (costing) Estimate commissioned. 3. Budget approval. 4. Project Control Group Established. 5. Determining appropriate procurement strategy for the project, including role of design consultant. 7. Land acquisition initiated. 8. Statutory approvals initiated. 9. Environmental approvals initiated.	High 4 HIGH 5 ↓	Treat Risk	General Manager Regional Services	01/07/22: Project construction is now underway. Land has been acquired and approvals being processed. Change Likelihood from a C to a B changing risk rating from High 4 to the lower High 5.
12. Projects and Event Management	P 387	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Gracemere Sewage Treatment Plant augmentation project within budget, timeframe and to expected quality could result in damage to reputation, financial loss, and serious disruption of service.	1. Design Brief has been prepared. 2. Procurement strategy initiated. 3. Governance and reporting processes established. 4. Statutory approvals initiated. 5. Environmental approvals initiated.	High 4	Treat Risk	General Manager Regional Services	01/07/22: No Change
12. Projects and Event Management	P 344	1.1 We are fiscally responsible	Failure to deliver the Glenmore Water Treatment Plant Solar Farm, within time and budget allocations.	1. Project internal governance process.	High 4	Accept Risk (ALARP)	Manager Project Delivery	01/07/22: No Change
12. Projects and Event Management	P 345	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Alliance Regional Maintenance and Repair Overhaul Facility (Airport) could result in financial impacts and reputational damage.	1. Sufficient budget contingency to cover construction. 2. Internal and external project governance structure in place. 3. Due diligence / site soil investigation completed.	Mod 6 HIGH 4 ↑	Accept Risk (ALARP)	Manager Project Delivery	01/07/22: Site conditions have started to consume project contingency. Likelihood should be increased from B to D (Moderate 6) to High 4.

OPERATIONAL RISKS
Risks Undergoing Further Treatment as at 1/07/2022

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN COLUMNS B - Q, T and/or U - W
14. Strategic Focus, Vision & Governance	109	3.1 We plan for growth with the future needs of the community, business and industry in mind.	Failure to take advantage of Rockhampton Region's economic development opportunities which can result in limited growth of Council's rate base.	Moderate 5	Rockhampton Region Economic Development Strategy and Action Plan to be delivered with the assistance of consultancy services.			1/7/22: 90% 1/04/2022: 70% 14/01/2022: 40% 30/12/21: 20% 0%	14/01/22: 30/06/2022 31/03/2022	Executive Manager Advance Rockhampton	01/07/22: Strategy and Action Plan prepared and is to be presented for adoption. Percentage completed - 90%
14. Strategic Focus, Vision & Governance	111	3.2 Our work attracts business and industry to our Region.	Failure to collaborate with Rockhampton Region's business groups and businesses, which could lead to initiatives failing to attain their true potential, and/or possible business closures, resulting in limited growth of Council's rate base and Council's reputation affected.	Moderate 5	Industry Engagement and Stakeholder Management process under review (26/10/20)			31/7/21: 80% 30/4/2021: 50%	14/01/22: 30/06/2022 31/10/21: 31/12/2021 31/7/21: 31/8/2021 30/06/2021	Executive Manager Advance Rockhampton	01/07/22: No change
10. Legal, Regulatory & Compliance	106	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Improper release of confidential information resulting in: complaints; investigations; and sanctions.	Moderate 5	(1) Internal awareness training programs to be developed and delivered.		9/8/19: Councillor workshop training session planned for 20/8/19 re: Complaint Management Framework. Employee training has been developed – method and timing of delivery of the sessions to be confirmed.	01/07/22: 100% 30/4/2021: 50% 30%	30/4/21: 31/12/2021 29/5/20: 31/12/2020 26/4/19: 31/12/2019 30/06/2018	Manager Workforce and Governance	01/07/22: Council resolution on 28/06/22 Councillor Conduct training to be sourced and provided. As treatments have occurred and will be ongoing these could be deemed 100% complete and the risk accepted. Owing to restructure all references made to Executive Manager Workforce and Governance in the Office of the CEO to be changed to Manager Workforce and Governance in Corporate Services throughout the document.

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN COLUMNS B - Q, T and/or U - W
01. Asset & Capacity Management	245	A1 Provide high-quality, safe, reliable and cost-effective aviation services.	Security breach or threat at the airport resulting in possible death or injury, reputation damage to the airport, additional costs, disruption to airline services due to airport closure, infrastructure damage, fines in relation to a regulatory breach.	Moderate 6	Replace hard key system on all gates and access points with proxcard electronic card system so lost cards can have access withdrawn.	Budget has been provided under Security upgrade	24/8/18: Construction of the automatic vehicle gate at Airside Security Gate 1 has been completed. Transition to amalgamate with Council's Cardax system ongoing.	26/10/20: 10% 19/2/2016:- 90% 2/10/2015:- 85% 17/7/2015:- 75% (17/4/2015:- 60%)	30/4/21: 30/6/2022 26/10/10:- 30/5/2021 26/2/18:- 2/04/2018 2/12/16:- 31/07/2017 19/2/16:- 30/06/2016 17/7/15:- 31/12/2015 (17/11/14:- 30/06/2015)	Manager Airport	01/07/22: No change
06. Environmental	307	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Environmental damage from infrastructure works leading to: legislative non-compliance; tarnished reputation and fines.	Moderate 6	1. Environmental Management Plan to be developed.				14/01/22: 31/8/2022	Manager Civil Operations	01/07/22: No change
09. Knowledge & Information Technology Management	313	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Poor records and information management retrieval and storage capabilities (hardcopy and electronic) resulting in an inability to find and retrieve critical infrastructure planning information resulting in reduced productivity, inadequate infrastructure, risk to the general public and workers and financial loss for Council.	Moderate 6	1. Plan and implement completion and population of central registry for planning studies - 31/7/21 Scope expanded. 2. (1.) Continued population of drawing register database and scanning and loading of engineering drawings into GIS. 3. (2.) Retrieval of historical development plans to be scanned and loaded into GIS. 4. Identify and acquire (if necessary) appropriate storage areas for records.	Require dedicated Project Admin/technical librarian support	Lack of a plan and resources.	14/12/18: 70% 3/3/17:- 60% 26/8/16:- 50% 30/1/15:- 30%	31/7/21: 30/06/2023 7/08/20:- 30/6/2021 14/12/18:- 30/06/2020 30/06/2018	Manager Infrastructure Planning	01/07/22: No change
01. Asset & Capacity Management	315	5.1 Our Region has infrastructure that meets current and future needs.	Failure to maintain accuracy and value of the forward works program and adequately provide for the annual capital program resulting in projects nominated for delivery being deferred to accommodate increased costs within annual capital program and the Long Term Financial Strategy (LTFS).	High 4	1. Continued refinement of forward works program. 2. (2. & 3.) Development of indicative estimating tool. 3. Develop Network specific prioritisation processes.	Budget, IT Support, Software.	3/3/17: Draft 10 year Capital Program has been developed. Availability of personnel to do this work.	31/7/21: 75% 29/5/20:- 90% 17/7/15: 75% (50%)	31/7/21: 30/06/2023 07/08/20:- 01/07/2021 14/12/18:- 01/07/2020 3/3/17:- 01/07/2018	Manager Infrastructure Planning	01/07/22: No Change

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN COLUMNS B - Q, T and/or U - W
01. Asset & Capacity Management	324	F1 Provide high-quality, safe, reliable and cost-effective water and sewerage services.	Inadequate physical security resulting in disruption or loss of critical services and supply, serious injury or death, damage to assets, theft; and damage to reputation.	Moderate 5	Swipe card access for improved physical security currently being installed at the Glenmore Water Treatment Plant site to limit access to the FRW Operations-Control Room number of high risk areas.			31/7/21: 95%	1/7/22: 30/09/2022 30/10/21:- 28/01/2022 31/7/21:- 30/09/2021 31/12/2020	Manager FRW	01/07/22: Swipe card access for improved security currently being installed at the Glenmore Water Treatment Plant site. This will limit access to a number of high risk areas. Infrastructure has now been installed and the first stage of it's implementation will be rolled out in August 2022.
10. Legal, Regulatory & Compliance	325	F3 Responsibly manage, improve and augment infrastructure.	Failure of Water Treatment Plant resulting in loss of supply for extended period, financial loss, loss of reputation, public health risk, safety risk; and breach of license conditions.	Moderate 6	1. Security cameras and equipment to be installed and monitored via SCADA software. 2. FRW Maintenance Strategy to be finalised -(note: implementation is occurring as components are developed) [Completed 8/6/18]. 3. Investigate backup power options -(14/12/18) 4. Complete electrical renewal of GWTP [fire suppression systems, etc.] 8/6/18. [See also P 388]	(1, 2 & 3) Staff (1, 4) Budget	(1) Awaiting budget approval. (2 & 3) Staff availability.	8/6/18: 30% 17/7/15: 50% (30/1/15: 20%)	31/01/21: 31/12/2023 7/8/20:- 31/08/2022 8/9/19:- 31/12/2020 8/6/18:-30/6/2019 3/03/17:- 30/06/2017 2/10/15:- 30/06/2016 17/7/15:- 31/12/2015 (31/12/2014)	Manager FRW	01/07/22: Column G 7 - Delete - this is not a current control Column N 4- GWTP Upgrade Project is currently underway with a current Practical Completion date of December 2023.
10. Legal, Regulatory & Compliance	326	F3 Responsibly manage, improve and augment infrastructure.	Failure of Sewage Treatment Plant resulting in breach of EPA license; serious disruption of services; serious litigation and financial loss; loss of reputation.	Moderate 5	7/8/20: As part of the Sewerage Treatment Plants Strategy the NRSTP and GSTP augmentation projects are proceeding to delivery stage to ensure long term compliant operation of the STPs. 1. SAMPs being reviewed for all water and sewerage infrastructure - to include			01/07/22: 80%	31/02/21: 31/12/2023 31/12/2022	Manager FRW	01/07/22: Column N - Delete current comment - replace with: 1. SAMP currently being reviewed for all water and sewerage infrastructure. 2. Develop Sewerage Treatment Plants Strategy. (Note: Implementation of this strategy projects out to 2051).
10. Legal, Regulatory & Compliance	327	F1 Provide high-quality, safe, reliable and cost-effective water and sewerage services.	Failure to supply safe drinking water due to contaminated raw water resulting in health related issues; serious disruption to services; financial loss; loss of reputation.	Moderate 6	Glenmore Water Treatment Plant Upgrade Project (P388)				01/07/22: 31/12/2022	Manager FRW	01/07/22: Column G Delete 7 - GWTP process upgrade completed. Change Accept Risk to Treat Add Future Control: GWTP Upgrade Project (see P388) is currently underway with a Practical Completion date of December 2023

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN COLUMNS B - Q, T and/or U - W
04. Disasters; Business Continuity; & Disaster Recovery	328	F3 Responsibly manage, improve and augment infrastructure.	Fire in FRW buildings resulting in injury to staff; loss of plant and equipment.	Moderate 6	16/6/17: Additional controls to reduce the risk of fire in FRW buildings being implemented as per Audit Recommendations (minor capital upgrades and administrative improvements)		14/12/18: Fire suppression and fire detection systems installed at NRSTP as part of the complete electrical renewal project. Similar upgrades planned for the GWTP which will commence in 2019.	9/8/19: 50% 20%	31/01/21: 31/12/2023 7/8/20:- 31/08/2022 9/8/19:- 31/12/2020 8/6/18:- 30/06/2019 26/2/18:- 31/12/2018	Manager FRW	01/07/22: No change
13. Service Delivery	329	F3 Responsibly manage, improve and augment infrastructure.	Failure to plan effectively and establish future requirements for water and sewerage infrastructure resulting in environmental license non-compliances; severely impacted service delivery; additional costs; loss of reputation.	Moderate 6	31/01/21: Revise asset management plans to include all key information required for the planning, design and operations of current and future water and sewerage infrastructure. Revise SAMPs to include all key information required for the planning, design and refurbishment of current and future water and sewerage infrastructure.			01/07/22: 60% 31/7/21: 90%	01/07/22: 30/06/23 30/10/21:- 28/1/2022 31/7/21:- 30/09/2021 30/06/2021	Manager FRW	01/07/22: Future Control replace with - Revise SAMPs to include all key information required for the planning, design and refurbishment of current and future water and sewerage infrastructure. 60% completed
13. Service Delivery	403	2.2 We support our communities through our activities and programs.	Insufficient appropriate human resources (staff and volunteers) to manage and operate sites resulting in closure and/or significant loss of service range and quality.	Moderate 6	1/4/22: Develop and implement staffing practices that allow cross deployment and skilling of staff to enable flexibility of resourcing across suitable Units and job roles.	Appropriate Rostering Software		40%	31/12/2022	Manager Communities and Culture	01/07/22: Risk Control update - have requested Information Systems Steering Group support for dedicated rostering system
01. Asset & Capacity Management	420	5.1 Our Region has infrastructure that meets current and future needs.	Damage or failure of Council facilities, plant and equipment resulting in injury to staff or public, potential litigation, and inability to deliver services.	Moderate 5	26/2/18: Initiatives in place to assist staff with statutory maintenance requirements.			31/01/21: 30%	26/4/19: 31/08/2019 30/06/2019	Manager Community Assets and Facilities	01/07/22: No change
10. Legal, Regulatory & Compliance	429	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Inconsistent regulation and enforcement of local laws and legislation resulting in poor service and considerable public dissatisfaction.	High 4	1. Reviews to be completed - 1a) Internal Audit Process Review; 1b) Legal review of Local Laws. 2. Membership subscription to LGAQ's Legislation Compliance Service.	1a) Existing staff and resources. 1b - 2) Review of budget required	19/2/16 : (1a) Review of Council's Animal Management function currently being undertaken - scheduled to be completed by May 2016. 19/2/16: (1b) Additional project officer employed to conduct legal review of Local Laws - to be completed June 2017. Constraint: Available budget	14/12/18: 90% 24/8/18: 85% 8/6/18: 75% 16/6/17: 65% 5%	8/6/18: 31/12/2018 16/6/17:- 31/3/2018 27/5/16:- 31/01/2017 (17/4/15:- 30/12/2016)	Manager Planning and Regulatory Services	01/07/22: Remove from Existing Control - 2 x Local Law Committee members for 2018 with Australian Institute of Animal Management. Add - Regular Australian Institute of Animal Management webinar attended by Local Laws staff.

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN COLUMNS B - Q, T and/or U - W
10. Legal, Regulatory & Compliance	431	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Animal housing at the Zoo does not meet the required standard (inclusive of; animal husbandry, record keeping, staffing & asset renewal) resulting in: Loss of zoo licences / closure of facility; Injury or death to an animal; Negative public perception; Staff turnover; Injury or death to zookeepers.	Moderate 6	4. Develop Zoo Master Plan and associated business plans and implement (14/12/18)	External contractors to be used. Staff time and management overview.		30/10/21: 80% 31/01/21: 30% 14/12/18: 10%	14/12/18: 31/12/2019	Manager Parks	01/07/22: Rockhampton Botanic Gardens and Zoo project close to 100% design. Zoo enclosures improvement also has separate allocation in the 22/23 Budget.
04. Disasters: Business Continuity, & Disaster Recovery	432	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Parks is not adequately prepared to implement disaster recovery and restoration activities through poor internal systems and staff deployment arrangements resulting in increased impacts on Council budget including lost funding opportunities, delayed restoration of assets and reputation damage.	Moderate 6	Training gap analysis to be undertaken and relevant training sought. (9/8/19)	Budget to be sourced		0%	30/06/2020	Manager Parks	01/07/22: Wider discussions around Bushfire control are taking place following a specific audit with determination of who is responsible for the wider risk identification across the region being addressed.
01. Asset & Capacity Management	434	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Insufficient interment space for future burials leading to damage to council's reputation and loss of revenue.	Moderate 6	1. 24/8/18: Planning for future growth of Gracemere Cemetery (1/7/22) 2. 26/4/19: Expansion of Mt Morgan Cemetery 3. 26/4/19: Memorial Gardens future burials to be investigated 4. 7/8/20: Engineering solution to be looked into for water table/ingress at Memorial Gardens for future expansion.		Lack of budget	14/01/22: 10% 0%	31/12/2023	Manager Community Assets and Facilities	01/07/22: Work to allow for the expansion of the Gracemere cemetery has been completed. Review being completed at Memorial Gardens currently.
04. Disasters: Business Continuity, & Disaster Recovery	439	4.1 Our Regions is resilient and prepared to manage climate-related risks and opportunities.	Lack of fire management planning resulting in: possible injury or loss of life; damage to Council's reputation; possible litigation.	Moderate 5	Renegotiate expired MOU with QPWS (9/8/19).			31/01/21: 90%	RISK OWNER - Please supply DATE for here - Thanks	Manager Parks	01/07/22: No change
03. Community Programs	440	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Tree fails resulting in: injury/death; damage to property; damage to Council's reputation; negative financial impact.	Low 7	1. Tree inventory (capture of assets) commenced [possibly 5 year project] (14/12/18)	Staff time and management overview, possible external review and update	Tree inventory currently paused waiting for implementation of RAMP (9/8/19)	14/12/18: 20%	14/12/18: 31/12/2023	Manager Parks	01/07/22: No change
01. Asset & Capacity Management	442	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Failures of play equipment resulting in: injury/death; and financial compensation claims. (The level of negligence increases where there has been an inspection but no action.)	Moderate 6	1. Create future lifecycle strategies with Community Assets (9/8/19)				30/06/2021	Manager Community Assets and Facilities	01/07/22: No change

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN COLUMNS B - Q, T and/or U - W
06. Environmental	443	2.3 Our Region's heritage and culture are preserved and celebrated.	Loss of significant/ historic/ iconic botanical collections resulting in negative publicity and loss of: reputation; region's "green" status; iconic material; and research opportunities.	Moderate 6	1. Review, update and implement existing land & conservation management & succession plans. 2. Complete the identification of the current collection as part of the succession plan. 3. Rockhampton Botanic Gardens Master Plan in final draft. 4. Plant Pathogen Management Plan to be prepared and implemented.	Staff time and management overview.		30/10/21: 80% 31/01/21: 75% 8/6/18: 50% 26/8/16: 80% (40%)	8/6/18: 31/12/2023 16/6/17: 31/12/2017 26/8/16: 30/06/2017 (30/06/2016)	Manager Parks	01/07/22: Site plan and Conservation management plan being addressed as part of the Botanic Gardens and Zoo project.
13. Service Delivery	444	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Inadequate/ inappropriate open space does not meet the community's requirements/ expectations resulting in lack of: standardised infrastructure charges; consistency and quality of the asset including land; lack of benchmark for Council/ developer Standards; unwanted contributed assets; leading to reputational damage; social problems and; financial impacts.	Moderate 5	1. Develop & implement a Parks Infrastructure Strategy for conditioning of new development. 2. Develop a local parks contribution policy. 3. Complete & implement Landscape Guidelines (as part of CMDG). 4. Open Space Strategy to be adopted by Council and implemented (inc service levels).		26/8/16: Sport, Parks, Active Recreation and Community (SPARC) Strategy currently in preparation awaiting Council consideration.	8/6/18: 80% 70%	8/6/18: 31/12/2019 16/6/17: 31/03/2018 26/8/16: 30/04/2017 (31/12/2016)	Manager Planning and Regulatory Services	01/07/22: No change
01. Asset & Capacity Management	446	4.2 We pursue innovative and sustainable practices.	Integrity of land-fill caps, where Council is now using the space for public use (eg: parks), is impacted through an event occurring causing exposure of toxins, hazards etc (eg: TC Marcia causing tree fall and erosion) resulting in: public health and safety; financial; and environmental repercussions.	Moderate 7	1. Continuous review and updating of Site Management Plan. 2. Site remediation priorities to be determined, planned and implemented.	To be determined per event and site. (Kershaw Remediation is now estimated at \$8.4m. The amount for other sites is hard to assess generically.)	(Note: Remediation Plan for Kershaw Gardens in effect) Public perception Funding	8/6/18: 0% 25/8/17: 60% 16/6/17: 50% 02/10/2015: 15% 2%	8/6/18: Timely post event. 16/6/17: 30/06/2018 19/2/16: 30/06/2017 01/12/2015	Manager Parks	01/07/22: No change
12. Projects and Event Management	P-605	3.1 We plan for growth with the future needs of the community, business and industry in mind.	Fuel Precinct Development (project)	Low 8	31/01/21: Going out to Expressions of Interest in first half of 2021/22 financial year.			1/7/22: 100%	30/06/2022	Manager Airport	01/07/22: The Lease for the Fuel Tender was approved and final signed on the 11 May 2022. This completes this project and the risk will be removed next reporting period.
01. Asset & Capacity Management	458	2.1 Our places and spaces enhance the liveability and diversity of our communities.	Damage or failure of Council's Open Space Facilities resulting in injury to public and potential litigation.	Very High 3	Develop lifecycles to show resource allocation to tasks, along with criticality rating, so detail budget forecasting can occur [26/4/19]	Identify additional resources that are required through lifecycle maintenance strategies. [26/4/19]	No forecasting has occurred from strategies, resulting in response actions being ad hoc and reactive. [26/4/19]	0%	30/06/2019	Manager Community Assets and Facilities	01/07/22: No change
10. Legal, Regulatory & Compliance	463	2.2 We support our communities through our activities and programs.	Council does not meet it legislative and service delivery requirements for building, plumbing and development compliance resulting in potential legal action against Council, damage to Councils reputation and public dissatisfaction	Moderate 5	(1.) Continued development of electronic systems to support staff (2.) Enforcement training for staff (4.) Develop a public awareness program (2.) Continuing professional development training for staff			40%	1/07/22: 31/12/2023 31/12/2021	Manager Planning and Regulatory Services	01/07/22: Add N 6 : Continuing professional development training for staff Change S : 31/12/2023

Risk Category	Risk Identification No.	OBJECTIVES Links to Planning (Corp Plan 2022-27 OR other documentation)	Risk/Failure (including consequence/s)	CURRENT RISK RATING	Future Risk Control/s	Resource / Budget Needed	Performance / Constraints	% Complete	Completion Date	Risk Owner	MANAGEMENT'S COMMENTS/NOTES ON ANY CHANGES TO BE MADE TO DETAILS IN COLUMNS B - Q, T and/or U - W
12. Projects and Event Management	P 386	3.4 We support our Region's economy through our projects and activities.	Failure to deliver the North Rockhampton Sewage Treatment Plant augmentation project within budget, timeframe and to expected quality could result in damage to reputation, financial loss, and serious disruption of service.	High 4 HIGH 5 ↓	1. Finalise design. (1/7/22) 2. Establish clear responsibilities of contractor. (Contract 14337 in place) (1/7/22) 3. Determine process and response time to manage issues. (GC21 contract in place) (1/7/22) 4. Land acquisition initiated. (Acquired) (1/7/22) 5. Statutory approvals initiated. 6. Environmental approvals initiated. 7. Concurrent "building/approval" strategy is being implemented (30/10/21)			60%	1/07/22: 01/03/2023 30/10/21: 30/4/2022 30/09/2024	General Manager Regional Services	01/07/22: Project construction is now underway. Land has been acquired and approvals being processed. Change Likelihood from a C to a B changing risk rating from High 4 to the lower High 5.
12. Projects and Event Management	P 387	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver the Gracemere Sewage Treatment Plant augmentation project within budget, timeframe and to expected quality could result in damage to reputation, financial loss, and serious disruption of service.	High 4	1. Budget to be approved. 2. Establish clear responsibilities of contractor. 3. Determine process and response time to manage issues through design stage. 4. Statutory approvals initiated. 5. Environmental approvals initiated. 4. Initiate whole of waste water network analysis (30/10/21).				30/10/21: 31/07/2022 30/4/21: 31/07/2021 30/06/2024	General Manager Regional Services	01/07/22: No Change
12. Projects and Event Management	P 388	3.4 We support our Region's economy through our projects and activities.	Failure to deliver Glenmore Water Treatment Plant augmentation project within budget, timeframe and to expected quality could result in reputation damage, financial loss and serious disruption of service.	Mod 5 Mod 6 ↓	1. Establish clear responsibilities of contractor. 2. Determine process and response time to manage issues through the design and construct contract. 3. Carry out condition appraisal and process function (30/10/21)				30/10/21: 31/01/2023 30/4/21: 31/07/2024 30/04/2024	General Manager Regional Services	01/07/22: Project construction underway. Change Likelihood from C to B, changing risk rating from Moderate 5 to the lower Moderate 6.
12. Projects and Event Management	P 342	5.1 Our Region has infrastructure that meets current and future needs.	Failure to deliver a safe, sustainable and reliable water security solution for the Mt Morgan community could result in reputational damage, serious disruption to service and an impact on future council budgets.	High 4 Mod 6 ↓	1. Finalise preliminary evaluation. 2. Finalise business case. 3. Lobby State and Federal government to fund implementation.				01/05/2022	Manager Project Delivery	01/07/22: Pipeline project now funded by Government. Project procurement planning commenced. Change Consequence from 4 to 3 and likelihood from C to B. Changing from 4 C, High 4, to Moderate 6.

ASSORTED RISK CHANGES

ROCKHAMPTON REGIONAL COUNCIL
RISK REGISTER - Operational - 2022
Reporting Copy as at 1/07/22
(To be adopted by Council xx/09/2022)

IDENTIFY RISKS and EXISTING CONTROL EFFECTIVENESS											RISK ANALYSIS		
Risk Identification	OBJECTIVE <u>Links to Planning (Corp Plan 2022-27 OR other documentation)</u>	Risk/Failure (including consequence/s)	Risk Causations [Source]	Potential Exposure Rating	Existing Controls Implemented By Risk Owner	Control Effectiveness	Control Owner/s	Rate the Consequence	Rate the Likelihood	CURRENT RISK RATING	<u>Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)</u>	Risk Owner	MANAGEMENT'S COMMENTS
214	Secure & dependable ICT delivery - ICT Strategy	Loss, theft, corruption of data resulting in failure to deliver services, reduced staff productivity, and negative impact on Council reputation.	1. Storage Area Network server (SAN) or other network server failure. 2. Security breach (unauthorised access) due to lack of information classification or physical unauthorised access. 3. Failed System Upgrade. 4. Server Room environmental control system failure. 5. Cyber attacks including virus, malware, malicious code, sabotage. 6. Lack of staff training in network / application use.	5. Catastrophic	1. (1) In-built system redundancy. 2. (1) Server virtualisation. 3. (1, 3, 4) Scheduled system backups for recovery/restoration as required. 4. (1) Vendor support. 5. (1, 2, 3, 4, 5) Independent, off-site IT Disaster Recovery (DR) Site. 6. (1, 2) DR Plan with priority recovery schedule and IT Business Continuity Plan. 7. (2) Building security with external and internal restricted access to the server room. 8. (2) ICT Acceptable Use policy, including scheduled forced user password renewal. 9. (3) Programmed review of user network usage and network access deactivation for 'terminated' employees. 10. (2) Information security policies. 11. (2) Firewall infrastructure and review of activity logs for attempted intrusions. 12. (3) IT governance framework including IT project management and formalised change management procedures. 13. (3) Established testing procedures as part of the project scope and change management controls. 14. (3) Vendor support engaged as part of the upgrade process. 15. (4) Installed Uninterrupted Power Supply (UPS) systems. 16. (4) Backup power generators installed at critical IT infrastructure sites. 17. (4) Programmed maintenance of environmental control systems. 18. (5) Virus protection software, email filtering and web browser filtering. 19. (5) Network firewall infrastructure. 20. (5, 6) Staff security and user tips delivered in weekly staff bulletin. 21. (6) Staff CIT induction. 22. (6) Programmed corporate application training. 23. (6) IT FAQ library viewable from the IT Service Desk site. 24. (6) Ongoing mandatory staff awareness training targeting network and email security (cyber security) identifying viruses, spam, phishing and identity theft attempts (8/12/17) 25. (2,5) Scheduled network penetration tests and vulnerability assessments carried out by specialist third party providers (10/1/20) 26. (2) Data Breach Response Policy and Procedure implemented (7/8/20) 27. (2,5) Incident response plan developed (1/7/22) 28. (2,5) Security Improvement Program Developed and being implemented (1/7/22)	4.Substantially Effective	Coordinator Information Systems	3	B	Moderate 6	Accept Risk (ALARP)	Manager Corporate and Technology Services	01/07/22: Add Existing Controls: 27. (2,5) Incident response plan developed (01/07/22) 28. (2,5) Security Improvement Program Developed and being implemented (01/07/22)
218	Productive workforce, maintaining connected and accessible services - ICT Strategy	Failure to deliver an adequate IT platform leading to limited ability of the organisation to perform at optimum levels.	1. Lack of strategic planning and communication within the organisation. 2. Budget constraints. 3. Unauthorised use of Cloud Services (Shadow IT) [1/7/22]	4. Major	1. Implementation of the IT Governance Framework / Project Management Process. 2. IT strategy overseen by the Information System Steering Group (ISSG). 3. Approved ICT Strategic Plan 2021-25 (in line with Corporate Plan). 4. IT unit structured to meet organisational needs now and into the future. 5. Adopted IT Asset Management Plan linked to financial strategy.	4.Substantially Effective	Coordinator Information Systems	3	B	Moderate 6	Accept Risk (ALARP)	Manager Corporate and Technology Services	01/07/22: Add additional causation: 3. Unauthorised use of Cloud Services (Shadow IT)

IDENTIFY RISKS and EXISTING CONTROL EFFECTIVENESS											RISK ANALYSIS		Risk Owner	MANAGEMENT'S COMMENTS
Risk Identification	<u>OBJECTIVE</u> <u>Links to Planning (Corp Plan 2022-27 OR other documentation)</u>	Risk/Failure (including consequence/s)	Risk Causations [Source]	<u>Potential Exposure Rating</u>	Existing Controls Implemented By Risk Owner	<u>Control Effectiveness</u>	Control Owner/s	<u>Rate the Consequence</u>	<u>Rate the Likelihood</u>	<u>CURRENT RISK RATING</u>	<u>Risk Evaluation (don't proceed to Column N if risk is accepted as per results of ACTION TABLE and/or Cost-Benefit Analysis)</u>			
233	1.1 We are fiscally responsible	No binding legal occupancy agreement resulting in potential loss of revenue, legal liability, unauthorised dual occupancy or squatters.	1. Council processes not followed correctly to ensure agreements are correctly executed and registered. 2. Extant legacy informal agreements from former Councils.	3. Moderate	1. All new occupancies are formalised under a legal agreement as per procedure. 2. When Property & Insurance staff are alerted that there is no legal agreement in place for an existing occupancy, a legal agreement is put into place as a matter of priority. Education of key staff to ensure that any informal (not legal) occupancy agreements identified are followed up and a legal occupancy agreement is put in place as a matter of priority. [1/7/22]	5. Fully Effective	Coordinator Property & Insurance	2	B	Low 7	Accept Risk (ALARP)	Manager Corporate and Technology Services	01/07/22: Update Existing Control 2: Education of key staff to ensure that any informal (not legal) occupancy agreements identified are followed up and a legal occupancy agreement is put in place as a matter of priority.	
325	F3 Responsibly manage, improve and augment infrastructure.	Failure of Water Treatment Plant resulting in loss of supply for extended period, financial loss, loss of reputation, public health risk, safety risk; and breach of license conditions.	1. Interruption to plant due to unexpected cyber attack. 2. Interruption to plant due to intentional physical intervention. 3. Treatment Plant failure due to earthquake or other natural disasters. 4. Fire in switchboard or electrical control cabling. 5. Fire in Tube Settlers. 6. Loss of SCADA control database. 7. Excessive differential head at the river intakes. 8. Loss of activated carbon dosing process. 9. Loss of mains power for extended period. 10. Collapse of inlet pipework to low lift pump station. 11. Lack of trained staff.	4. Major	1. FRW Business Continuity Plan (BCP) updates. 2. Regular SCADA Community of Interest and Government agencies updates. 3. Software firewalls. 4. SCADA systems separate from RRC Network. 5. Security gates and partially fenced. 6. Collaboration with Water Services Sector Group (WSSG) members on security & BCP initiatives. 7. Two separate water treatment plants (WTPs) to provide some treated water if one is out of service. [deleted 1/7/22] 8. Preventative maintenance programmes. 9. Thermography analysis. 10. Smoke detectors installed. 11. All hot works and naked flames prohibited in Tube Settlers. 12. Permit to Work system implemented. 13. SCADA backup system off-site. 14. Redundancy of Carbon dosing system. 15. Some standby power generation capability. 16. Duplicated inlet pipes. 17. On-going training, succession planning and competency assessment of staff. 18. Back up power generation in place (14/12/18)	4. Substantially Effective	Manager FRW	4	A	Moderate 6	Treat Risk	Manager FRW	01/07/22: Existing Control 7 - Delete - this is not a current control Future Risk Treatment 4- GWTP Upgrade Project is currently underway with a current Practical Completion date of December 2023.	
429	1.3 We are motivated to provide excellent service and have a strong organisational culture.	Inconsistent regulation and enforcement of local laws and legislation resulting in poor service and considerable public dissatisfaction.	1. Inadequate Local Laws and procedures. 2. Implementation disconnect due to legislative interpretation. 3. Adverse external intervention. 4. Lack of staff knowledge.	3. Moderate	1. Staff trained. 2. Local Law review. 3. Process and procedure review. 4. 2 x Local Law committee members for 2018 with Australian Institute of Animal Management. (8/12/17) (Deleted 1/7/22) 4. Regular Australian Institute of Animal Management webinar attended by Local Laws staff (1/7/22)	3. Partially Effective	Manager Planning and Regulatory Services	3	D	High 4	Treat Risk	Manager Planning and Regulatory Services	01/07/22: Remove - 2 x Local Law Committee members for 2018 with Australian Institute of Animal Management. Add - Regular Australian Institute of Animal Management webinar attended by Local Laws staff.	
P 343	5.1 Our Region has infrastructure that meets current and future needs.	Failure to complete the replacement of all severely hail damaged roofs to councils assets may cause further deterioration to building fabric and internal contents of Council assets resulting in possible additional financial and service delivery impacts.	1. Inadequate budget to restore all damaged roofs and required upgrades. 2. Unforeseen damage. 3. Poor asset condition.	2. Minor	1. Condition appraisal and scope development. 2. Importance prioritisation	3. Partially Effective	Manager Project Delivery	2	B	Moderate 6 LOW 7 ↓	Accept Risk (ALARP)	Manager Project Delivery	01/07/22: Program around 60% complete. All tenders have been called and within budget allocation. Budget appears sufficient. Likelihood should now changed from C to B - Moderate 6 to Low 7.	

10.3 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A CLUB AND OPERATIONAL WORKS FOR ADVERTISING DEVICES (CREATIVE AWNING SIGN AND FIVE (5) WALL SIGNS)

File No: D/58-2022

Attachments:

1. [Locality Plan](#)
2. [Site Plan](#)
3. [Floor Plan](#)
4. [Elevations Plan](#)

Authorising Officer: Amanda O'Mara - Acting Coordinator Development Assessment
Doug Scott - Acting General Manager Community Services

Author: Kathy McDonald - Planning Officer

SUMMARY

Development Application Number: D/58-2022

Applicant: Rockhampton Leagues Club Ltd

Real Property Address: Lot 21 on SP171783

Common Property Address: 984-986 Yaamba Road, Parkhurst

Area of Site: 3.812 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015 (version 2.2)

Planning Scheme Zone: Low Density Residential Zone

Planning Scheme Overlays: Airport Environs Overlay;
Flood Hazard Overlay; and
Steep Land Overlay.

Existing Development: Korte's Resort – Hotel and Function Facility

Approval Sought: Development Permit for Material Change of Use for a Club and Operational Works for Advertising Devices (creative awning sign and five (5) wall signs)

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency: State Development Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department)

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for Material Change of Use for a Club and Operational Works for Advertising Devices (creative awning sign and five (5) wall signs), made by Rockhampton Leagues Club Ltd, located at 984-986 Yaamba Road, Parkhurst, described as Lot 21 on SP171783, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	Material Change of Use for a Club and Operational Works for Advertising Devices (creative awning sign and five (5) wall signs)
Reasons for Decision	a) Assessment of the development against the relevant zone purpose,

	<p>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</p> <p>b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Strategic Framework; • Low Density Residential Zone Code; • Advertising Devices Code; • Access, Parking and Transport Code; • Landscape Code; • Stormwater Management Code; • Waste Management Code; and • Water and Sewer Code. 	
Compliance with assessment benchmarks	<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.</p>	
	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	<p>Strategic Framework</p> <p>Settlement pattern New Urban Area</p>	<p>The proposed development presents conflicts with the strategic outcomes for the Settlement Pattern theme. Specifically, the outcomes anticipate residential rather than commercial development.</p> <p>The site is designated within the 'New Urban Area' where residential development is anticipated. Despite this, the subject site is considered suitable for the proposed development for the following reasons:</p> <ul style="list-style-type: none"> • The development will not have an undue level of impact on the role or function of centres but would generate positive economic and community benefits for local residents. • The development will not expand an existing centre into the residential zoned area and will not compromise the role and function of designated centres including the proposed local centre in North Parkhurst (along William Palfrey Road on Lot 5 SP238731). • The development will contribute to the facilities that service the residential growth corridor in North Rockhampton and is commensurate with the population of the immediate catchment. • The site can be safely and efficiently accessed by residents in the surrounding area by methods including public, active and private transport. The Club will be a supported recreational facility of 'The Rockhampton Leagues Club' and will provide employment opportunities for the local

		<p>community.</p> <ul style="list-style-type: none"> The built form is sited with appropriate separation distances from all boundaries and conditions of approval have also been included that seek to mitigate the risk of adverse impacts on any future residential development on adjoining lots. This is anticipated to provide an effective buffer for residents to minimise any potential adverse amenity impacts generated from the development. <p>Despite conflicts with several of the strategic outcomes sought for the Settlement Pattern theme, there is an established non-residential use on the subject site. It is considered that the likely impacts of redeveloping the non-residential use have been satisfactorily addressed, and regard to relevant matters is considered to outweigh these conflicts.</p>
	<p>Low Density Residential Zone Code</p>	<p>PO13</p> <p>The development does not comply with Acceptable Outcomes (AO) 13.2 and 13.3 as the proposed development is not orientated towards the street and contains exterior walls exceeding a length of 12 metres respectively.</p> <p>AO13.2</p> <p>The existing building to be redeveloped already presents internal to the site. Despite this, the proposal looks to improve the presentation of the building with a new feature screen and landscaping along the existing walls presenting to Yaamba Road and the southern adjoining lot. The orientation of the building will remain to the north, however, the pedestrian entry access via the internal carpark will be a prominent feature.</p> <p>Furthermore, an open swale drain and easement over the sites frontage form part of the stormwater management and encumber direct access to the building from the road frontage.</p> <p>AO13.3</p> <p>The length of the existing exterior walls fronting Yaamba Road and the vacant lot to the south are 25 metres and 49 metres respectively. The proposal involves constructing a new building adjoining the existing building, which will result in an exterior wall of 48 metres in length presenting to the east (internal to the site).</p> <p>A combination of landscaping, appropriate boundary setbacks and improved integration with the streetscape assist in softening and breaking up the perceived bulk and scale of the existing exterior walls. Specifically, this will be achieved by:</p> <ul style="list-style-type: none"> Maintaining the existing boundary setbacks of the building, approved under earlier development approvals. Landscaping along the existing exterior walls (presenting to Yaamba Road and south). New feature screen along the existing walls

		<p>presenting to Yaamba Road and southern adjoining lot.</p> <p>Therefore, the proposal is considered to comply with Performance Outcome 13 (PO13).</p> <hr/> <p>PO16</p> <p>The development does not comply with aspects of PO16, which sets out scenarios where non-residential development is contemplated in the Low Density Residential Zone. Specifically, the development does not comply with the following:</p> <ul style="list-style-type: none"> • Does not service the day-to-day needs of residents of the local neighbourhood. • It is not considered 'small-scale' in a low-density residential context. • Does not serve a convenience function. <p>While the proposed development is not considered 'small-scale' in an ordinary low-density residential context, it is considered relatively small-scale in the context of the existing development on the site and that existing along Yaamba Road.</p> <p>The proposed development does not comply with all aspects of PO16 outlined above, it is considered to comply with the remaining outcomes. Specifically:</p> <ul style="list-style-type: none"> • It does not compromise the existing residential character or amenity of the surrounding area. The level of residential amenity directly adjoining Yaamba Road, where the proposal is located, is considered low. Conditions of approval have also been included that seek to mitigate the risk of adverse impacts on any future residential development on adjoining lots. • It is generally consistent with the surrounding built form and streetscape, given the mix of residential and non-residential development. The proposed built form is below the maximum building height for the zone and will be well integrated with the existing built form on-site. • Does not adjoin an existing centre zone. The nearest centre zone is Parkhurst Centre approximately 1.7 kilometres (km) to the south. • Is located near public transport, being 600 metres to the south. <p>Therefore, on balance the development is considered to comply with PO16. To the extent any conflicts are identified, regard to relevant matters is considered to outweigh those conflicts.</p> <hr/> <p>PO21</p> <p>The development does not comply with Acceptable Outcome 21.1 as it will operate outside the nominated land use hours.</p> <p>The proposed development will operate Sunday to Thursday from 9am to midnight and Friday and Saturday from 9am to 2am.</p> <p>Despite this, the majority of operational areas</p>
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		<p>associated with the proposed facility will be undertaken indoors and where outdoor areas are proposed, they are inward-facing and appropriately setback from all boundaries.</p> <p>Furthermore, the proposal is considered to minimise any adverse amenity impacts with proposed dense landscaping and a solid 1.8 metre fence, which will screen and visually buffer the development from any existing or future adjoining residential premise.</p> <p>Therefore, the proposal is considered to achieve the overarching performance outcome.</p>
	Advertising Devices Code	<p>PO1</p> <p>The advertising devices proposed for the development does not comply with AO1.2 as they do not wholly meet the sign specific outcomes for a Creative Awning Sign or Wall Sign.</p> <p>The Creative Awning Sign is not centrally located on the fascia. As an alternative the design features of the built form warrant this sign to be located centrally over the covered entryway. The sign will be single-sided and oriented towards the north internal carpark and is for identifying purposes.</p> <p>Three (3) logo Wall Signs and two (2) identifying (name plate) Wall Signs will be located in the Low Density Residential Zone. The Wall Signs are not anticipated to result in the proliferation of unnecessary advertising and are for identifying purposes.</p> <p>The Creative Awning Sign and Wall Signs will be integrated with the design of the new feature screen and are not anticipated to impede vehicle or pedestrian movements, nor do they resemble road or traffic signs.</p> <p>Therefore, the proposal is considered to achieve the overarching performance outcome.</p>
Relevant Matters	<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> • The proposal only results in a 24.6m² increase in gross floor area (GFA) compared to a building (restaurant) approved in the same location under development approval D/389-2010 (Stage 2A), which was not constructed. • The site is already developed with a non-residential use, despite the Low Density Residential zoning. It is not considered reasonable or practical for that part of the site where the Club is proposed to be developed for low density residential development. • The Yaamba Road corridor (State-controlled Road) north of Yeppoon Road through to Rockhampton Regional Council's northern boundary is characterised by a combination of residential, commercial and industrial development with heavy traffic. For those lots fronting Yaamba Road there is not considered to be an established level of residential amenity to maintain. • It is considered that the likely impacts of the development have been satisfactorily addressed such that the development will not compromise the ability of adjoining land to be reasonably developed for its intended purpose. 	

Matters prescribed by regulation	<ul style="list-style-type: none"> • The <i>Rockhampton Region Planning Scheme 2015</i> (version 2.2); and • The common material, being the material submitted with the application.
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RECOMMENDATION B

THAT in relation to the application for a Development Permit for Material Change of Use for a Club and Operational Works for Advertising Devices (creative awning sign and five (5) wall signs), made by Rockhampton Leagues Club Ltd, located at 984-986 Yaamba Road, Parkhurst, described as Lot 21 on SP171783, Council resolves to Approve the application subject to the following conditions:

MATERIAL CHANGE IN USE FOR A CLUB**1.0 ADMINISTRATION**

- 1.1 The Developer and their 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 and completed:
 - 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 Plumbing and Drainage Works; and
 - 1.5.2 Building Works:
- 1.6 All Development Permits for 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.

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>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version /Issue</u>
Title Sheet	Design + Architecture	8 July 2022	RL-002 SK-001	11
Overall Site Plan	Design + Architecture	8 July 2022	RL-002 SK-002	11
Area Schedule	Design + Architecture	8 July 2022	RL-002 SK-003	11

Existing Plan	Design + Architecture	8 July 2022	RL-002 SK-004	11
Proposed Plan	Design + Architecture	8 July 2022	RL-002 SK-005	11
Elevations	Design + Architecture	8 July 2022	RL-002 SK-006	11
Sections	Design + Architecture	8 July 2022	RL-002 SK-007	11
3D Views	Design + Architecture	8 July 2022	RL-002 SK-008	11
3D Views	Design + Architecture	8 July 2022	RL-002 SK-009	11

- 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.

3.0 PLUMBING AND DRAINAGE WORKS

- 3.1 A Development Permit for Plumbing and Drainage Works must be obtained prior to the commencement of any plumbing and drainage works on the development site.
- 3.2 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 2018*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 3.3 The development must be connected to Council's reticulated sewerage and water networks.
- 3.4 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 3.5 Adequate domestic and firefighting protection must be provided to the development and must be certified by a hydraulic engineer or other suitably qualified person.
- 3.6 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 3.7 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2018* and Council's Plumbing and Drainage Policies.
- 3.8 Amended sewerage and 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.

4.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 4.1 All roof and allotment 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.
- 4.2 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.

5.0 SITE WORKS

- 5.1 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.

6.0 BUILDING WORKS

- 6.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.

- 6.2 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view to Council's satisfaction.

- 6.3 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"*.

- 6.4 No structures are permitted to be constructed within the existing sewer easement (easement E on SP289434) in accordance with Council's Building Over/Adjacent to Local Government Sewerage Infrastructure Policy and the *Queensland Titles Registry Land Title Act 1994*.

- 6.5 Access to and use of the land the subject of this application must comply with the provisions of the *Disability Discrimination Act 1992* and/or the *Anti-Discrimination Act 1991*. If either of those statutes require the provision of access or facilities in a way that is inconsistent with this development approval, those facilities must be provided.

- 6.6 Impervious paved waste storage areas must be provided in accordance with the *Environmental Protection Regulation 2019* and must be:

6.6.1 designed and located so as not to cause a nuisance to neighbouring properties;

6.6.2 surrounded by at least a 1.8 metre high screen fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;

6.6.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;

6.6.4 setback a minimum of two (2) metres from any road frontage; and

6.6.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2018*.

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.

- 6.7 A minimum 1.8 metre-high solid fence must be constructed along the southern side boundary for the length of the existing building. Approximately 52 metres.

- 6.8 The fence must be a solid acoustic screen fence to ensure privacy and security to adjoining properties. The fence must be constructed of materials and finishes that are aesthetically pleasing.

7.0 LANDSCAPING WORKS

- 7.1 Landscaping must be constructed and/or established prior to the commencement of the use in all areas shown on the approved plans (refer to condition 2.1).

- 7.2 Landscaping must be designed in accordance with the requirements of *Australian Standard AS 1428 parts 1, 2, 3 and 4 — Design for access and mobility*.
- 7.3 Planting types used within the landscaping areas (refer to condition 2.1) must include either trees, shrubs or groundcovers, or any combination of these planting types. These plantings must be established and maintained generally at the following density rates:
- 7.3.1 trees at five (5) metre intervals;
 - 7.3.2 shrubs at two (2) metre intervals; and
 - 7.3.3 groundcovers at one (1) metre intervals.
- 7.4 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency and must comply with the following requirements:
- 7.4.1 Plant species are chosen from sources recommended in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*; and
 - 7.4.2 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.
- 7.5 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.
- 7.6 Landscaping, or any part thereof, upon reaching full maturity, must not:
- 7.6.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
 - 7.6.2 adversely affect any road lighting or public space lighting; or
 - 7.6.3 adversely affect any Council infrastructure, or public utility plant.
- 7.7 The landscaped areas must be subject to:
- 7.7.1 a watering and maintenance plan during the establishment moment; and
 - 7.7.2 an ongoing maintenance and replanting programme.
- 8.0 ELECTRICITY
- 8.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 9.0 TELECOMMUNICATIONS
- 9.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 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.

11.0 ENVIRONMENTAL

- 11.1 An Erosion Control and Stormwater Control Management Plan 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.

12.0 OPERATING PROCEDURES

- 12.1 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 Yaamba Road.
- 12.2 The hours of operations for the 'club use' must be limited to:
- (i) 0900 hours to 2400 hours on Sunday to Thursday, and
 - (ii) 0900 hours to 0200 hours on Friday and Saturday.
- 12.3 Noise emitted from the activity must not cause an environmental nuisance.
- 12.4 Operations on the development 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.
- 12.5 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera). The owner of the land must ensure that:
- 12.5.1 the area is kept in a clean and tidy condition;
 - 12.5.2 fences and screens are maintained;
 - 12.5.3 no waste material is stored external to the waste storage area/s;
 - 12.5.4 the area is maintained in accordance with *Environmental Protection Regulation 2019*.

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 Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety Act 2011* and *Public Health Act 2005*.

NOTE 3. 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 4. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the development site, Council's Environment and Public Health Unit must be consulted to determine whether any approvals are required. Such activities may include food storage or the preparation and sale of food operations. Approval for such activities is required before 'fit out' and operation.

NOTE 5. 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 6. Infrastructure Charges Notice

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

OPERATIONAL WORKS FOR ADVERTISING DEVICES (CREATIVE AWNING SIGN AND FIVE (5) WALL SIGNS)**1.0 ADMINISTRATION**

- 1.1 The Developer is responsible for ensuring compliance with 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 The following further development permits are required prior to the commencement of any works on the site:
 - 1.4.1 Building Works.
- 1.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved advertising device must be completed and maintained generally in accordance with the approved drawings and documents, except where amended by the conditions of this permit.

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version /Issue</u>
Elevations	Design + Architecture	8 July 2022	RL-002 SK-006	11

- 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 approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

3.0 OPERATING PROCEDURE

- 3.1 All advertising devices must only display or advertise a matter associated with the primary purpose for which the premises are used, or the purpose stated in this approval.
- 3.2 All text and images displayed on the approved advertising device:
- 3.2.1 must be static;
 - 3.2.2 must not imitate a traffic control device, move contrary to any traffic control device or include traffic instructions (for example 'stop'); and
 - 3.2.3 must not involve moving parts or flashing lights.
- 3.3 Any lighting devices associated with the advertising device, 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*' and '*Civil Aviation Safety Authority (CASA) Guidelines: Lighting in the vicinity of aerodromes: Advice to lighting designers*'.

4.0 LUMINANCE

- 4.1 Luminance levels of the advertising device must not exceed the applicable levels listed in Table 2 below.

Table 2: Luminance levels for Advertising Devices

(Source: OMA)

Lighting Condition	Zone 1	Zone 2	Zone 3
Full Sun on Sign face	Maximum Output	Maximum Output	Maximum Output
Day Time Luminance	6000-7000 cd/m2	6000-7000 cd/m2	6000-7000 cd/m2
Morning/Evening/Twilight/incomplete weather	1000 cd/m2	700 cd/m2	600 cd/m2
Night Time	500 cd/m2	350 cd/m2	300 cd/m2

Note:

Zone 1 very high ambient off street lighting i.e. central city locations

Zone 2 high to medium off street ambient lighting

Zone 3 low levels of off street ambient lighting, i.e. most residential areas, rural areas.

5.0 BUILDING WORKS

- 5.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.

6.0 ASSET MANAGEMENT

- 6.1 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately, at no cost to Council, and completed within the following timeframes:
- 6.1.1 where damage causes a hazard to pedestrian/traffic safety or interrupts a community service, immediately; or
 - 6.1.2 as soon as reasonably possible as agreed with Council.

7.0 ADVERTISING DEVICE CONSTRUCTION AND MAINTENANCE

- 7.1 Council reserves the right for uninterrupted access to the site at all times during construction.
- 7.2 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the *Environmental Protection Act 1994* and the *Environmental Protection Regulation 2019* must be observed at all times.
- 7.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.
- 7.4 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 proposed works will be at the developer's expense.
- 7.5 All conduits, wiring, switches or other control apparatus installed on an Advertising Device must be concealed from general view, with control apparatus secured in a manner to prevent unauthorised entry and display setting tampering.
- 7.6 All electrical services and systems must comply with *Australian and New Zealand Standard AS/NZS 3000:2007* – "Electrical Installations".
- 7.7 All advertising devices 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, and be maintained in a safe, clean, condition that does not adversely impact the visual amenity of the site.

ADVISORY NOTES**NOTE 1. Aboriginal Cultural Heritage Act, 2003**

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 Partnerships website www.dsdsatsip.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 C

THAT in relation to the application for a Development Permit for Material Change of Use for a Club and Operational Works for Advertising Devices (creative awning sign and five (5) wall signs), made by Rockhampton Leagues Club Ltd, located at 984-986 Yaamba Road, Parkhurst, described as Lot 21 on SP171783, Council resolves to issue an Infrastructure Charges Notice for the amount of \$46,342.04.

PROPOSAL IN DETAIL

The proposal seeks to establish a club (Club Parkhurst) located at 984-986 Yaamba Road, Parkhurst. Club Parkhurst will be a supported recreational facility of 'The Rockhampton Leagues Club' and will involve the redevelopment of part of Korte's Resort by extending the existing function facility building in the southwest corner of the site. The existing accommodation facility, fifty-two (52) motel units will be retained and continue to operate as a separate tenancy within the site.

The existing function area of approximately 1,025.9 square metres will be increased to 1638.8 square metres to accommodate 'Club Parkhurst' and will consist of an undercover entryway leading into the reception and café areas that will include indoor and outdoor seating on the deck. A courtyard and kids' play area, large dining area, sports bar and gaming room, along with two (2) function areas are proposed. The existing amenities, kitchen and back of house services will be retained with minor changes to accommodate the redevelopment. It is anticipated that the proposed Club will generally operate Sunday to Thursday from 9am to midnight and Friday and Saturday from 9am to 2am.

The proposal will improve the presentation of the current building with a new feature screen and landscaping along the existing walls presenting to Yaamba Road and to the south. This combination will improve integration with the streetscape and assist in softening and breaking up the perceived bulk and scale of the existing exterior walls. The orientation of the building will remain to the north with a prominent pedestrian entry via the internal carpark.

Access to the site from both north and south bound traffic is gained via Yaamba Road (a State Controlled Road). The established internal car park accommodates one hundred and seven (107) on-site car parking spaces and three (3) bus parking spaces that will be retained.

The subject application also includes Operational Works for Advertising Devices (creative awning sign and five (5) wall signs). The creative awning sign is proposed along the fascia of the main entrance for identifying purposes and will protrude above the fascia. The sign will be single-sided and oriented towards the north internal carpark. The sign will be approximately nine (9) metres in length and 500 millimetres in height with a total sign-face area of 4.5 square metres. Five (5) wall signs are proposed for the development with a total sign face area of 25.737 square metres. One (1) logo sign, three (3) metres by three (3) metres and one (1) identifying wall sign, seven (7) metres by 2.07 metres are proposed along the southwest feature screen orientated towards Yaamba Road and reduced versions, one (1) logo sign, 1.7 metres x 1.7 metres and one (1) identifying wall sign, 10.43 metres x 800 millimetres are proposed along the southeast feature screen. Another logo sign two (2) metres x two (2) metres is proposed at the entryway to the club and oriented towards the north internal carpark.

SITE AND LOCALITY

The subject site 984-986 Yaamba Road, Parkhurst, Lot 21 on SP171783 is designated in the Low Density Residential Zone under the *Rockhampton Region Planning Scheme 2015*. Korte's Resort occupies the site, which includes a restaurant, function facility, fifty-two (52) motel units and ancillary car parking. Surrounding the site to the north and east is land predominantly located in the Low Density Residential Zone. Directly north accommodates a Motel and Short Term Accommodation and Relocatable Home Park. Further north is the residential suburb of Paramount Crest Estate with the closest Dwelling House approximately 350 metres away. East and south of the subject site is zoned Emerging Community and is vacant undeveloped land and west across the highway is a Low Impact Industry Zone. The subject site is affected by Creek Catchment flooding from Ramsay Creek, an open swale drain and easement exist over the affected areas that also form part of the stormwater management for the site.

PLANNING ASSESSMENT**MATTERS FOR CONSIDERATION**

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the assessment process provisions of the Development Assessment Rules, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Development Engineering Comments

Support, subject to conditions.

Public and Environmental Health Comments

Support, subject to conditions.

Other Staff Technical Comments

Not applicable as the application was not referred to any other technical staff.

TOWN PLANNING COMMENTS**State Planning Policy 2017**

Section 2.1 of *Rockhampton Region Planning Scheme 2015* noted the *State Planning Policy 2017* is integrated in the planning scheme. The State planning interests are therefore addressed as part of this assessment of the development against the *Rockhampton Region Planning Scheme 2015*.

Central Queensland Regional Plan 2013

The *Central Queensland Regional Plan 2013* is a statutory document which came into effect on 18 October 2013. The Regional Plan is identified as being appropriately integrated with the Planning Scheme and therefore an assessment against the Planning Scheme is taken to be an assessment against the *Central Queensland Regional Plan 2013*.

Rockhampton Region Planning Scheme 2015**Strategic framework**

The subject site is situated within the New Urban Area designation under the scheme's strategic framework map. The strategic framework themes and their strategic outcomes, as identified within Part 3 of the *Rockhampton Region Planning Scheme 2015* are applicable:

(i) *Settlement pattern – Urban and New Urban*

- (1) *Urban and new urban areas are characterised by walkability between housing and activity nodes, such as a park, shop or bus stop. They offer a choice of housing types, including dwelling houses, semi-detached or dual occupancy housing, row or terrace houses, some multiple dwellings (in accordance with specific outcome (6) below) and small scale live/work buildings (i.e. home-based businesses). While dwelling houses are the most common use, many dwelling houses are on a range of smaller lots.*
- (2) *Urban and new urban areas allow for adaptable dwellings that provide intergenerational housing options catering to young people, families and support for ageing in place.*
- (3) *Urban and new urban areas have a feel of openness at the street level. Streets are characterised by street trees which provide shade and character, footpaths for walking trips, and streets shared by cars and bikes. New streets are generally laid out on a grid-based pattern in order to provide good connectivity and legibility and to reduce the need to drive.*
- (4) *The planning scheme has identified sufficient land supply for future greenfield development up to 2026. No further residential development is to occur beyond*

the areas designated as urban and new urban as shown on the strategic framework maps (SFM-1 to SFM-4) before 2026. Future urban areas will only be considered for future residential development when addressing the outcomes identified under section 3.3.9.

Editor's note—The term “greenfield” refers to development areas that have not previously been used for urban purposes.

Editor's note—Residential growth is contained within urban and new urban areas through the low density residential zone and low-medium density residential zone.

Editor's note—Future urban areas have been generally identified by the emerging community zone.

- (5) *Urban development is contained within the urban and new urban areas to achieve the following outcomes:*
 - (a) *the impacts from natural hazards are avoided, including the potential future impacts resulting from climate change;*
 - (b) *environmental values and green breaks are maintained;*
 - (c) *rural, natural asset, landscape and environmental values are protected;*
 - (d) *a coordinated sequence that ensures the efficient delivery of infrastructure and services;*
 - (e) *safe and efficient access to retail goods and services, community and recreational facilities and employment opportunities;*
 - (f) *a range of housing and lifestyle options consistent with the forecast changing demographic characteristics and expectations;*
 - (g) *the opportunity for increasingly sustainable and healthy lifestyles, including a reduced dependence on motor vehicles by providing convenient access to public transport, walking and cycling; and*
 - (h) *infill and intensification is focussed around centres and transport facilities.*
- (6) *Housing other than dwelling houses are located on lots with particular attributes, like corner lots, lots with rear lane access, and lots located on higher order roads and with convenient walking distance to centres, parks and major community facilities or public transport.*
- (7) *A variety of residential lot sizes and designs is provided to cater for diverse and changing housing needs within the community. The scale of buildings is appropriate to the size of the lot and to the character of the neighbourhood.*

Editor's note—A variety of lot sizes is achieved through implementing the provisions of the reconfiguring a lot code.
- (8) *Urban and new urban areas (excluding neighbourhood centres) contain existing land uses that provide for a localised service function such as small-scale food and drink outlets, community uses and services. These land uses can continue; however, the expansion of these uses or the establishment of new uses must function to service the needs of the immediate local residential community, not conflict with sensitive land use(s), not compromise the role and function of designated centres and be consistent with the relevant zone code.*
- (9) *No expansion of existing centres or industrial areas will occur into residential zoned areas (unless otherwise identified within the planning scheme). This will:*
 - (a) *maintain the viability and sustainability of existing centres and industrial areas;*
 - (b) *provide certainty to the owners and occupants;*
 - (c) *encourage the reinvestment and redevelopment of existing centres and industrial areas; and*
 - (d) *prevent the spread of ‘ribbon’ development along state controlled road and major roads.*
- (10) *Neighbourhood centres do not expand to service a wider local centre catchment.*

- (11) *Greenfield urban and new urban areas in Rockhampton and Gracemere will provide at least fifteen (15) dwellings per hectare of land (net developable area). On larger sites, a structure plan must be provided in accordance with the relevant zone code and planning scheme policies.*

Editor's note—The term "greenfield" refers to development areas that have not previously been used for urban purposes.

Editor's note—Residential growth is contained within urban and new urban areas through the low density residential zone and low-medium density residential zone.

- (12) *These new communities are well planned and demonstrate the following:*
- (a) subdivision occurs in a sequenced manner and coordinates with surrounding land;*
 - (b) development creates attractive streets that are well-connected to parks, community facilities and centres to support sustainable lifestyles including pedestrian and cycle transport;*
 - (c) the land retains significant environmental or ecological values, including but not limited to areas of environmental significance, wildlife and environmental corridors and waterways and wetlands;*
 - (d) the physical characteristics of the land are suitable for development. New development does not expand into land that is subject to adverse impacts from natural hazards;*
 - (e) development will protect significant landscape features and areas of high scenic value;*
 - (f) future social and economic needs and characteristics are catered for;*
 - (g) development does not cause or exacerbate existing land use conflicts with respect to major industrial uses (including the Gracemere and Parkhurst industrial areas) or other land uses such as existing intensive rural land uses or extractive industry;*
 - (h) development provides for a variety of residential lot sizes and designs;*
 - (i) the balance of land or future stages of large greenfield sites are retained in large parcels;*
 - (j) development is sequenced and coordinated in a way that provides for the most efficient connection and maintenance of existing and future infrastructure and services; and*
 - (k) development is consistent with the strategic framework maps (SFM-1 to SFM-4).*

Editor's note—The biodiversity overlay identifies areas of environmental value and new development may be required to submit an environmental report demonstrating that no environmental values exist or impacts are minimised, avoidance is not feasible and an environmental offset is provided.

Editor's note—A variety of lot sizes and the preferred subdivision design is achieved through implementing the provisions of the reconfiguring a lot code.

- (13) *Greenfield urban and new urban areas may provide higher residential densities (generally in accordance with the urban infill and intensification section) when adjoining a new centre that is designated within this strategic framework.*
- (14) *Until planned and developed, urban and new urban areas are maintained in large parcels to prevent fragmentation which will compromise the future coordination of urban development.*

Rockhampton

- (15) *Future greenfield development in Rockhampton is directed to Norman Gardens and Parkhurst to avoid areas affected by flooding to the south and west and steep land/environmental constraints to the east.*

- (16) *The planned Central Queensland University (CQU) priority development area is a significant greenfield development site within the urban area which will provide additional opportunities to accommodate residential growth.*
- (17) *The residential stables precinct will continue to be a suitable location for the stabling of horses within proximity to Callaghan Park, provided that impacts upon surrounding sensitive land uses are mitigated.*
- (18) *No additional local centres or higher order centres are required within greenfield areas with the exception of a local centre in North Parkhurst (along William Palfrey Road on Lot 5 SP238731) that develops commensurate with the population of the immediate catchment.*
- (19) *The Fitzroy River accommodation precinct provides for short-term accommodation in the form of the re-use of an existing dwelling and small scale non-residential uses directly associated with boating activities (for example bait and tackle shops, food and drink outlets), provided they do not adversely affect residential amenity.*

Does Not Comply – The proposed development presents conflicts with the strategic outcomes for the Settlement Pattern theme. Specifically, the outcomes anticipate residential rather than commercial development.

The site is designated within the 'New Urban Area' where residential development is anticipated. Despite this, the subject site is considered suitable for the proposed development for the following reasons:

- The development will not have an undue level of impact on the role or function of centres but would generate positive economic and community benefits for local residents.
- The proposal will only result in a 24.6m² increase in ground floor area compared to the original building (restaurant) that is approved as part of stage 2A of development permit D/389-2010.
- The development will not expand an existing centre into the residential zoned area and will not compromise the role and function of designated centres including the proposed local centre in North Parkhurst (along William Palfrey Road on Lot 5 SP238731).
- The development will contribute to the facilities that service the residential growth corridor in North Rockhampton and is commensurate with the population of the immediate catchment.
- The site can be safely and efficiently accessed by residents in the surrounding area by methods including public, active and private transport. The Club will be a supported recreational facility of 'The Rockhampton Leagues Club' and will provide employment opportunities for the local community.
- The built form is sited with appropriate separation distances from all boundaries and conditions of approval have also been included that seek to mitigate the risk of adverse impacts on any future residential development on adjoining lots. This is anticipated to provide an effective buffer for residents to minimise any potential adverse amenity impacts generated from the development.

Despite conflicts with several of the strategic outcomes sought for the Settlement Pattern theme, there is an established non-residential use on the subject site. It is considered that the likely impacts of redeveloping the non-residential use have been satisfactorily addressed, and regard to relevant matters identified in the Statement of Reasons is considered to outweigh these conflicts.

(ii) **Natural environment and hazards**

- (20) *The natural environment and landscape are highly valued by the community for their contribution to the planning scheme area's biodiversity, economic prosperity,*

culture, character and sense of place. These areas are to be protected from incompatible development.

- (21) *Development does not create unsustainable impacts on:*
 - (a) *the natural functioning of floodplains;*
 - (b) *environmentally significant areas, including areas of state and locally significant vegetation, which provide fauna habitat and support biodiversity; and*
 - (c) *the quality of water entering waterways, wetlands and local catchments.*
- (22) *Development does not increase the risk to human life and property in areas that are affected, or potentially affected, by storm-surge, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide. This occurs through the avoidance of natural hazards in new development areas, particularly greenfield areas and the mitigation of risks in existing built up areas.*
- (23) *Strategic and iconic scenic and landscape values are protected from potential adverse impacts of development.*

Complies - The subject site is affected by Creek Catchment flooding (Planning areas 1 and 2) from Ramsay Creek, an open swale drain and easement exist over the affected areas that also form part of the stormwater management for the site. The proposed location of the proposed extension to the current built form is located outside of the hazard and will not increase the risk to human life or property.

(iii) Community identity and diversity

- (1) *The quality of life of residents is enhanced through equitable access to social infrastructure, community services and facilities necessary to support community health and well-being.*
- (2) *The community is self-sufficient and does not rely on services and facilities located in other regions. Development contributes to the provision of new social infrastructure, including land.*
- (3) *Cultural heritage including character housing and heritage buildings are conserved and enhanced.*
- (4) *Public places are safe, functional, characterised by good urban design, and include a range of facilities to encourage healthy and active lifestyles.*
- (5) *Crime prevention through environmental design is achieved in urban areas including public spaces to improve public safety.*

Complies - Korte's Resort and accommodation facility along with the redevelopment and proposed Club Parkhurst, together will facilitate continued access to local recreational facilities.

(iv) Access and mobility

- (1) *Connectivity is achieved between residential uses, employment centres and services through the provision of active transport infrastructure integrated with efficient public transport services.*
- (2) *The trunk transport network (as shown on the strategic framework maps SFM-9 to SFM-12 and in plans for trunk infrastructure in the local government infrastructure plan) supports the settlement pattern and the local economy by facilitating the efficient and safe movement of people and goods both within the planning scheme area (especially between the main urban centres of Rockhampton and Gracemere), and to and from other locations.*
- (3) *The transport network encourages and supports active living in centres by providing for integrated walking, cycling, and public transport infrastructure to support a progressive reduction in car dependency.*

- (4) *The safety and efficiency of transport infrastructure, including the Bruce and Capricorn highways and other state and local roads, rail, airport and seaports, are not compromised by development.*

Complies - The development site is located adjacent to a State Controlled Road (Bruce Highway) and will not involve a new or changed access arrangement. The site is highly accessible and compatible to accommodate the traffic generated by the proposed land use whilst not impacting the safety and efficiency of the existing transport infrastructure. The location of the development encourages active living with pedestrian paths located along Yaamba Road connecting residential estates and public transport routes to the south.

(v) **Infrastructure and services**

- (1) *Infrastructure and services are planned and delivered in a logical and cost efficient manner in support of the planned settlement pattern. It is fit for purpose and is sensitive to cultural and environmental values. In particular:*
- (a) *efficient, affordable, reliable, timely and lasting infrastructure makes best use of public resources;*
 - (b) *the long-term needs of the community, industry and business are met; and*
 - (c) *the desired standards of service in Part 4 — Local government infrastructure plan are achieved.*

Not Applicable - The proposed development is located within an urban area and is appropriately connected to all general services.

(vi) **Natural resources and economic development**

- (1) *The economy of the planning scheme area continues to grow and provides the community with diverse and new employment opportunities. Rockhampton continues to strengthen as the retail, service, cultural and administrative centre for both the planning scheme area and the wider Central Queensland region.*
- (2) *The strategic importance of Rockhampton for transport and logistics industries is fostered, given its central location at the junction of the Bruce Highway, the Capricorn Highway (through to the Landsborough Highway) and the Burnett Highway (through to the Leichhardt Highway).*
- (3) *The local community continues to value its traditional economic assets and natural resources and protects and conserves them and the contribution they make to maintaining and growing the region's economic prosperity, culture, character and sense of place. The region's traditional economic sectors of tourism and agriculture (including the iconic beef industry) continue to strengthen.*
- (4) *Development protects and, where possible, leverages the intrinsic economic value of the region's natural resources, including productive grazing, agricultural and forestry land, extractive and mineral resources, marine and coastal resources, and existing and planned water resources, including watercourses, water bodies and groundwater.*
- (5) *Natural assets identified by this planning scheme are protected as they underpin current and emerging tourism opportunities and important lifestyle values for residents.*

Complies - The proposed development will contribute to the growth of the local economy, regional tourism industry and community by providing employment opportunities. The primary function of the development is to service the needs of the Parkhurst community, an area intended to accommodate the future urban growth corridor of North Rockhampton.

The performance assessment of the proposal demonstrates that the development, in balance will not compromise the *Rockhampton Region Planning Scheme 2015* strategic outcomes.

Low Density Residential Zone

The subject site is situated within the Low Density Residential Zone under the *Rockhampton Region Planning Scheme 2015*. The purpose of the Low Density Residential Zone identifies that:

The purpose of the low density residential zone code is to:

- (a) provide locations where residential uses, predominantly in the form and type of single detached one (1) storey and two (2) storey dwelling houses on individual lots are preferred to develop;*
 - (b) provide for the development of a mixture of other residential land use types that provide for long-term residency, where they are sited and designed to maintain the existing urban form (low rise and low density) and amenity of the surrounding area;*
 - (c) minimise land use conflict and ensure that community and recreation facilities develop only where they are consistent with amenity and characteristics of the surrounding area; and*
 - (d) ensure that development within the zone has appropriate standards of infrastructure and essential services.*
- (1) The purposes of the zone will be achieved through the following overall outcomes:*
- (a) development provides for predominantly single detached dwelling houses on individual lots of varying sizes and dual occupancies, maintaining a generally a low-rise, 1-2 storey built form and low density character with small scale, detached buildings;*
 - (b) residential development within the zone is of a type which primarily provides for the long-term accommodation of residents and not for short-term accommodation, except in the circumstances stated in (d);*
 - (c) low-rise multiple dwellings, relocatable home parks, residential care facilities and retirement facilities develop in the zone when they are situated in proximity (convenient walking distance) to parks, centres, major community facilities (hospital, university, etcetera) and have access to higher order roads (minor urban collector or higher) or public transport;*
 - (d) short-term accommodation only occurs where it:*
 - (i) is established in an existing dwelling;*
 - (ii) does not adversely impact on the amenity of the surrounding residential area;*
 - (iii) maintains the appearance of an ordinary dwelling that is consistent with the intentions of the zone; and*
 - (iv) is limited in scale and duration;*
 - (e) non-residential uses only occur within the zone where they:*
 - (i) do not compromise the residential character and existing amenity of the surrounding area;*
 - (ii) are small-scale and consistent with the surrounding urban form;*
 - (iii) primarily function to service the needs of the immediate local residential community;*
 - (iv) do not detract from the role and function of centres;*
 - (v) do not result in the expansion of a centre zone; and*
 - (vi) have direct access to higher order roads (minor urban collector or higher) and are in proximity to public transport;*
 - (f) no expansion of existing centres or industrial areas will occur into the low density residential zone. In addition, no additional local centres or higher order centres are required within the low density residential zone;*
 - (g) neighbourhood centres do not expand to service a wider local centre catchment. South Gracemere is to accommodate a neighbourhood centre commensurate with the population of the immediate catchment;*

- (h) new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;*
- (i) development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;*
- (j) development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;*
- (k) new residential developments are not located in proximity to existing incompatible uses such as rural uses, industrial uses and major community facilities without separation distances, landscaping and screening that minimise impacts on amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;*
- (l) new residential developments are located and integrated with existing neighbourhoods;*
- (m) development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints;*
- (n) development provides connection to pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;*
- (o) development is serviced by infrastructure that is commensurate with the needs of the use; and*
- (p) the establishment of one (1) precinct within the zone where particular requirements are identified:*
 - (i) Fitzroy River accommodation precinct; and*
 - (ii) Residential stables precinct.*

Complies – This application is not consistent with the purpose of the Zone given conflicts with aspects of overall outcome (e). Overall outcome (e) is generally reflected in Performance Outcome 16 of the Code, which has been separately addressed in the Statement of Reasons in Recommendation A of this report. Despite the conflicts with the purpose of the Zone Code, regard to relevant matters is considered to outweigh this conflict.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Low Density Residential Zone Code;
- Advertising Devices Code;
- Access, Parking and Transport Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code; and
- Water and Sewer Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance Outcomes and Acceptable Outcomes. Where the application is in conflict with the Acceptable Outcomes and is not otherwise conditioned to comply, an assessment of the Performance Outcomes has been undertaken. Refer to the Statement of Reasons contained in **Recommendation A** for an assessment.

Based on a performance assessment of the abovementioned codes, it is determined that the proposal is acceptable and generally complies with the relevant Performance Outcomes and where there is deviation from the codes, weight given to relevant matters favours Council to exercise its discretion and approve the proposed development.

CONSULTATION

The proposal was the subject of public notification between 30 June 2022 and 20 July 2022, in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules, and no submissions were received.

REFERRALS

The application was referred to the State Development Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department) as a Concurrence Agency. The Department assessed the application and provided a referral agency response on 15 June 2022.

In addition, the application was referred to Energy Queensland (Ergon) as an Advice Agency. The Agency assessed the application and provided a response on 28 June 2022.

CONCLUSION

THAT the proposed development, in balance is not anticipated to compromise the Strategic Framework of *Rockhampton Region Planning Scheme 2015*. Furthermore, the proposal generally complies with the provisions included in the applicable codes. The proposal is therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

**DEVELOPMENT APPLICATION FOR
MATERIAL CHANGE OF USE FOR A
CLUB AND OPERATIONAL WORKS
FOR ADVERTISING DEVICES
(CREATIVE AWNING SIGN AND FIVE
(5) WALL SIGNS)**

Locality Plan

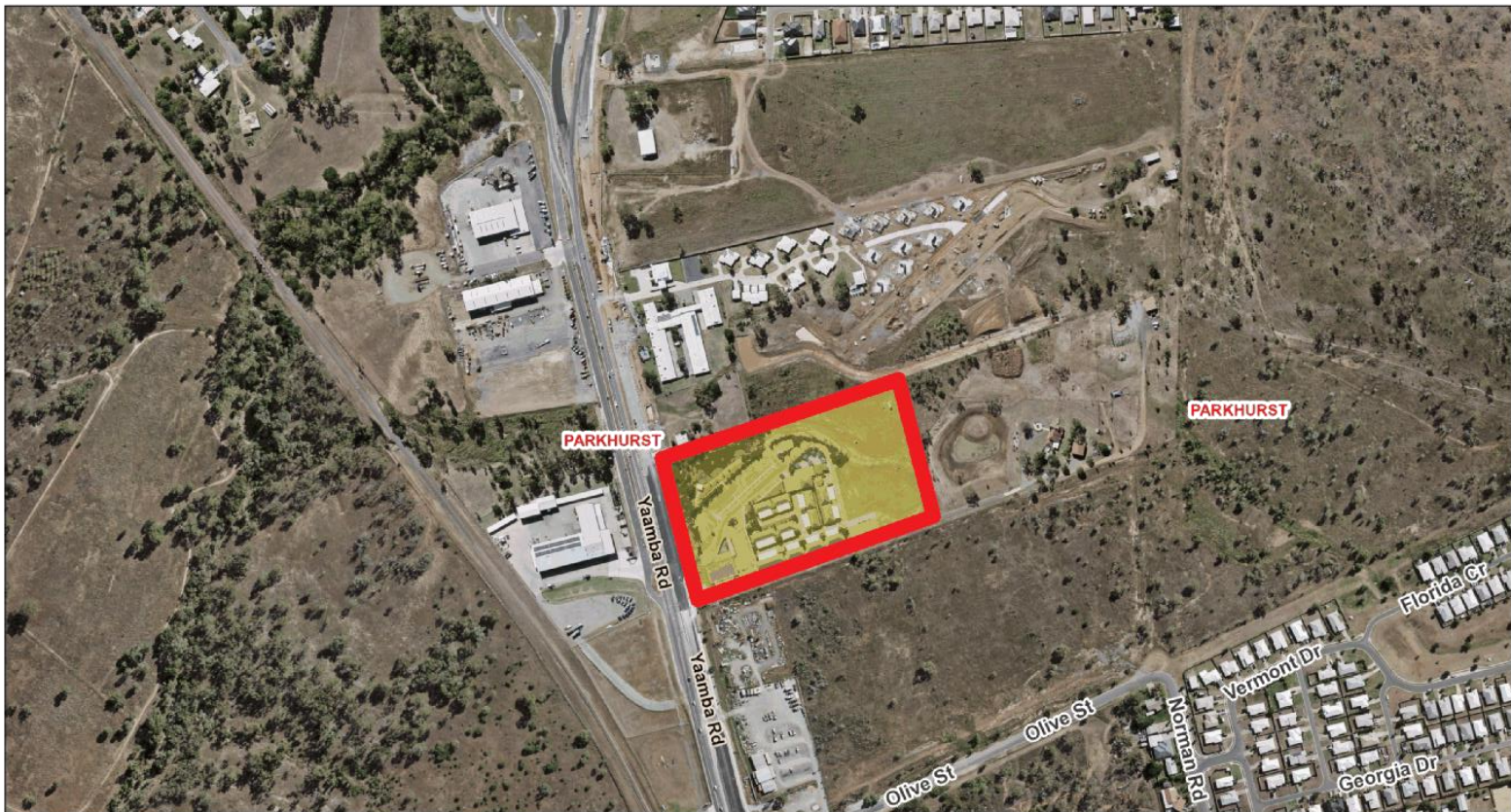
Meeting Date: 13 September 2022

Attachment No: 1

D/58-2022 - Locality Plan



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 Printed from GeoCortex on 01/09/2022



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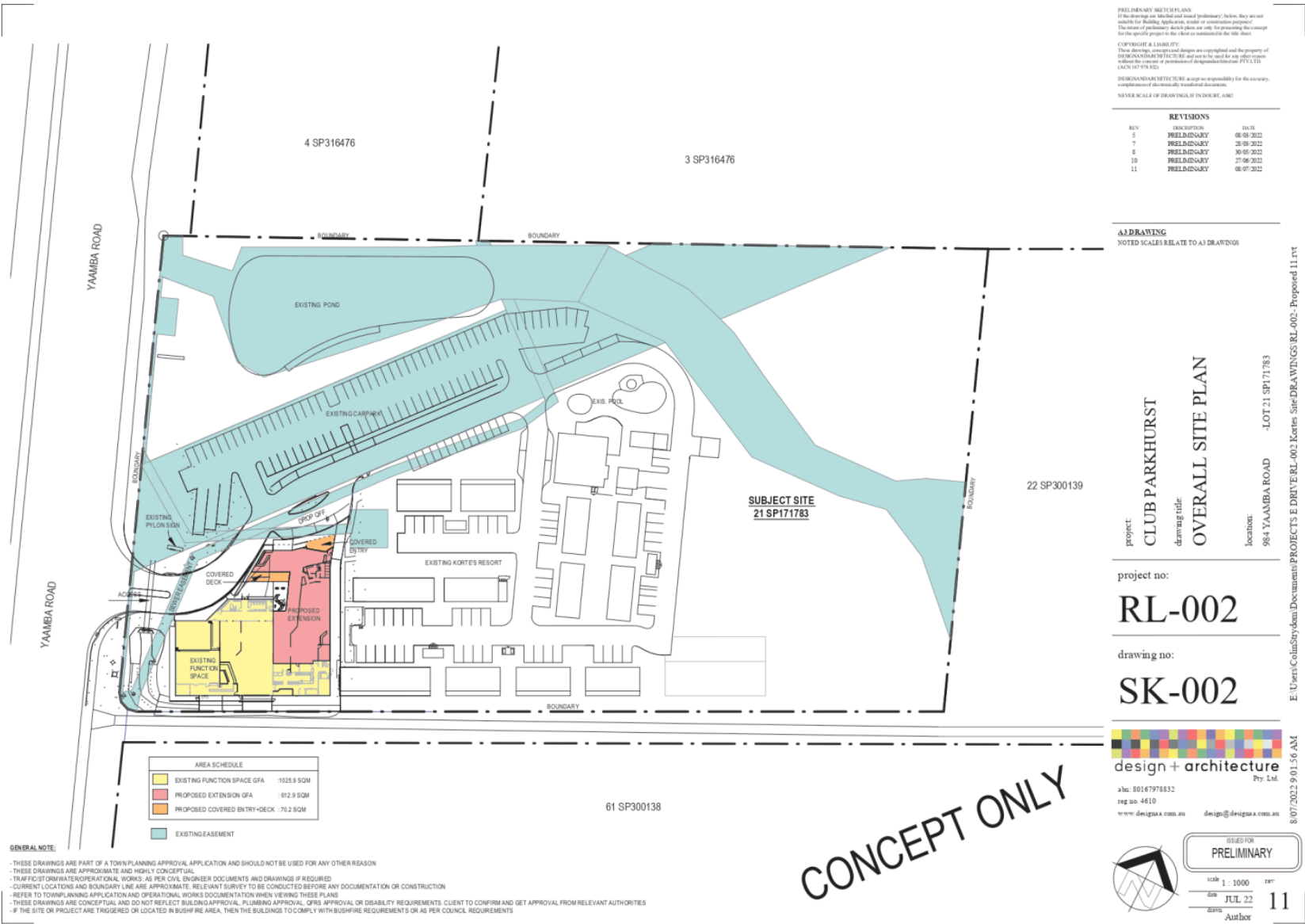


**DEVELOPMENT APPLICATION FOR
MATERIAL CHANGE OF USE FOR A
CLUB AND OPERATIONAL WORKS
FOR ADVERTISING DEVICES
(CREATIVE AWNING SIGN AND FIVE
(5) WALL SIGNS)**

Site Plan

Meeting Date: 13 September 2022

Attachment No: 2

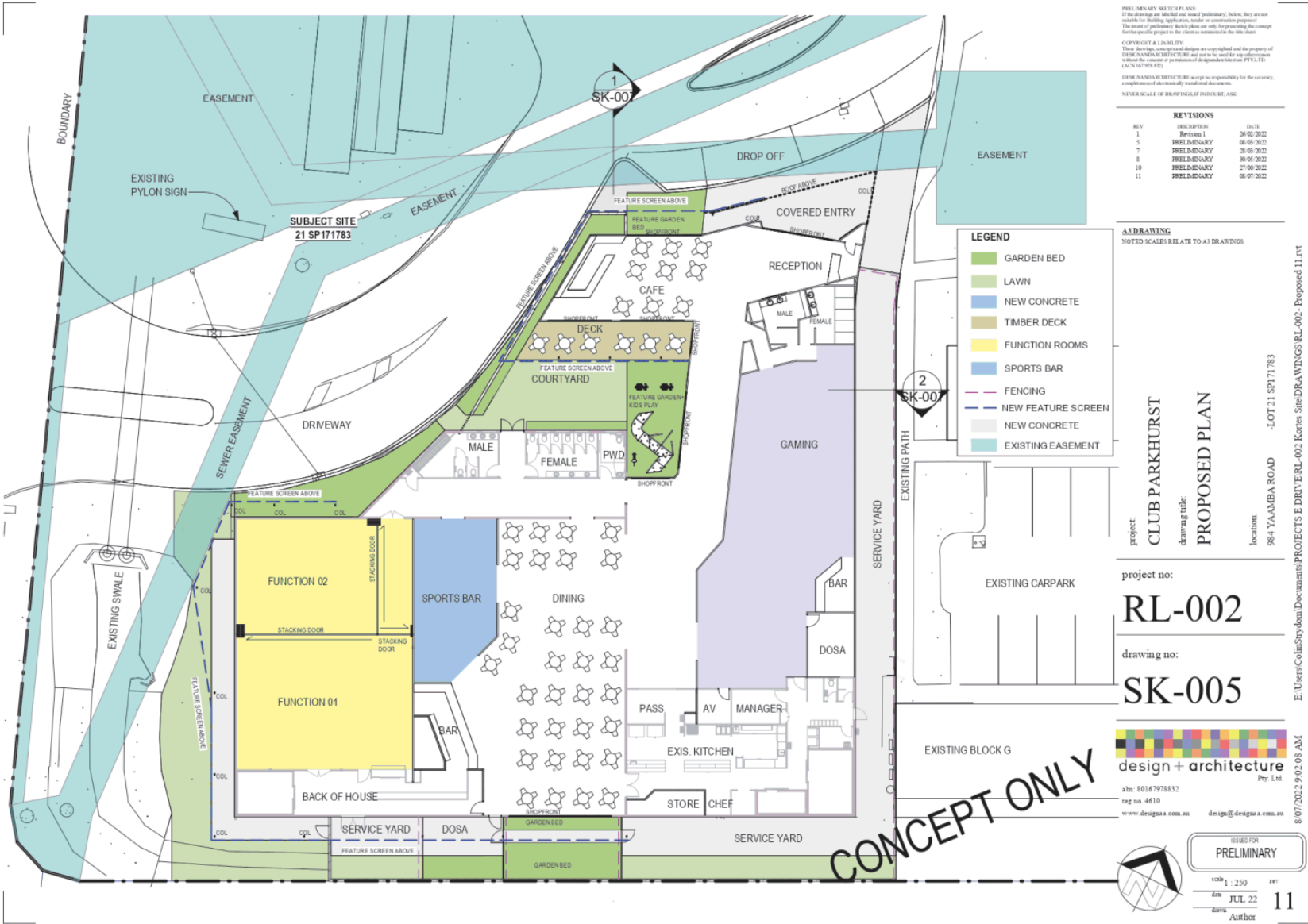


**DEVELOPMENT APPLICATION FOR
MATERIAL CHANGE OF USE FOR A
CLUB AND OPERATIONAL WORKS
FOR ADVERTISING DEVICES
(CREATIVE AWNING SIGN AND FIVE
(5) WALL SIGNS)**

Floor Plan

Meeting Date: 13 September 2022

Attachment No: 3



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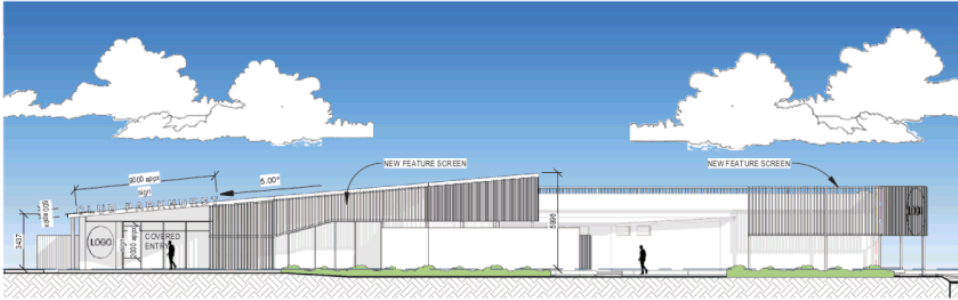
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**DEVELOPMENT APPLICATION FOR
MATERIAL CHANGE OF USE FOR A
CLUB AND OPERATIONAL WORKS
FOR ADVERTISING DEVICES
(CREATIVE AWNING SIGN AND FIVE
(5) WALL SIGNS)**

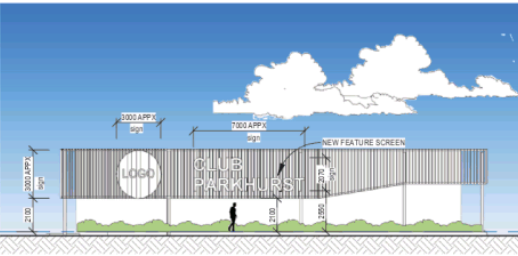
Elevations Plan

Meeting Date: 13 September 2022

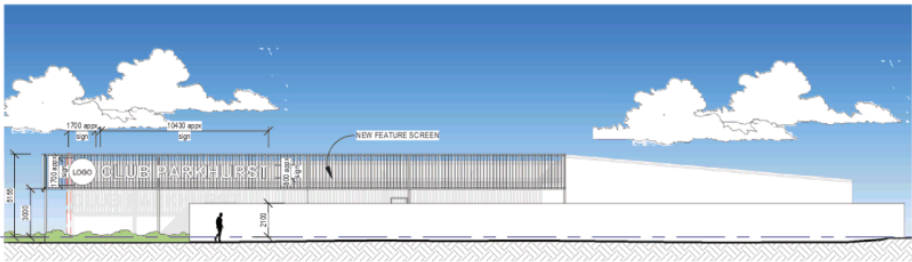
Attachment No: 4



1 NORTH WEST ELEVATION
1 : 250 @ A3



3 SOUTH WEST ELEVATION
1 : 250 @ A3



2 SOUTH EAST ELEVATION
1 : 250 @ A3

PRELIMINARY SKETCH PLANS
If the drawings are labeled and used (preliminary), before they are not
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The intent of preliminary sketch plans are only for presenting the concept
for the specific project to the client as submitted to the site plan.

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REVISIONS		
REV	DESCRIPTION	DATE
5	PRELIMINARY	06/08/2022
7	PRELIMINARY	26/08/2022
8	PRELIMINARY	30/08/2022
10	PRELIMINARY	27/09/2022
11	PRELIMINARY	06/07/2022

A3 DRAWING
NOTED SCALES RELATE TO A3 DRAWINGS

project:
CLUB PARKHURST
drawing title:
ELEVATIONS
location:
984 YAAMBA ROAD
-LOT 21 SP171783

project no:
RL-002
drawing no:
SK-006

design + architecture
a/b: 80167978832
reg no. 4610
www.designa.com.au
designa@designa.com.au

ISSUED FOR
PRELIMINARY

scale 1 : 250
date JUL 22
author 11

CONCEPT ONLY

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10.4 D/167-2021 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR RESIDENTIAL CARE FACILITY (90 BEDROOMS)

File No: D/167-2021

Attachments:

1. [Locality Plan](#)
2. [Site Plan](#)
3. [Floor Plan](#)
4. [Elevation Plans](#)

Authorising Officer: Amanda O'Mara - Acting Coordinator Development Assessment
Doug Scott - Manager Planning and Regulatory Services

Author: Brendan Standen - Senior Planning Officer

Previous Items: 10.3 - D/167-2021 - Development Application for a Material Change of Use for a Residential Care Facility (90 bedrooms) - Ordinary Council - 23 Aug 2022 9:00am

SUMMARY

Development Application Number: D/167-2021

Applicant: Mercy Health and Aged Care Central Queensland Limited

Real Property Address: 75 Ward Street, The Range

Common Property Address: Lot 100 on SP225770

Area of Site: 26,710 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015 (v2.2)

Planning Scheme Zone: Low Density Residential Zone

Planning Scheme Overlays: Airport Environs Overlay; and
Steep Land Overlay

Existing Development: Residential Care Facility

Approval Sought: Development Permit for a Material Change of Use for a Residential Care Facility (90 bedrooms)

Level of Assessment: Impact Assessable

Submissions: One (1) properly made submission

Referral Agency: State Development Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department)

Infrastructure Charges Area: Charge Area 1

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for Material Change of Use for a Residential Care Facility (90 bedrooms), made by Mercy Health and Aged Care Central Queensland Limited, located at 75 Ward Street, The Range, described as Lot 100 on SP225770, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	Material Change of Use for a Residential Care Facility (90 bedrooms)	
Reasons for Decision	<p>a) 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</p> <p>b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Strategic Framework; • Low Density Zone Code; • Access, Parking And Transport Code; • Landscape Code; • Stormwater Management Code; • Waste Management Code; • Water and Sewer Code; and • Airport Environs Overlay Code. 	
Compliance with assessment benchmarks	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	Low Density Residential Zone Code	<p>PO1</p> <p>The development does not comply with AO1.1 as the development exceeds the maximum building height of 2 storeys and 8.5 metres. The maximum building height of the development is approximately 12.5 metres above ground level.</p> <p>Despite this, the building height of the development is a similar building height to that currently exhibited on the site. Therefore, the height of the development is considered be consistent with the built form known and expected on the site and immediately surrounding area. The site is also bound by 20 metre wide road reserve on all sides, which assists in reducing the scale and bulk of the building from nearby residences.</p>

		On this basis, the development is not considered to adversely impact on the urban form of the surrounding low density residential area or significant scenic landscape features and complies with PO1.
	Landscape Code	<p>PO11</p> <p>The development does not comply with AO11.1-11.6 as shade trees have not been provided in the new car parking areas, accessed from Ward Street, at the rates set out in the Planning Scheme.</p> <p>Despite this, some shade tree planting around the new car parking areas has been proposed and conditioned. The approved shade tree planting along with other landscaping proposed ensures that carparks and internal accesses are landscaped to provide shade, reduce glare and reduce heat stored on hard surfaces. On this basis, the development complies with PO11.</p>
	Airport Environs Overlay Code	<p>PO1</p> <p>The development does not comply with AO1.1 or PO1 as the proposed maximum building height exceeds the maximum height limit prescribed in the Zone Code.</p> <p>Despite this, written advice from Airport Services Australia confirmed the proposed development will not have any adverse impacts on the Rockhampton Airport operations. Therefore, the proposed development complies with the overall outcomes for the Airport Environs Overlay, which allows development to protrude into the Obstacle Limitation Surface where it does not compromise airport operations.</p>
Matters raised in submissions	Issue	How matter was dealt with
	Noise	The submitter raised concerns about the potential for the development to exacerbate existing and introduce new noise impacts from the facility, including from workers, delivery trucks, fire alarms, emergency service vehicles, taxis and plant equipment. The submitter was concerned noise impacts would reduce residential amenity.

		<p>The development is an expansion to a long standing residential care facility, which has been progressively developed and improved since the early 1960s. Therefore, the facility's presence in the surrounding area is well established and known. The expansion and improvement of the existing facility, including infrequent noise impacts from different noise sources, is considered to be within reasonable community expectations. In addition, an Environmental Noise Assessment submitted by the Applicant demonstrates the proposed development can achieve the acoustic quality objectives at all times, subject to compliance with recommendations. The Environmental Noise Assessment forms part of the approved documents.</p> <p>Notwithstanding, conditions of approval have been included that require the development to comply with the <i>Environmental Protection (Noise) Policy 2019</i>.</p>
	Traffic	<p>The submitter raised concern the development would exacerbate existing traffic congestion issues in Ward Street because of the increase in on-site car parking spaces gaining access from this road.</p> <p>Ward Street is categorised as a 'Minor Urban Collector' road, with anticipated traffic volumes of between 751 and 3,000 average annual daily traffic (AADT). However, considering the road characteristics, Ward Street can be classified as a 'Major Urban Collector' (3,001 – 6,000 AADT) and is therefore suited to higher vehicle volumes.</p> <p>Therefore, despite the increase in on-site car parking spaces gaining access from Ward Street, these vehicle movements are considered to be within the road's capacity.</p>
Matters prescribed by regulation	<ul style="list-style-type: none"> • The <i>Rockhampton Region Planning Scheme 2015</i> (2.2); and • The common material, being the material submitted with the application. 	

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Material Change of Use for a Residential Care Facility (90 bedrooms), made by Mercy Health and Aged Care Central Queensland Limited, located at 75 Ward Street, The Range, described as Lot 100 on SP225770, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and their 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) Roof and Allotment Drainage; and
 - (v) Site Works.
 - 1.5.2 Plumbing and Drainage Works; and
 - 1.5.3 Building Works:
 - (i) Demolition Works; and
 - (ii) Building 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 A maximum of 206 beds occupied by people who cannot live independently and require regular nursing or personal care is permitted across 100 on SP225770 at any given time.

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>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/Issue</u>
Site Plan and Development Summary	Thomson adsett	30 June 2022	A-1.02	3
Site Plan - Staging	Thomson adsett	30 June 2022	A-1.03	3
Site Section	Thomson adsett	30 June 2022	A-1.10	3
RACF Ground Floor Plan	Thomson adsett	30 June 2022	A-2.02	4
RACF Level 1	Thomson adsett	30 June 2022	A-2.03	2
RACF Level 2	Thomson adsett	30 June 2022	A-2.04	2
RACF Roof Plan	Thomson adsett	30 June 2022	A-2.05	2
Kitchen Plan	Thomson adsett	3 December 2021	A-2.11	2
Kitchen Roof Plan	Thomson adsett	3 December 2021	A-2.12	1
Ward Street Car Parking	Thomson adsett	30 June 2022	A-2.20	2
Elevations – RACF	Thomson adsett	30 June 2022	A-3.01	3
Elevations – RACF	Thomson adsett	30 June 2022	A-3.02	3
Kitchen Elevations	Thomson adsett	3 December 2021	A-3.11	2
Sections – RACF	Thomson adsett	30 June 2022	A-4.01	2
Sections – Street Scape	Thomson adsett	3 December 2021	A-4.02	1
Sections – Kitchen	Thomson adsett	3 December 2021	A-4.11	1
Environmental Noise Assessment	RoadPro Acoustics	16 December 2021	1338R1-R0	0
Traffic Impact Assessment	McMurtrie Consulting	14 December 2021	0402122	A
Technical Memorandum	McMurtrie Consulting	7 December 2021	040-21-22	-

Landscape Concept Plan 1: Key Plan	Alderson + Associates Landscape Architects	3 December 2021	964-LCP01	A
Landscape Concept Plan 2: Stage 1 – Additional Parking	Alderson + Associates Landscape Architects	3 December 2021	964-LCP02	A
Landscape Concept Plan 3: Stage 2 – 90 Bed RACF	Alderson + Associates Landscape Architects	3 December 2021	964-LCP03	A
Landscape Concept Plan 4: Stage 2 – 90 Bed RACF	Alderson + Associates Landscape Architects	3 December 2021	964-LCP04	A
Landscape concept Plan 6: Stage2/3-90 Bed RACF + Kitchen	Alderson + Associates Landscape Architects	14 February 2022	964-LCP06	B
Landscape Concept Plan 5: Stage 2- 90 Bed RACF	Landscape Concept Plan 5: Stage 2- 90 Bed RACF	14 February 2022	964-LCP05	B
Landscape Concept Plan 7: Lower Car Park	Landscape Concept Plan 5: Stage 2- 90 Bed RACF	4 July 2022	964-LCP07	A
Technical Letter – Traffic and Stormwater	JS ² Structures	6 July 2022	21145	-

- 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.

3.0 STAGED DEVELOPMENT

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

3.1.1 Residential Care Facility and On-site Car Parking (Stage One); and

3.1.2 Kitchen Facility, Loading Dock and Refuse Storage (Stage Two),

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

The stages are required to be undertaken in 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.

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- 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*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.3 All access, parking and vehicle manoeuvring 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 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
- 4.5 A minimum of fifty five (55) new parking spaces must be provided on-site.
Note: Existing twenty five (25) car parking spaces will be removed as a part of this development.
- 4.6 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"*.
- 4.7 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).
- 4.8 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.
- 4.9 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"*.
- 4.10 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
- 4.11 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

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*, *Plumbing and Drainage Act 2018* and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 The development must be connected to Council's reticulated sewerage network.
- 5.4 The existing sewerage connection point(s) must be retained and upgraded, if necessary, to service the development.
- 5.5 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.
- 5.6 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 5.7 The existing 150mm diameter sewerage infrastructure that traverses the development site must be re-aligned in accordance with approved technical memorandum (refer to condition 2.1). The section of redundant sewerage infrastructure must be removed from the development site.
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- 5.8 All works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*
- 5.9 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 PLUMBING AND DRAINAGE WORKS

- 6.1 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.
- 6.2 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 2018*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 6.3 The development must be connected to Council's reticulated water network. An hydraulic engineer or other suitably qualified person must determine the size of connection required.
- 6.4 The existing water connection point must be retained, and upgraded if necessary, to service the development.
- 6.5 Adequate domestic and fire-fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.
- 6.6 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 6.7 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2018* and Council's Plumbing and Drainage Policies.
- 6.8 Fixtures installed in the basement or other locations, where surcharge could damage the premises and contents, must be connected to the reticulated sewerage system by means of a pumping installation complying with *Australian Standard AS3500 "Sanitary plumbing and drainage"*.

7.0 STORMWATER WORKS

- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 7.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 7.3 All stormwater must drain to a 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, nuisance or worsening to surrounding land or infrastructures.
- 7.4 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.
- 7.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by an updated Stormwater Management Plan report, prepared and certified by a Registered Professional Engineer of Queensland that as a minimum includes:

- 7.5.1 details around the implementation and design of the adopted stormwater management strategy;

Note: Should the underground tank strategy be adopted, details regarding the pump setup and pressure main must be provided and should comply with *Australian Standard AS3500 "Sanitary plumbing and drainage"*.
- 7.5.2 details of the low / high flow outlets;
- 7.5.3 demonstration of how the major design storm flows are conveyed to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*;
- 7.5.4 identification and conceptual design of all new drainage systems, and modifications to existing drainage systems required to appropriately and adequately manage stormwater collection and discharge from the proposed development;
- 7.5.5 identification of the area of development site inundated as a consequence of the major design storm event for post-development scenario; and
- 7.5.6 details of all calculations, assumptions and data files (where applicable).
- 7.6 All proprietary stormwater quality treatment devices must be routinely checked, serviced and cleaned in accordance with the manufacturer's recommendations. Records of all maintenance activities undertaken must be kept and made available to Council upon request. Where replacement cartridges or other necessary components for the system become unavailable, an alternative system approved by Council, is required to be retrofitted into the development to achieve an equivalent pollutant reduction outcome. All maintenance cost must be borne by the site owner / operator.
- 8.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 8.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the development site.
- 8.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 8.3 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.
- 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 Any application for a Development Permit for Operational Works (site works) must be accompanied by earthworks plan that clearly identifies the following:
 - 9.2.1 the location of cut and/or fill;
 - 9.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 9.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 9.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 9.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 9.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.

- 9.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 9.5 Retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 10.0 LANDSCAPING
- 10.1 Landscaping must be constructed and/or established prior to the commencement of the use in all areas shown on the approved plans (refer to condition 2.1).
- 10.2 Landscaping must be designed in accordance with the requirements of *Australian Standard AS 1428 parts 1, 2, 3 and 4 — Design for access and mobility*.
- 10.3 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency and must comply with the following requirements:
- 10.3.1 Plant species are chosen from sources recommended in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*, and
- 10.3.2 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.
- 10.4 Shade trees within car parking areas are to be provided and planted within a deep natural ground/structured soil garden bed/island/bay and are protected by wheel stops or bollards as required.
- 10.5 Each shade tree must have a clean trunk with a minimum height of two (2) metres and each shade tree is provided with a minimum planting area of 1.2 square metres with a minimum topsoil depth of 0.8 metres.
- 10.6 Shade trees must comply with the following requirements:
- 10.6.1 Be planted clear of services and utilities;
- 10.6.2 Be planted clear of park furniture and embellishments;
- 10.6.3 Not obstruct pedestrian or bicycle traffic; and
- 10.6.4 Comply with crime prevention through environmental design principles.
- 10.7 Root control barriers must be installed where invasive roots may cause damage to car parking areas, pedestrian paths and road carriageways.
- 1.1 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
- (ii) adversely affect any road lighting or public space lighting; or
- (iii) adversely affect any Council infrastructure, or public utility plant.
- 11.0 BUILDING WORKS
- 11.1 A Development Permit for Building Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 11.2 All building works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*
- 11.3 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation*
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2019 and must be:

- 11.3.1 designed and located so as not to cause a nuisance to neighbouring properties;
- 11.3.2 surrounded by at least a 1.8 metre high screen fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
- 11.3.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;
- 11.3.4 setback a minimum of two (2) metres from any road frontage; and
- 11.3.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2018*.

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.

- 11.4 The finished floor level for habitable areas (refer to condition 2.1) must be a minimum of 500 millimetres above a one per cent (1%) Annual Exceedance Probability defined storm inundation level.
- 11.5 All non-habitable areas subjected to flood inundation during a one per cent (1%) Annual Exceedance Probability storm event, must be designed and constructed using suitable flood resilient materials.
- 11.6 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual Exceedance Probability defined storm inundation level.

12.0 ELECTRICITY

- 12.1 Underground 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.

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 *Asset Design and As Constructed Manual (ADAC)*.

15.0 ENVIRONMENTAL

- 15.1 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:

- 15.1.1 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); and
- 15.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.

16.0 OPERATING PROCEDURES

- 16.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Spencer Street, Jessie Street, Agnes Street or Ward Street.
- 16.2 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera) in accordance with the approved plans (refer to condition 2.1). The owner of the land must ensure that:
 - 16.2.1 the area is kept in a clean and tidy condition;
 - 16.2.2 fences and screens are maintained;
 - 16.2.3 no waste material is stored external to the waste storage area/s;
 - 16.2.4 the area is maintained in accordance with *Environmental Protection Regulation 2019*.
- 16.3 Building plant or air conditioning equipment must be screened from view of the street and adjoining properties.

17.0 ENVIRONMENTAL HEALTH

- 17.1 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"*.
- 17.2 Noise emitted from the activity must not cause an environmental nuisance.
- 17.3 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.
- 17.4 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 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*. Airconditioning units must be located so as not to cause a noise nuisance and maintained in appropriate working order at all times. Installation is to be as per manufacturer's directions to ensure the efficiency of the equipment.

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 Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety Act 2011* and *Public Health Act 2005*.

NOTE 3. 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 4. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the development site, Council's Environment and Public Health Unit must be consulted to determine whether any approvals are required. Such activities may include food preparation, storage of dangerous goods or environmentally relevant activities. Approval for such activities is required before 'fit out' and operation.

NOTE 5. 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 6. Infrastructure Charges Notice

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

Total Contributions Payable = \$587,953.50

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use for a Residential Care Facility (90 bedrooms), made by Mercy Health and Aged Care Central Queensland Limited, located at 75 Ward Street, The Range, described as Lot 100 on SP225770, Council resolves to apply the *Adopted Infrastructure Charges Resolution (No. 5) 2015* rather than the *Charges Resolution No.1 of 2022*, and issue an Infrastructure Charges Notice for the amount of \$587,953.50.

INFRASTRUCTURE CHARGES

As per Recommendation C of this report, it is recommended the *Adopted Charges Resolution (No. 5) 2015* be applied instead of the *Charges Resolution No. 1 2022*. The reason for this is because the development application would have been decided prior to the new resolution coming into effect, except it was realised late in the assessment process that advice provided by the Rockhampton Airport to the Applicant prior to the development application being lodged was inconsistent with that provided later in the assessment process.

Specifically, the Applicant sought early advice from the Rockhampton Airport about the maximum permissible height for buildings and structures given the site is mapped under the Planning Scheme as being affected by the Airport Environs Overlay (Airport Obstacle – Height Limit 8.5m) and the proposed buildings exceeded the Obstacle Limitation Surface (OLS). It is understood the Rockhampton Airport indicated the proposed maximum building height would be acceptable, however, was later found this may not be the case and further advice was required from Airport Services Australia. Airport Services Australia took approximately nine (9) weeks to provide a response.

On this basis, the below calculation is based on *Adopted Infrastructure Charges Resolution (No. 5) 2015* for non-residential development. The site falls within Charge Area 1. The Infrastructure Charges are as follows:

Column 1 Use Schedule		Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
			(\$)	Unit	(\$)	Unit	
Essential Services	All uses as per AICN 5/14 Table 2.2.1	Areas 1 and 2	119	per m ² of GFA	8.50	per m ² of impervious area	\$587,953.50
Total							\$587,953.50
Less Credit							Nil
TOTAL CHARGE							\$587,953.50

This is based on the following calculations:

- (a) A charge of \$560,014.00 for Gross Floor Area being 4,706 square metres;
- (b) A charge of \$27,939.50 for Impervious Area being 3,287.00 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) No Infrastructure Credit being applicable.

Therefore, a total charge of \$587,953.50 is payable and will be reflected in an Infrastructure Charges Notice for the development.

As the proposed development is staged, Infrastructure Charges will need to appear for each stage as follows:

Stage	GFA (m ²)	Impervious Area (m ²)	Charge (\$)		Total (\$)
			GFA	Impervious	
1	4,575	3,086	544,425.00	26,231.00	570,656.00
2	131	201	15,589.00	1,708.50	17,297.50

BACKGROUND

This development application was initially tabled at the 23 August 2022 Ordinary Council Meeting, but the matter was laid on the table pending further discussions with the Applicant about whether additional car parking spaces could be provided in the south-eastern corner of the site. The concern being that this area is already informally used for car parking, and therefore there would be no net increase in on-site car parking spaces. The Applicant submitted representation stating:

- The proposed formalised onsite car parking provides the required number of car parking spaces determined by the Planning Scheme for the proposed development.

- The south-eastern corner is currently unregulated and informally used for parking by visitors and staff of health care service providers in the area, which does not form part of the land uses undertaken onsite. Therefore, the provision of formalised car parking for third parties is beyond the landowner's responsibility.
- Informal car parking results in a significant underutilisation of the capacity of the land.
- The proposed formalised car park, provisioning 34 parking spaces in the south-eastern portion of the property, will result in an efficient parking layout.

On this basis, the Applicant did not provide any changes to the proposal.

PROPOSAL IN DETAIL

The proposed development is a two (2) staged expansion to an existing residential care facility (Bethany Health and Aged Care). Specifically, the proposal is to construct a new residential care building with 90 beds, on-site car parking, an ancillary kitchen and service areas. The proposed development will result in a total of 206 across the whole site.

Stage 1

Stage 1 of the proposal includes the construction of the main residential care facility building in the south-western corner of the site and additional on-site car parking to cater for an increase in number of staff and residents.

The new residential care facility building will be a maximum of three (3) storeys and have a building height of approximately 12.5 metres above ground level. Gross Floor Area (GFA) will be 4,575m².

The proposed building includes a variation of materials, colours and textures. Construction materials include but are not limited to timber, bricks, aluminium, concrete and glass. The proposed building will also provide variation in built form, incorporating changes in roof form and pitch, articulation in building facades with window hoods and balconies, which will assist in creating visual interest and reducing the perceived bulk and scale of the development from the street.

The proposal includes the construction of new ground-level car parking spaces, including 12 spaces accessed from Ward Street, 25 spaces immediately adjoining the new residential care facility building accessed from Spencer Street and 34 spaces in the south-eastern corner of the site accessed from Spencer Street.

Stage 2

Stage 2 of the proposal includes the construction of the detached kitchen facility, loading dock and refuge storage area immediately north of the proposed new main building.

The kitchen facility will be a maximum of 5.47m above ground level. GFA will be 131m². Similar to the new main building, a variety of construction materials and techniques will be utilised to improve the kitchen facility's presentation to the street and integrate with the development on-site and surrounding area.

Landscaping, Services and Waste

Landscaping is proposed along Spenser Street, Agnes Street and Ward Street frontages where new development is proposed. This includes a combination of ground covering plants, shrubs and shade trees. The Applicant submitted a landscape concept plant, which forms part of the documents recommended for approval.

The proposed development will be connected to all urban services. Development Engineering has identified there is sufficient capacity in the existing reticulated water and sewerage network to cater for the proposed development. A section of the existing non-trunk sewerage main within the site will need to be relocated and conditions of approval have been recommended to this effect.

The Applicant submitted a Stormwater Management Plan (SWMP); however, elements of the SWMP have not been supported by Development Engineering. Therefore, the SWMP is not recommended for approval and conditions of approval requiring an updated SWMP to be provided as part of a subsequent Operational Works application have been recommended in place.

A new waste storage area is proposed adjoining the new kitchen building. The waste storage area will be accessed from Agnes Street. Swept path diagrams have been provided by the Applicant showing there is sufficient manoeuvring area for a waste collection vehicle to enter and exit the site in a forward gear.

SITE AND LOCALITY

The subject site is located at 75 Ward Street, The Range, formally described as Lot 100 on SP225770. The subject site is a rectangular configuration with a site area of 26,710m². The site is improved by an existing residential care facility that has been progressively developed and improved since the early 1960s to currently include a combination of both low and high care accommodation options across several buildings. There is an area of land in the south-western corner of the site that is vacant, which is where the proposed development is to primarily occur.

The site is bound by Ward Street to the north and Spencer Street to the south (~210m frontages), and Jessie Street to the east and Angas Street to the west (~115m frontages). The area to the north, south and west is characterised by single detached dwellings. The area immediately to the east, on the opposite side of Jessie Street, is Mater Private Hospital and beyond this St Peter's Catholic Primary School. On-site car parking is provided around the site and wider area to accommodate for the non-residential uses occurring.

PLANNING ASSESSMENT

MATTERS FOR CONSIDERATION

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the assessment process provisions of the Development Assessment Rules, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Development Engineering Comments

Support, subject to conditions.

Public and Environmental Health Comments

Support, subject to conditions.

Other Staff Technical Comments

Not applicable as the application was not referred to any other technical staff.

TOWN PLANNING COMMENTS

State Planning Policy 2017

Section 2.1 of *Rockhampton Region Planning Scheme 2015* noted the *State Planning Policy 2017* is integrated in the planning scheme. The State planning interests are therefore addressed as part of this assessment of the development against the *Rockhampton Region Planning Scheme 2015*.

Central Queensland Regional Plan 2013

The *Central Queensland Regional Plan 2013* is a statutory document which came into effect on 18 October 2013. The Regional Plan is identified as being appropriately integrated with the Planning Scheme and therefore an assessment against the Planning Scheme is taken to be an assessment against the *Central Queensland Regional Plan 2013*.

Rockhampton Region Planning Scheme 2015**Strategic framework**

The subject site is situated within the Urban Area designation under the scheme's strategic framework map. The strategic framework themes and their strategic outcomes, as identified within Part 3 of the *Rockhampton Region Planning Scheme 2015* are applicable:

(i) **Settlement pattern**

- (1) *The pattern of settlement is reinforced in accordance with the Strategic framework – settlement pattern maps (SFM-1 to SFM-4) and as defined in Table 3.3.2.2 – Strategic map designations and descriptions. Sufficient land has been allocated for residential, commercial, industrial and community uses to meet the needs of the region for at least twenty (20) years.*
 - (2) *Residential development within Rockhampton and Gracemere will occur in urban areas, urban infill and intensification areas and new urban areas (greenfield areas). These areas are shown on the strategic framework maps SFM-2 to SFM-3.*
 - (3) *Urban development in Mount Morgan will only occur within the urban area and local centre as shown on strategic framework map SFM-4.*
 - (4) *Residential development is compact, encourages strong neighbourhoods with attractive places for residents, makes efficient use of land and optimises the delivery and use of infrastructure and services. Expansion beyond these identified areas will not occur to ensure a focus on urban infill and intensification areas and to avoid further encroachment on natural assets and ecologically vulnerable areas.*
 - (5) *Sufficient land for employment growth has been identified in industrial areas, new industrial areas and centres (including proposed centres) at locations that can be most efficiently serviced with infrastructure and facilities.*
 - (6) *Future urban areas and future industrial areas are the preferred location for greenfield development beyond 2026.*
 - (7) *The settlement pattern provides for a diverse range of housing to meet changing demographic needs, and creates opportunities for more affordable living close to services and facilities. These housing options will help stimulate centres and community focal points, and assist in making the most efficient use of infrastructure and other public investment.*
 - (8) *Higher density development is focussed around centres and public transport nodes and corridors. Increased residential densities will be encouraged in the urban infill and intensification areas in a range of dwelling types that are located to make public transport, walking and cycling more convenient, safe and viable.*
 - (9) *The design of the built environment (including buildings, streets and public spaces) is consistent with the existing or desired character of the area and buildings are oriented to the street and public places. Development is undertaken in accordance with urban design principles.*
 - (10) *Centres provide for employment, retail, accommodation, entertainment and community services that meet the needs of residential communities that are well connected by the public transport network.*
 - (11) *Centres are based on a hierarchy that ensures the scale and form of development is appropriate to the location, and that the centres' roles and functions are appropriate within the wider planning scheme area.*
 - (12) *Centres are consolidated within designated areas, and expansion does not occur into adjoining residential areas.*
 - (13) *An integrated and high quality public open space network caters for the needs of residents, particularly in and around centres and higher density areas.*
 - (14) *The continuing viability of areas that provide for economic development such as industrial and specific use areas is protected from incompatible land uses.*
 - (15) *Limited rural residential areas provide for semi-rural living; however, these areas do not expand beyond the areas designated.*
 - (16) *The productive capacity of all rural land is protected.*
-

- (17) Rural lands and natural areas are maintained for their rural and landscape values.*
- (18) The scenic and environmental values of areas identified as nature conservation or natural corridor link are protected.*
- (19) The cultural heritage of Rockhampton is conserved for present and future communities.*
- (20) Development responds to natural hazards (flooding, bushfire, steep land, storm tide inundation and coastal erosion) by avoiding, mitigating, adapting and building resilience to natural hazards in areas mapped as being susceptible.*

Complies – The proposed development advances and does not compromise the strategic outcomes for the Settlement Pattern theme. Specifically, the proposed development provides a mix of accommodation options in an established low density residential area, which will allow the elderly to “age in place”.

(ii) Natural environment and hazards

- (1) The natural environment and landscape are highly valued by the community for their contribution to the planning scheme area’s biodiversity, economic prosperity, culture, character and sense of place. These areas are to be protected from incompatible development.*
- (2) Development does not create unsustainable impacts on:*
 - (a) the natural functioning of floodplains;*
 - (b) environmentally significant areas, including areas of state and locally significant vegetation, which provide fauna habitat and support biodiversity; and*
 - (c) the quality of water entering waterways, wetlands and local catchments.*
- (3) Development does not increase the risk to human life and property in areas that are affected, or potentially affected, by storm-surge, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide. This occurs through the avoidance of natural hazards in new development areas, particularly greenfield areas and the mitigation of risks in existing built up areas.*
- (4) Strategic and iconic scenic and landscape values are protected from potential adverse impacts of development.*

Not Applicable – The proposed development advances and does not compromise the strategic outcomes for the Natural Environment and Hazards theme. The subject site is not mapped as being affected by any natural hazards under the Planning Scheme, nor will it result in any increased risk to off-site properties.

(iii) Community identity and diversity

- (1) The quality of life of residents is enhanced through equitable access to social infrastructure, community services and facilities necessary to support community health and well-being.*
- (2) The community is self-sufficient and does not rely on services and facilities located in other regions. Development contributes to the provision of new social infrastructure, including land.*
- (3) Cultural heritage including character housing and heritage buildings are conserved and enhanced.*
- (4) Public places are safe, functional, characterised by good urban design, and include a range of facilities to encourage healthy and active lifestyles.*
- (5) Crime prevention through environmental design is achieved in urban areas including public spaces to improve public safety.*

Complies – The proposed development advances and does not compromise the strategic outcomes for the Community Identity and Diversity theme. The proposed development will improve the accommodation offering for elderly people in Rockhampton, thereby ensuring there is equitable access to facilities necessary to support community health and well-being.

(iv) **Access and mobility**

- (1) *Connectivity is achieved between residential uses, employment centres and services through the provision of active transport infrastructure integrated with efficient public transport services.*
- (2) *The trunk transport network (as shown on the strategic framework maps SFM-9 to SFM-12 and in plans for trunk infrastructure in the local government infrastructure plan) supports the settlement pattern and the local economy by facilitating the efficient and safe movement of people and goods both within the planning scheme area (especially between the main urban centres of Rockhampton and Gracemere), and to and from other locations.*
- (3) *The transport network encourages and supports active living in centres by providing for integrated walking, cycling, and public transport infrastructure to support a progressive reduction in car dependency.*
- (4) *The safety and efficiency of transport infrastructure, including the Bruce and Capricorn highways and other state and local roads, rail, airport and seaports, are not compromised by development.*

Complies - The proposed development advances and does not compromise the strategic outcomes for the Access and Mobility theme. The increase in vehicle movements to and from the subject site as a result of the proposed development are within the capacity of the local road network. On this basis, it is deemed the development will not compromise the safety or efficiency of the road network.

(v) **Infrastructure and services**

- (1) *Infrastructure and services are planned and delivered in a logical and cost efficient manner in support of the planned settlement pattern. It is fit for purpose and is sensitive to cultural and environmental values. In particular:*
 - (a) *efficient, affordable, reliable, timely and lasting infrastructure makes best use of public resources;*
 - (b) *the long-term needs of the community, industry and business are met; and*
 - (c) *the desired standards of service in Part 4 — Local government infrastructure plan are achieved.*

Complies - The proposed development advances and does not compromise the strategic outcomes for the Infrastructure and Services theme. The proposed development can be connected to existing infrastructure and services without compromising the network.

(vi) **Natural resources and economic development**

- (1) *The economy of the planning scheme area continues to grow and provides the community with diverse and new employment opportunities. Rockhampton continues to strengthen as the retail, service, cultural and administrative centre for both the planning scheme area and the wider Central Queensland region.*
- (2) *The strategic importance of Rockhampton for transport and logistics industries is fostered, given its central location at the junction of the Bruce Highway, the Capricorn Highway (through to the Landsborough Highway) and the Burnett Highway (through to the Leichhardt Highway).*
- (3) *The local community continues to value its traditional economic assets and natural resources and protects and conserves them and the contribution they make to maintaining and growing the region's economic prosperity, culture, character and sense of place. The region's traditional economic sectors of tourism and agriculture (including the iconic beef industry) continue to strengthen.*

- (4) *Development protects and, where possible, leverages the intrinsic economic value of the region's natural resources, including productive grazing, agricultural and forestry land, extractive and mineral resources, marine and coastal resources, and existing and planned water resources, including watercourses, water bodies and groundwater.*
- (5) *Natural assets identified by this planning scheme are protected as they underpin current and emerging tourism opportunities and important lifestyle values for residents.*

Not Applicable.

The performance assessment of the proposal demonstrates that the development will not compromise the *Rockhampton Region Planning Scheme 2015* strategic outcomes.

Low Density Residential Zone

The subject site is situated within the Low Density Residential Zone under the *Rockhampton Region Planning Scheme 2015*. The relevant parts from the purpose of the Low Density Residential Zone identifies that: -

- (1) *The purpose of the low density residential zone code is to:*
 - (a) *provide locations where residential uses, predominantly in the form and type of single detached one (1) storey and two (2) storey dwelling houses on individual lots are preferred to develop;*
 - (b) *provide for the development of a mixture of other residential land use types that provide for long-term residency, where they are sited and designed to maintain the existing urban form (low rise and low density) and amenity of the surrounding area;*
 - (c) *minimise land use conflict and ensure that community and recreation facilities develop only where they are consistent with amenity and characteristics of the surrounding area; and*
 - (d) *ensure that development within the zone has appropriate standards of infrastructure and essential services.*
- (2) *The purposes of the zone will be achieved through the following overall outcomes:*
 - (a) *development provides for predominantly single detached dwelling houses on individual lots of varying sizes and dual occupancies, maintaining a generally low-rise, 1-2 storey built form and low density character with small scale, detached buildings;*
 - (b) ***residential development within the zone is of a type which primarily provides for the long-term accommodation of residents and not for short-term accommodation, except in the circumstances stated in (d);***
 - (c) *low-rise multiple dwellings, relocatable home parks, residential care facilities and retirement facilities develop in the zone when they are situated in proximity (convenient walking distance) to parks, centres, major community facilities (hospital, university etcetera) and have access to higher order roads (minor urban collector or higher) or public transport;*
 - (d) *short-term accommodations only occurs where it:*
 - (i) *is established in an existing dwelling;*
 - (ii) *does not adversely impact on the amenity of the surrounding residential area;*
 - (iii) *maintains the appearance of an ordinary dwelling that is consistent with the intentions of the zone; and*
 - (iv) *is limited in scale and duration;*

Note—Use of a dwelling for short-term accommodation in this context may take the form of short term rental, Airbnb or similar accommodation. Purpose built commercially run short-term accommodation facilities are not intended. Short-term accommodation does not include a party house, which is separately defined.

- (e) non-residential uses only occur within the zone where they:
 - (i) do not compromise the residential character and existing amenity of the surrounding area;*
 - (ii) are small-scale and consistent with the surrounding urban form;*
 - (iii) primarily function to service the needs of the immediate local residential community;*
 - (iv) do not detract from the role and function of centres;*
 - (v) do not result in the expansion of a centre zone; and*
 - (vi) have direct access to higher order roads (minor urban collector or higher) and are in proximity to public transport;**
- (f) no expansion of existing centres or industrial areas will occur into the low density residential zone. In addition, no additional local centres or higher order centres are required within the low density residential zone;*
- (g) neighbourhood centres do not expand to service a wider local centre catchment. South Gracemere is to accommodate a neighbourhood centre commensurate with the population of the immediate catchment;*
- (h) new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;*
- (i) development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;*
- (j) development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;*
- (k) new residential developments are not located in proximity to existing incompatible uses such as rural uses, industrial uses and major community facilities without separation distances, landscaping and screening that minimise impacts on amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;*
- (l) new residential developments are located and integrated with existing neighbourhoods;*
- (m) development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints;*
- (n) development provides connection to pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;*
- (o) development is serviced by infrastructure that is commensurate with the needs of the use; and*
- (p) the establishment of one (1) precinct within the zone where particular requirements are identified:
 - (i) Fitzroy River accommodation precinct; and*
 - (ii) Residential stables precinct.**

Complies - This application is consistent with the purpose of the Zone. Specifically, it is for a residential care facility that will provide for long-term accommodation, without compromising the ability of the remainder of the zone to accommodate low density residential development. Regard to building height, noise, traffic movements and services have been addressed elsewhere in this report.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Low Density Residential Zone Code;
- Access, Parking And Transport Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code;
- Water and Sewer Code; and
- Airport Environs Overlay Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance Outcomes and Acceptable Outcomes or has otherwise been conditioned to comply. Where the application is in conflict with the Acceptable Outcomes and is not otherwise conditioned to comply, an assessment of the Performance Outcomes has been undertaken. Refer to the Statement of Reasons contained in **Recommendation A** for an assessment.

Based on a performance assessment of the abovementioned codes, it is determined that the proposal is acceptable and generally complies with the relevant Performance Outcomes and where there is deviation from the codes, sufficient justification has been provided.

CONSULTATION

The proposal was the subject of public notification between 2 March and 23 March 2022 in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules, and one (1) properly made submission was received.

The following is a summary of the submissions lodged, with Council officer comments:

Issue	Officer's Response
Noise	<p>The submitter raised concerns about the potential for the development to exacerbate existing and introduce new noise impacts from the facility, including from workers, delivery trucks, fire alarms, emergency service vehicles, taxis and plant equipment. The submitter was concerned noise impacts would reduce residential amenity.</p> <p>The development is an expansion to a long standing residential care facility, which has been progressively developed and improved since the early 1960s. Therefore, the facility's presence in the surrounding area is well established and known. The expansion and improvement of the existing facility, including infrequent noise impacts from different noise sources, is considered to be within reasonable community expectations. In addition, an Environmental Noise Assessment submitted by the Applicant demonstrates the proposed development can achieve the acoustic quality objectives at all times, subject to compliance with recommendations. The Environmental Noise Assessment forms part of the approved documents.</p> <p>Notwithstanding, conditions of approval have been included that require the development to comply with the <i>Environmental Protection (Noise) Policy 2019</i>.</p>

Issue	Officer's Response
Traffic	<p>The submitter raised concern the development would exacerbate existing traffic congestion issues in Ward Street because of the increase in on-site car parking spaces gaining access from this road.</p> <p>Ward Street is categorised as a 'Minor Urban Collector' road, with anticipated traffic volumes of between 751 and 3,000 average annual daily traffic (AADT). However, considering the road characteristics, Ward Street can be classified as a 'Major Urban Collector' (3,001 – 6,000 AADT) and is therefore suited to higher vehicle volumes.</p> <p>Therefore, despite the increase in on-site car parking spaces gaining access from Ward Street, these vehicle movements are considered to be within the road's capacity.</p>

REFERRALS

Nil

CONCLUSION

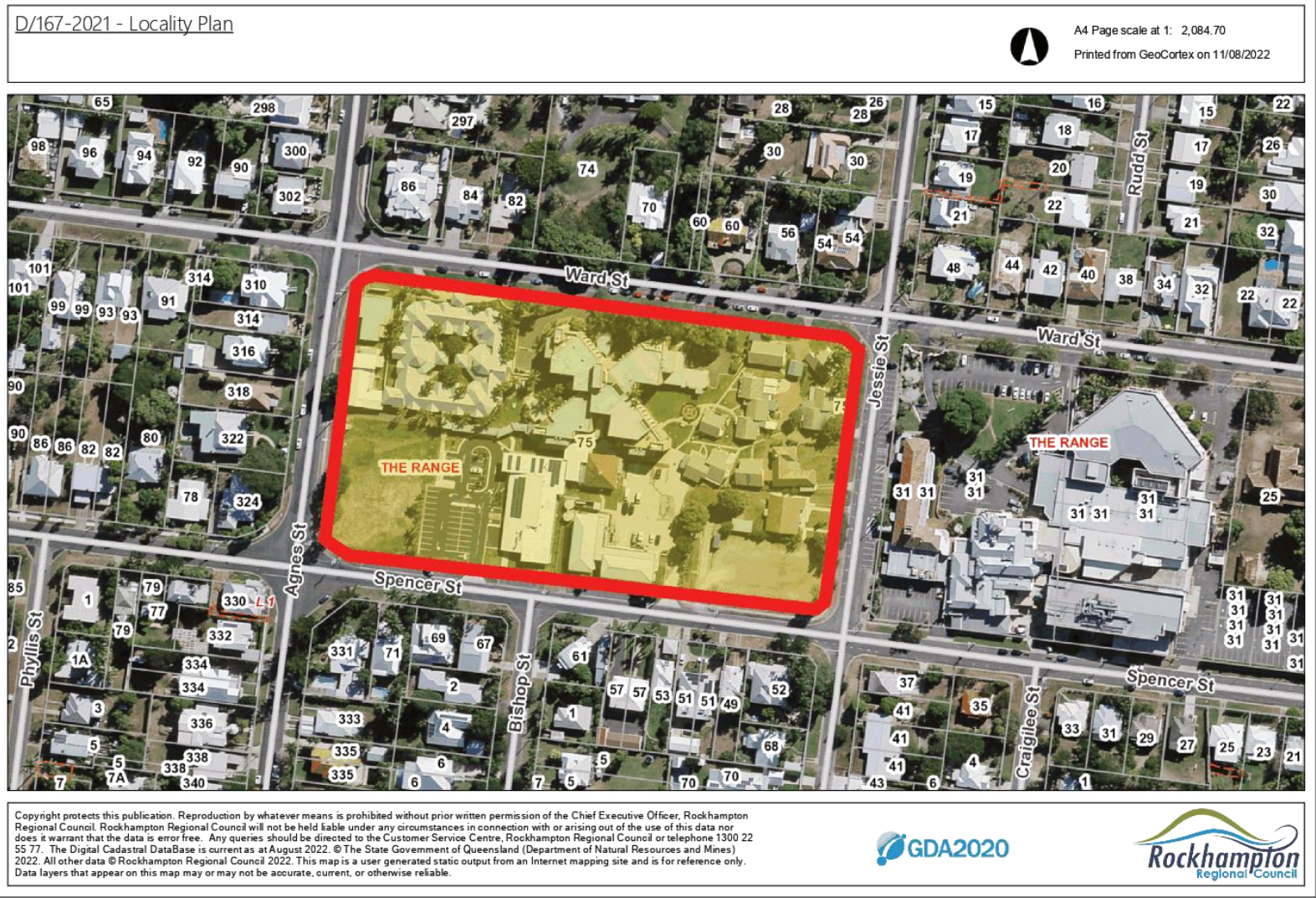
THAT the proposed development is not anticipated to compromise the Strategic Framework of *Rockhampton Region Planning Scheme 2015*. Furthermore, the proposal generally complies with the provisions included in the applicable codes. The proposal is therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

**D/167-2021 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR RESIDENTIAL
CARE FACILITY (90 BEDROOMS)**

Locality Plan

Meeting Date: 13 September 2022

Attachment No: 1

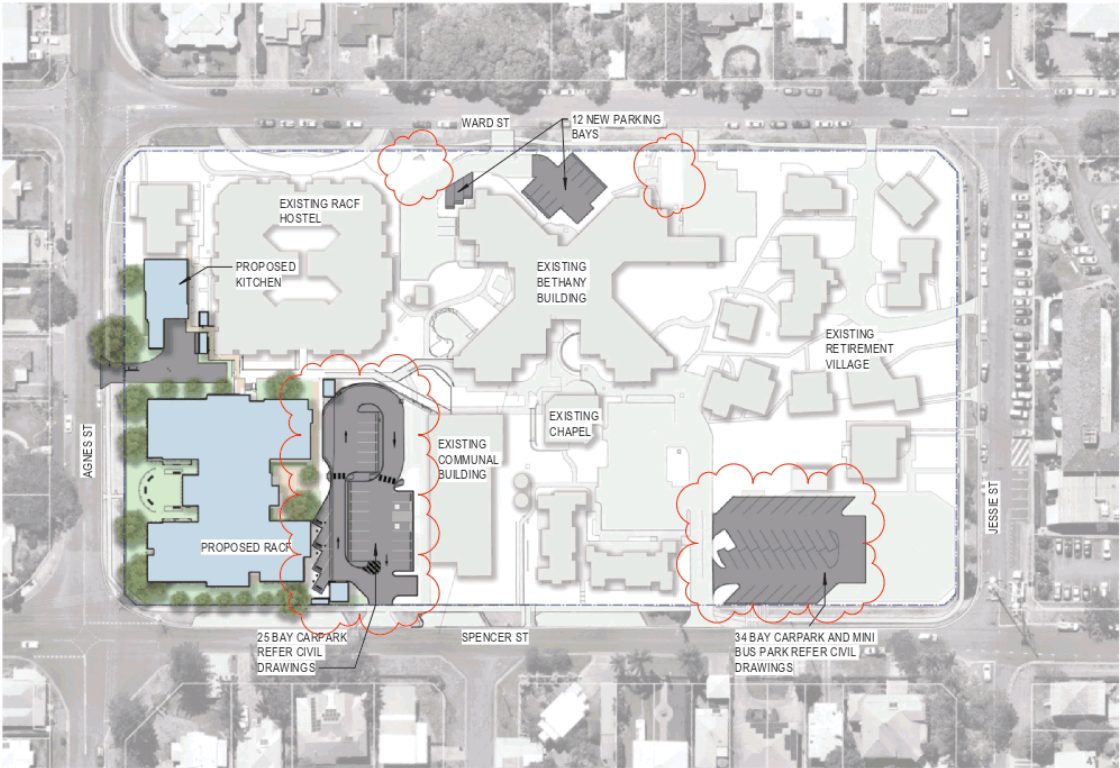


**D/167-2021 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR RESIDENTIAL
CARE FACILITY (90 BEDROOMS)**

Site Plan

Meeting Date: 13 September 2022

Attachment No: 2

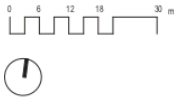


SITE PLAN - 1:1000

DEVELOPMENT SUMMARY

NUMBER OF BEDS RACF	
GROUND FLOOR	30
LEVEL 1	30
LEVEL 2	30
TOTAL	90
CAR PARKING	
NEW BAYS OFF WARD ST	12
NEW BAYS OFF SPENCER ST	34
REMOVED EXISTING BAYS OFF SPENCER ST	-16
TOTAL ADDITIONAL CAR PARKS	30
SITE COVERAGE	
SITE AREA:	26711.85 m ²
BUILDING COVER	
EXISTING BUILDINGS	6593.2 m ²
90 BED RACF	1743.8 m ²
KITCHEN	291.2 m ²
TOTAL	8628.2 m ²
SITE PERCENTAGE	32.3%
GROSS FLOOR AREA RACF GFA	
GROUND FLOOR	1513 m ²
LEVEL 1	1577 m ²
LEVEL 2	1484 m ²
Grand total	4574 m ²
KITCHEN GFA	
KITCHEN GROUND	131 m ²
TOTAL DEVELOPMENT GFA	4705 m ²
LANDSCAPED AREA	
PERCENTAGE	98.18 m ² 36.7%

DEVELOPMENT APPLICATION



MERCY CARE RACF - ROCKHAMPTON

75 WARD STREET,
THE RANGE, QLD 4700

MERCY HEALTH & AGED CARE CENTRAL QUEENSLAND LIMITED

TA# 21.0013.17

thomson
adsett

SITE PLAN & DEVELOPMENT
SUMMARY

@ A3
A-1.01

30/06/2022
rev. 3

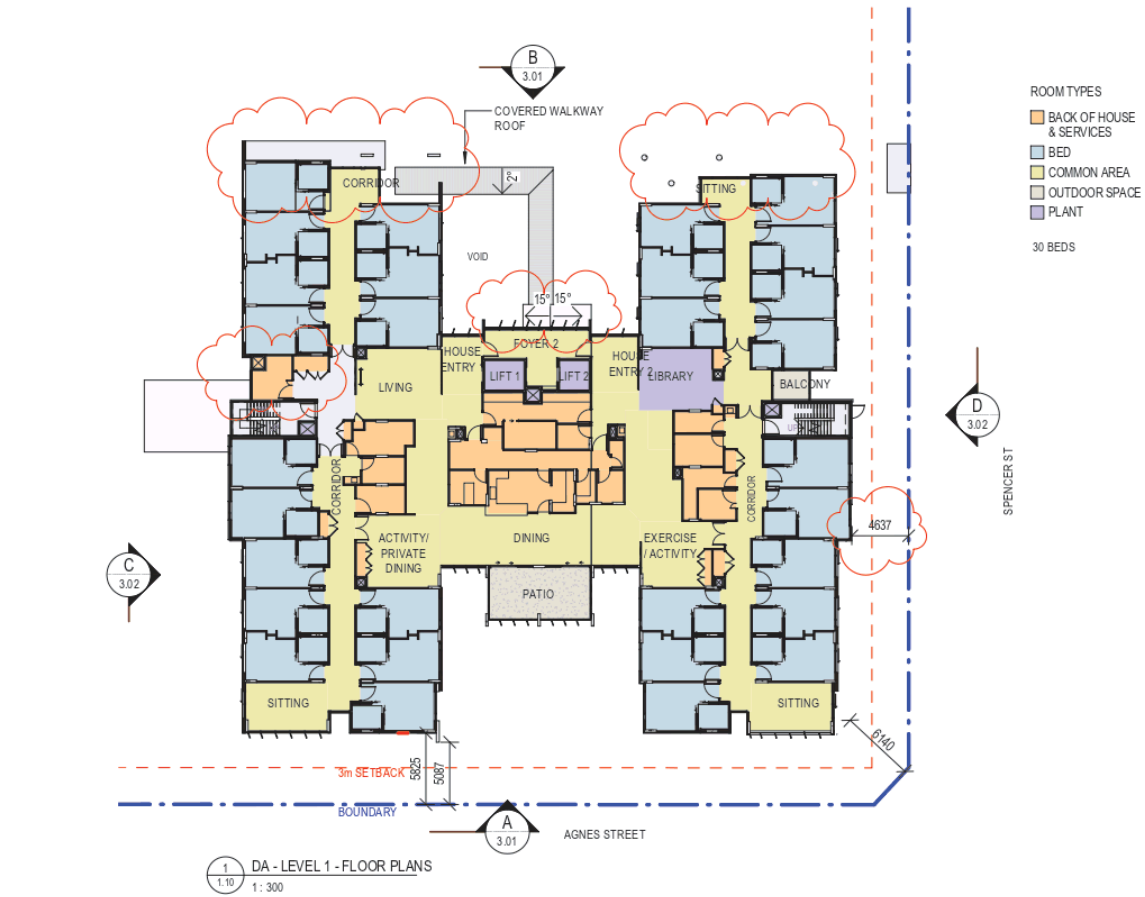
**D/167-2021 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR RESIDENTIAL
CARE FACILITY (90 BEDROOMS)**

Floor Plan

Meeting Date: 13 September 2022

Attachment No: 3





DEVELOPMENT APPLICATION



MERCY CARE RACF - ROCKHAMPTON

75 WARD STREET,
THE RANGE, QLD 4700

MERCY HEALTH & AGED CARE CENTRAL QUEENSLAND LIMITED

TA# 21.0013.17

thomson
adsett

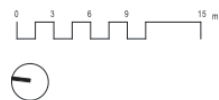
RACF LEVEL 1

1: 300 @ A3
A-2.03

30/06/2022
rev. 2



DEVELOPMENT APPLICATION



MERCY CARE RACF - ROCKHAMPTON

75 WARD STREET,
THE RANGE, QLD 4700

MERCY HEALTH & AGED CARE CENTRAL QUEENSLAND LIMITED

TA# 21.0013.17

thomson
adsett

RACF LEVEL 2

1:300 @ A3
A-2.04

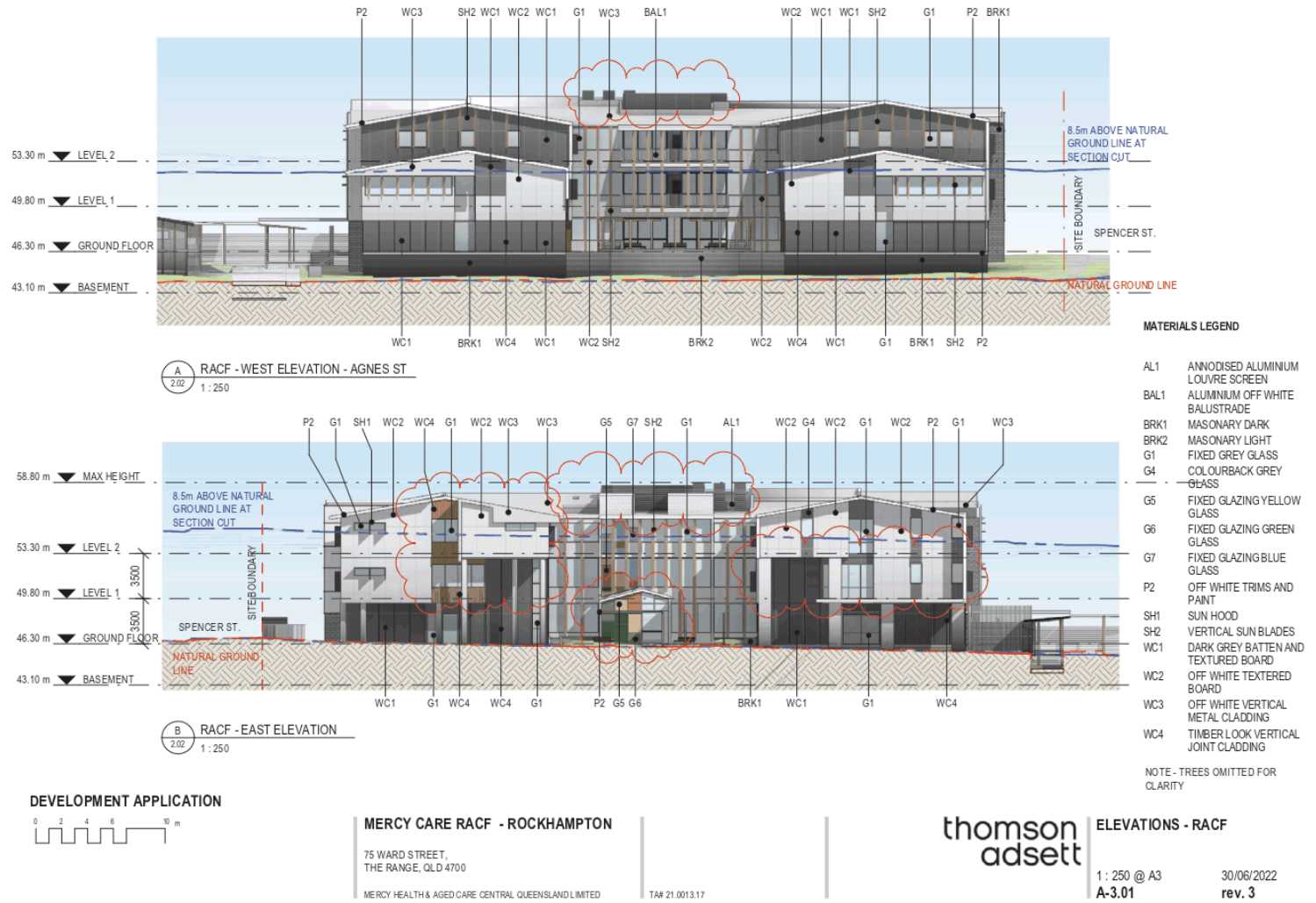
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rev. 2

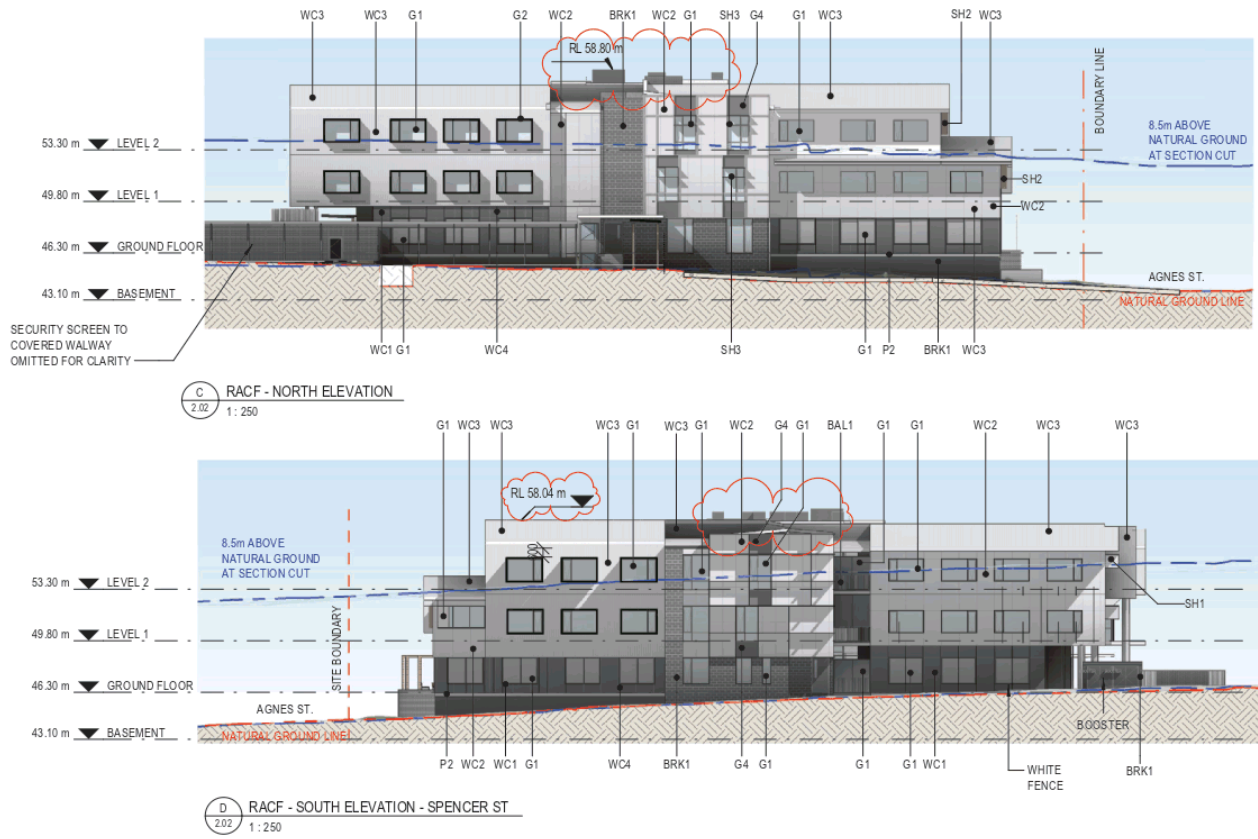
**D/167-2021 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR RESIDENTIAL
CARE FACILITY (90 BEDROOMS)**

Elevation Plans

Meeting Date: 13 September 2022

Attachment No: 4





MERCY CARE RACF - ROCKHAMPTON

75 WARD STREET,
THE RANGE, QLD 4700

MERCY HEALTH & AGED CARE CENTRAL QUEENSLAND LIMITED

TA# 21.0013.17

thomson adsett

ELEVATIONS - RACF

1: 250 @ A3
A-3.02

30/06/2022
rev. 3

10.5 RENEWAL OF LEASE - RED CROSS SOCIETY, 32 THOMPSON AVENUE, MOUNT MORGAN

File No: 14285
Attachments: Nil
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Acting Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on request to renew lease to Red Cross Society over 32 Thompson Avenue, Mount Morgan (former childcare centre).

OFFICER'S RECOMMENDATION

THAT:

1. Pursuant to Section 236(1)(c)(iii) of the Local Government Regulation 2012 (Qld), Council approve the renewal of the lease to the Australian Red Cross Society over 32 Thompson Avenue, Mount Morgan (Lot 2 on SP100506); and
2. Council authorises the Chief Executive Officer (Coordinator Property and Insurance) to negotiate the terms and conditions of the lease in preparation for execution by the delegated Officer.

COMMENTARY

Australian Red Cross Society (Red Cross) have leased the former Mount Morgan Childcare Centre at 32 Thompson Avenue since August 2020, primarily to operate their HIPPY program. Red Cross have requested that Council renew their lease for a further 2 years.

The HIPPY program is a home-based early learning and parenting program for families with young children. HIPPY provides children (aged 4-5) with a structured, education focused program that lays the foundations for success at school. Parents teach their child literacy, numeracy and language skills as well as physical skills, so they are school-ready and develop a love of learning. In addition to the HIPPY program, the site will be used for the Intensive Family Support program run by staff based in Rockhampton, to deliver the service in the catchment area.

The Red Cross also sublet to the Benevolent Society which provides the following services to the Mount Morgan community:

- A universal playgroup for all families
- A supported playgroup for families where smaller groups is more appropriate
- A range of capacity building groups for families
- 1 on 1 support to navigate family support services

Red Cross charge Benevolent Society \$620 per month, a fee which is primarily cost recovery for cleaning services.

The Red Cross are seeking a renewal of their lease agreement for a further 2 years, under the existing terms and conditions. It is proposed to continue charging Council's multipurpose building fee which is currently \$2,060 per annum. Under the current agreement, Council is responsible for the maintenance of the property, excluding the mowing and garden maintenance. Under the current agreement, Red Cross are not charged rates (\$8,380.40 per annum) and water consumption charges. For the 2021/22 financial year, Community Assets and Facilities have spent \$9,500 on maintaining the property.

PREVIOUS DECISIONS

On 28 July 2020, Council resolved to lease 32 Thompson Avenue to the Red Cross for a period of 2 years.

BUDGET IMPLICATIONS

There are no budget implications identified.

LEGISLATIVE CONTEXT

Section 236(1)(c)(iii) of the Local Government Regulation 2012 (Qld) allows a Local Government to renew a lease to the existing tenant, provided that that Council has decided, by resolution, that the exception applies to the leasing of valuable non-current assets (i.e. land) other than by tender or auction.

LEGAL IMPLICATIONS

There are no legal implications.

STAFFING IMPLICATIONS

Resources within Property and Insurance can adequately manage the lease renewal process.

RISK ASSESSMENT

A risk assessment is not necessary in relation to this matter

CORPORATE/OPERATIONAL PLAN

2.1.1 We ensure community assets are utilised and appropriate for the needs of the community

CONCLUSION

It is recommended that Council renew the lease to Red Cross for a further term of 2 years, under the same terms and conditions.

10.6 FLEET SERVICES - SPECIALISED AND SOLE SUPPLIERS REPORT

File No: 5471
Attachments: Nil
Authorising Officer: Marnie Taylor - Acting General Manager Corporate Services
Author: Megan Younger - Manager Corporate and Technology Services

SUMMARY

This report details a number of specialised and sole suppliers required to support Council's fleet operations. Council approval is sought to deem the nominated suppliers as specialised or sole suppliers in accordance with s235(a) and (b) of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

THAT pursuant to s235(a) and (b) of the *Local Government Regulation 2012*, Council approves the use of the nominated suppliers as specialised or sole suppliers to support Council's fleet operations without the need to seek additional quotes or tenders.

COMMENTARY

Council has a wide variety of plant and equipment which has products or accessories fitted that may not be part of the original build, but rather added as part of Council specifications, Australian approvals, or fitted for availability or fleet uniformity reasons. In addition, trucks are generally supplied by a truck dealer, however the truck will have a body (or other products) fitted by another supplier who may not have an ongoing parts support relationship with the truck dealer, e.g. a vehicle loading crane.

The complexity of these arrangements can be best illustrated by examples:

Example 1: A HINO truck fitted with a HIAB Vehicle Loading Crane (VLC). Although the HINO truck is covered by existing contractual arrangements for the supply of parts for the life of the truck, the supply of parts for the HIAB VLC direct from the crane dealer or agent is not covered by the original procurement process.

Example 2: Components of a system are provided under a supply and install contract; however, the supply of replacement components is provided through an authorised local agent appointed by the Original Equipment Manufacturer (OEM). An example of this arrangement is Council's 2-way radio network. Motorola Australia originally installed the 2-way radio system, however replacement Motorola radios and components are purchased through the authorised local supplier.

A review of Fleet's purchasing has identified that whilst individual transactions may be under the procurement thresholds, the aggregate spend requires a procurement process to be undertaken or an approved exception as per the requirements of the Local Government Regulation and Council's Purchasing Policy. Table 1 below lists the current specialised parts and suppliers utilised by Fleet Services.

Table 1: Nominated Suppliers

Supplier	Product/Service	Justification	Average Annual Cost (inc GST)
Alemlube Pty Ltd	Automated greasing systems parts and components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$8,500*

Supplier	Product/Service	Justification	Average Annual Cost (inc GST)
Beaney's Communications	Radios and components for Council's Motorola 2-way Radio Network	Radios and components supplied by Motorola (OEM) through local supply agent. Radios are of a specialised nature and require network programming with confidential Council information, it would be impractical and a disadvantage to Council to procure from elsewhere – s235(b)	\$40,000
Bigmate Monitoring Services	GPS Telemetry Units, Hosted web access portal	Council's use has grown over the years, where the cost is now exceeding procurement thresholds. Market research indicates value for money for ongoing current services. If a new supplier was to be engaged it would likely disadvantage Council through significant de-install costs for current GPS data devices and subsequent purchase and install costs of new provider units – s235(b)	\$10,000
Cummins South Pacific Pty Ltd	Truck engine parts and components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$15,000*
Diverseco (previously Accuonboard)	Heavy Vehicle Onboard Weighing Systems	Standardised equipment across Council's assets. New components & parts to be sourced from OEM for repairs and maintenance - s235(a)	\$17,000
Endurequip Services Pty Ltd	Heavy Duty Vehicle Hoist Servicing & Repair	Servicing and repair of vehicle hoists from OEM - s235(a)	\$7,500
Groeneveld T/A RE & DG Otswald Pty Ltd	Automated greasing systems parts and components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$10,000*
Heavy Automatics – Allison Transmission Authorised Distributer	Truck heavy duty Allison automatic transmissions and components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$20,000*
HIAB Australia (and local authorised service agent)	Vehicle Loading Crane (VLC) spare parts and components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$5,000*
Palfinger Australia	VLC spare parts and components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$10,000*
PrecisionScreen Pty Ltd	Gravel Crusher components and wear out items	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$7,500
RACQ	Roadside Breakdown Service	Regional presence for annual subscription fee & callout costs – s235(b)	\$7,000

Supplier	Product/Service	Justification	Average Annual Cost (inc GST)
Retractable Tarps Pty Ltd	Load Restraint Tarp parts and components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$9,000
Rogers Axle & Spring Works – Trailer Axle Supplies	Heavy Trailer Axle & Suspension Components	Parts to be sourced from OEM for repairs and maintenance - s235(a)	\$4,000*

*Expenditure with this supplier has been lower in the previous financial year, however, indicates potential cost for significant breakdowns.

PREVIOUS DECISIONS

Nil applicable for the listed suppliers.

BUDGET IMPLICATIONS

All procurement activities relating to this report will be made within the available budget.

LEGISLATIVE CONTEXT

Under Section 235, Other Exceptions, of the *Local Government Regulation 2012*:

“A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if -

- (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders;”

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

RISK ASSESSMENT

Nil

CORPORATE/OPERATIONAL PLAN

Corporate Plan Goal 1.1 - We are fiscally responsible.

CONCLUSION

By approving the above nominated suppliers as specialised or sole suppliers, Council will meet its Procurement obligations and provide for the effective use of Council's and Supplier's time and resources.

10.7 ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER**File No:** 12660**Attachments:**

1. Delegation Register - Building Regulation 2021 - Clean[↓](#)
2. Delegation Register - Building Regulation 2021 - Tracked[↓](#)
3. Legislative Delegations[↓](#)
4. Limitations to the Exercise of Powers[↓](#)
5. Chief Executive Officer - Financial Delegation[↓](#)

Authorising Officer: Marnie Taylor - Acting General Manager Corporate Services
Damon Morrison - Manager Workforce and Governance**Author:** Allysa Brennan - Coordinator Legal and Governance

SUMMARY

This report seeks Council's approval for delegation under State legislation to the position of Chief Executive Officer and the revoking of powers under repealed State legislation. Further, in accordance with s257(5) of the Local Government Act 2009 the legislative delegations to the Chief Executive Officer are presented for Council's annual review.

OFFICER'S RECOMMENDATION

THAT:

1. Council resolves under section 257 of the *Local Government Act 2009*, to delegate to the CEO the exercise of powers contained within attachment 1 *Building Regulation 2021* subject to any limitations contained in schedule 2 of the Delegation Register – *Building Regulation 2021*.
2. The powers previously delegated to the CEO for the *Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020* be revoked.
3. In accordance with s257(5) of the *Local Government Act 2009*, the annual review of the legislative and financial delegations to CEO contained in attachments 3, 4 and 5 be received.

COMMENTARY**Changes to Existing Delegable Powers**

LGAQ, with the assistance of King and Company Solicitors have identified powers under the *Building Regulation 2021* and have subsequently provided a delegation register containing the legislative powers under the legislation.

The *Building Regulation 2021* replaces the *Building Regulation 2006* which expires on 31 August 2021.

For Councillor's convenience, the changes to Council's existing registers are highlighted in attachment 2.

A column of recommendations has been included outlining the following recommendations for the power for Council's consideration:

- (a) Exercised by Council only; or
- (b) Delegation from Council to CEO.

The recommendations in attachment 1 are for Council's consideration and adoption.

Rescindment of Delegation Register

It is also recommended the powers delegated to the CEO under the *Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020* are revoked as a result of the repeal of this legislation on 1 May 2022.

Annual Review

The *Local Government Act 2009* requires Council to annually review the legislative powers delegated to the CEO.

A summary of the current legislative sections delegated to the CEO is set out in Attachment 3 of this report. Limitations to the exercise of power are referenced in Attachment 3 with full details of the limitations set out in Attachment 4. Full descriptions of the specific powers conferred by these sections and the limitations to the exercise of power have been previously presented to Council for delegation to the CEO.

The CEO's financial delegations are set out in Attachment 5 and are also presented for review.

PREVIOUS DECISIONS

The CEO's delegations under the *Building Regulation 2006* were last considered and adopted by Council at the Council meeting on 9 March 2021.

Specified sections of the legislative acts, regulations as well as the financial and contractual delegations contained within the attachments have previously been presented to Council and adopted at various Council meetings.

The last statutory annual review report was presented to the Council meeting 28 September 2021.

BUDGET IMPLICATIONS

Not applicable.

LEGISLATIVE CONTEXT

Section 257 *Local Government Act 2009* allows Council to delegate its powers to one or more individuals or standing committees, including to the CEO. Pursuant to section 257(5) *Local Government Act 2009* a legislative delegation to the CEO must be reviewed annually by Council. This annual review ensures that the delegation remains consistent with the local government's policy direction and intent.

To further streamline the decision making process, section 259 of the *Local Government Act 2009* allows the CEO to sub-delegate the powers (including those delegated to him by Council) to another Council employee where appropriate.

The statutory requirement for an annual review is only relevant to the CEO, not other delegates.

Under section 260 of the *Local Government Act 2009*, the CEO must establish a register of delegations. The CEO must record all delegations by the local government, Mayor or CEO in the register.

LEGAL IMPLICATIONS

Important principles applicable to the delegation proposal set out in this report are that:

- Council at all times retains power to revoke the delegation.
- Council, as delegator, has responsibility to ensure that the relevant power is properly exercised.
- A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations, however, the delegated power cannot be unduly fettered.

- The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.

STAFFING IMPLICATIONS

There will be no impact on staffing numbers or changes to positions.

RISK ASSESSMENT

Without powers being delegated to the CEO and subsequently sub-delegated to relevant positions, Council operations would be impeded significantly as separate resolutions would be required to allow decisions to be made for a vast number of operational activities that are undertaken on a daily basis.

CORPORATE/OPERATIONAL PLAN

Corporate Plan 2022-2027 – Goal 1.1:

- We are financially sustainable
- We have effective governance with accountable decision-making practices

CONCLUSION

This report includes the Delegation Register – *Building Regulation 2021* incorporating sections to be delegated from the Council to the CEO. If, as recommended, Council resolves to delegate the *Building Regulation 2021* to CEO, the exercise of powers contained in the Delegation Register – *Building Regulation 2021* (attachment 1) are subject to any limitations contained in schedule 2, sub-delegates will be given specific delegations according to their respective areas of responsibility subject to the same general conditions and, where appropriate, specific limitations.

For the reasons stated within the report, it is also recommended that:

- (a) the delegations under the *Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020* be revoked; and
- (b) Council's annual review of the legislative and financial delegations to the CEO be endorsed.

ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

Delegation Register - Building Regulation 2021 - Clean

Meeting Date: 13 September 2022

Attachment No: 1

Delegations Register – *Building Regulation 2021*

Under section 257 of the *Local Government Act 2009* , **ROCKHAMPTON REGIONAL COUNCIL** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2. All prior resolutions delegating the same powers are repealed.

Schedule 1

Act and Section	Entity Power Given To	Title	Description	Recommendation
<i>Building Regulation 2021</i> Section 7(4)	Entity Power Given To: Local government	Part 3 – Prescribed Matters or Aspects for Local Laws or Local Planning Instruments	Power, if it is not practicable to show each of the designated bush fire prone areas in Council's planning scheme maps, to:- (a) prepare maps showing the areas; (b) state the date each area was designated as a bush fire prone area; and (c) ensure the maps are updated.	Not Relevant to Council
<i>Building Regulation 2021</i> Section 8(4)	Entity Power Given To: Local government	Part 3 – Prescribed Matters or Aspects for Local Laws or Local Planning Instruments	Power to keep a register of the flood hazard areas Council designates and when each designation was made.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 56(2)	Entity Power Given To: The Builder	Part 8 - Inspections of Assessable Building Work Division 1 - Building Certifier Inspections Sub-Division 4 - Procedure if Noncompliance Notice Given	Power, in the circumstances listed in subsection 56(1), to take enforcement action against the builder.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 56(3)(a)	Entity Power Given To: The Issuing Authority	Part 8 - Inspections of Assessable Building Work Division 1 - Building Certifier Inspections Sub-Division 4 - Procedure if Noncompliance Notice Given	Power, in the circumstances listed in subsection 56(3), to notify the QBCC of the builder's non-compliance with the enforcement notice.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 65(2)	Entity Power Given To: Referral Agency	Part 8 - Inspections of Assessable Building Work Division 2 - Referral Agency Inspections	Power, as a referral agency in the circumstances listed in subsection 65(1), to give the builder and the building certifier a notice stating it will not inspect the building work or inspect or test the service.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 65(3)	Entity Power Given To: Referral Agency	Part 8 - Inspections of Assessable Building Work Division 2 - Referral Agency Inspections	Power, as a referral agency in the circumstances listed in subsection 65(1), to:- (a) inspect the work or inspect or test the service; (b) give the builder and the building certifier a notice stating the referral agency aspects comply with the building development approval or the referral agency aspects do not comply with the approval, and the reasons why they do not comply.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 89(2)	Entity Power Given To: Prescribed Person for a Temporary Accommodation Building	Part 10 - Miscellaneous Division 2 - Displaying Code Checklist	Power as the prescribed person for a temporary accommodation building to ensure:- (a) a code checklist is completed for the temporary accommodation building; and (b) a copy of the checklist is clearly displayed on or near the temporary accommodation building.	Delegation to the CEO
<i>Building Regulation 2006</i> Section 16Q(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 1 – Obligations Relating to Combustible Cladding Checklist (Part 1)	Power as an owner to:- (a) register, by using the online system, the owner's name and the address of the owner's private building; and (b) give a copy of a completed combustible cladding checklist (part 1) for the building to the QBCC by using the online system. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16Q(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 1 – Obligations Relating to Combustible Cladding Checklist (Part 1)	Power as an owner to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16R	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 1 – Obligations Relating to Combustible Cladding Checklist (Part 1)	Power as an owner to keep the completed combustible cladding checklist for the owner's private building in the way provided in subsections (a) and (b). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16S(2)(b)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner who knows or suspects that the building is an affected private building, to give the QBCC notice of that knowledge or suspicion. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16T(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner to which section 16S applies, to give to the QBCC: (a) a completed combustible cladding checklist (part 2) for the owner's private building; and (b) a building industry professional statement. <i>*See Footnote</i>	Not Relevant to Council

Act and Section	Entity Power Given To	Title	Description	Recommendation
<i>Building Regulation 2006</i> Section 16T(3)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner to which section 16S applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16U	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner to which section 16S applies, to keep the completed combustible cladding checklist (part 2) and a building industry professional statement for the owner’s private building in the way provided in subsections (a) and (b). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16W(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to give to the QBCC, the name and registration number of the fire engineer engaged by the owner for complying with part 4A, division 2, subdivision 3. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16W(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16X(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to give to the QBCC a copy of each of the following documents for the owner’s private building: (a) a completed combustible cladding checklist (part 3); (b) a building fire safety risk assessment; and (c) a fire engineer statement. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16X(4)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16Y	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to keep the documents listed in subsection (1) for the owner’s private building for the period provided in subsections (2) and/or (3). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZA(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies, to display an affected private building notice in compliance with subsections (2) and (3). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Sections 16ZA(4) and (5)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies, to give the QBCC, in the approved way, a compliance notice. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZB(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is a body corporate roll kept for the building, give a copy of the building fire safety risk assessment to each lot owner, and each leasehold interest holder, for a lot in the building. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZB(3)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is not a body corporate roll kept for the building, leave a copy of the building fire safety risk assessment at, or post a copy of the building fire safety risk assessment to, the address of each lot in the building. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZD(2)(a)	Entity Power Given To: Original Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 5 – Change of Ownership of Private Building	Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the new owner: (a) a notice, in the approved form, about the extent to which the original owner has complied with part 4A; and (b) a copy of each document given by or to the original owner under this part. <i>*See Footnote</i>	Not Relevant to Council

Act and Section	Entity Power Given To	Title	Description	Recommendation
Building Regulation 2006 Section 16ZD(2)(b)	Entity Power Given To: Original Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 5 – Change of Ownership of Private Building	Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the QBCC a copy of the notice that is given to the new owner under subsection (2)(a)(i). <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZF(3)	Entity Power Given To: Original Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 5 – Change of Ownership of Private Building	Power, as an original owner, to give the document/s referred to in subsection (1)(a) to the new owner before ownership of the building changes. <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZM(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 4 – Miscellaneous	Power, as an owner, to comply with a notice given by the QBCC. <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZQ(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 4 – Miscellaneous	Power, as an owner of the building, to apply to the QBCC commissioner to replace the original checklist. <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZQ(5)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 4 – Miscellaneous	Power, as an owner of the building, comply with the notice given by the QBCC commissioner under subsections 16ZQ(3) or (4). <i>*See Footnote</i>	Not Relevant to Council

Schedule 2

Limitations to the Exercise of Power	
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.
Footnotes	
Building Regulation 2006 Sections 16Q(1) to 16ZQ(5)	This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.

ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

Delegation Register - Building Regulation 2021 - Tracked

Meeting Date: 13 September 2022

Attachment No: 2

Delegations Register – ***Building Regulation 2021 2006***

Under section 257 of the *Local Government Act 2009* , **ROCKHAMPTON REGIONAL COUNCIL** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2. All prior resolutions delegating the same powers are repealed.

Schedule 1

Act and Section	Entity Power Given To	Title	Description	Recommendation
<i>Building Regulation 2021</i> Section 427(4)	Entity Power Given To: Local government	Part 3 – Prescribed Matters or Aspects for Local Laws or Local Planning Instruments	Power, if it is not practicable to show each of the designated bush fire prone areas in Council's planning scheme maps, to:- (a) prepare maps showing the areas; and (a) (b) state the date each area was designated as a bush fire prone area; and (b) (c) ensure the maps are updated.	Not Relevant to Council
<i>Building Regulation 2021</i> Section 438(4)	Entity Power Given To: Local government	Part 3 – Prescribed Matters or Aspects for Local Laws or Local Planning Instruments	Power to keep a register of the flood hazard areas Council designates and when each designation was made.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 56(2)	Entity Power Given To: The Builder	Part 8 - Inspections of Assessable Building Work Division 1 - Building Certifier Inspections Sub-Division 4 - Procedure if Noncompliance Notice Given	Power, in the circumstances listed in subsection 56(1), to take enforcement action against the builder.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 56(3)(a)	Entity Power Given To: The Issuing Authority	Part 8 - Inspections of Assessable Building Work Division 1 - Building Certifier Inspections Sub-Division 4 - Procedure if Noncompliance Notice Given	Power, in the circumstances listed in subsection 56(3), to notify the QBCC of the builder's non-compliance with the enforcement notice.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 65(2)	Entity Power Given To: Referral Agency	Part 8 - Inspections of Assessable Building Work Division 2 - Referral Agency Inspections	Power, as a referral agency in the circumstances listed in subsection 65(1), to give the builder and the building certifier a notice stating it will not inspect the building work or inspect or test the service.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 65(3)	Entity Power Given To: Referral Agency	Part 8 - Inspections of Assessable Building Work Division 2 - Referral Agency Inspections	Power, as a referral agency in the circumstances listed in subsection 65(1), to:- (a) inspect the work or inspect or test the service; (b) give the builder and the building certifier a notice stating the referral agency aspects comply with the building development approval or the referral agency aspects do not comply with the approval, and the reasons why they do not comply.	Delegation to the CEO
<i>Building Regulation 2021</i> Section 89(2)	Entity Power Given To: Prescribed Person for a Temporary Accommodation Building	Part 10 - Miscellaneous Division 2 - Displaying Code Checklist	Power as the prescribed person for a temporary accommodation building to ensure:- (a) a code checklist is completed for the temporary accommodation building; and (b) a copy of the checklist is clearly displayed on or near the temporary accommodation building.	Delegation to the CEO
<i>Building Regulation 2006</i> Section 16Q(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 1 – Obligations Relating to Combustible Cladding Checklist (Part 1)	Power as an owner to:- (a) register, by using the online system, the owner's name and the address of the owner's private building; and (b) give a copy of a completed combustible cladding checklist (part 1) for the building to the QBCC by using the online system. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16Q(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 1 – Obligations Relating to Combustible Cladding Checklist (Part 1)	Power as an owner to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16R	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 1 – Obligations Relating to Combustible Cladding Checklist (Part 1)	Power as an owner to keep the completed combustible cladding checklist for the owner's private building in the way provided in subsections (a) and (b). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16S(2)(b)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner who knows or suspects that the building is an affected private building, to give the QBCC notice of that knowledge or suspicion. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16T(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner to which section 16S applies, to give to the QBCC: (a) a completed combustible cladding checklist (part 2) for the owner's private building; and (b) a building industry professional statement. <i>*See Footnote</i>	Not Relevant to Council

Act and Section	Entity Power Given To	Title	Description	Recommendation
<i>Building Regulation 2006</i> Section 16T(3)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner to which section 16S applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16U	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 2 – Obligations Relating to Combustible Cladding Checklist (Part 2)	Power, as an owner to which section 16S applies, to keep the completed combustible cladding checklist (part 2) and a building industry professional statement for the owner’s private building in the way provided in subsections (a) and (b). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16W(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to give to the QBCC, the name and registration number of the fire engineer engaged by the owner for complying with part 4A, division 2, subdivision 3. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16W(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16X(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to give to the QBCC a copy of each of the following documents for the owner’s private building: (a) a completed combustible cladding checklist (part 3); (b) a building fire safety risk assessment; and (c) a fire engineer statement. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16X(4)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to apply to the QBCC commissioner to extend the time for complying with subsection (1). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16Y	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 3 – Obligations Relating to Combustible Cladding Checklist (Part 3)	Power, as an owner to which section 16V applies, to keep the documents listed in subsection (1) for the owner’s private building for the period provided in subsections (2) and/or (3). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZA(1)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies, to display an affected private building notice in compliance with subsections (2) and (3). <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Sections 16ZA(4) and (5)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies, to give the QBCC, in the approved way, a compliance notice. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZB(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is a body corporate roll kept for the building, give a copy of the building fire safety risk assessment to each lot owner, and each leasehold interest holder, for a lot in the building. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZB(3)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 4 – Other Obligations Relating to Affected Private Buildings	Power, as an owner to which subsection 16Z applies of a building that comprises two or more lots, to, if there is not a body corporate roll kept for the building, leave a copy of the building fire safety risk assessment at, or post a copy of the building fire safety risk assessment to, the address of each lot in the building. <i>*See Footnote</i>	Not Relevant to Council
<i>Building Regulation 2006</i> Section 16ZD(2)(a)	Entity Power Given To: Original Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 5 – Change of Ownership of Private Building	Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the new owner: (a) a notice, in the approved form, about the extent to which the original owner has complied with part 4A; and (b) a copy of each document given by or to the original owner under this part. <i>*See Footnote</i>	Not Relevant to Council

Act and Section	Entity Power Given To	Title	Description	Recommendation
Building Regulation 2006 Section 16ZD(2)(b)	Entity Power Given To: Original Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 5 – Change of Ownership of Private Building	Power, as an original owner, in the circumstance set out in subsection (1), to, before the ownership changes, give the QBCC a copy of the notice that is given to the new owner under subsection (2)(a)(i). <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZF(3)	Entity Power Given To: Original Owner	Part 4A – Combustible Cladding Division 2 – Obligation on Owners of Private Buildings Subdivision 5 – Change of Ownership of Private Building	Power, as an original owner, to give the document/s referred to in subsection (1)(a) to the new owner before ownership of the building changes. <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZM(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 4 – Miscellaneous	Power, as an owner, to comply with a notice given by the QBCC. <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZQ(2)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 4 – Miscellaneous	Power, as an owner of the building, to apply to the QBCC commissioner to replace the original checklist. <i>*See Footnote</i>	Not Relevant to Council
Building Regulation 2006 Section 16ZQ(5)	Entity Power Given To: Owner	Part 4A – Combustible Cladding Division 4 – Miscellaneous	Power, as an owner of the building, comply with the notice given by the QBCC commissioner under subsections 16ZQ(3) or (4). <i>*See Footnote</i>	Not Relevant to Council

Schedule 2

Limitations to the Exercise of Power	
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.
Footnotes	
Building Regulation 2006 Sections 16Q(1) to 16ZQ(5)	This provision only applies if Council owns the building jointly with one or more private entities and the private entities own more than 50% of the building. This provision continues in force by virtue of section 95 of the Building Regulation 2021.

ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

Legislative Delegations

Meeting Date: 13 September 2022

Attachment No: 3

LEGISLATIVE DELEGATIONS

Legislation Title	Sections Delegated to CEO	Limitations to the Exercise of Power
<i>Aboriginal Cultural Heritage Act 2003</i>	56(1), 61(2), 62, 63, 64, 65, 68(1), 68(4), 76, 91, 96, 99, 100, 101, 103, 106(2) 111, 113(2)	As per Attachment 2
<i>Acquisition of Land Act 1967</i>	4B(2), 7, 8, 9, 12(4B), 12(5A), 12(7), 12A, 13(1) and (1A), (b), 13(2) and (2A), 13(3), 15B, 15C, 15D, 16(1), 16(1B), 16(1C), 17(1), 17(1A), 17(2)(c), 17(5), 19, 19(4) and (6), 21(1), 21(1A), 21(2), 23(2), 23(5), 23(6), 23(7), 24(1), 24(4), 25(1), 29 and 30, 32, 35, 36(1), 36(3), 37(1), 37(2), 37(5), 38(1), 41(1)	As per Attachment 2, excluding No. 1
<i>Animal Care and Protection Act 2001</i>	36(1), 156(2), 157(2), 189(2), 214A(2)	As per Attachment 2, excluding No. 1
<i>Animal Management (Cats and Dogs) Act 2008</i>	39, 42(4), 49(2), 51(a), 64(1)(b), 74(1), 75(1), 75(3), 75(5), 77(1), 79, 84(1), 84(4)(b), 84(5)(a), 84(5)(b), 87(1), 89, 89(4), 90(1), 92, 94(1), 94(2), 95(1), 95(4), 100(3), 102, 114(1), 212(3), 228(3)	As per Attachment 2, excluding No. 1
<i>Biosecurity Act 2014</i>	53(1), 59, 105(1), 239(2), 239(3), 246(2)(b), 329(1), 365(1), 366(1), 379(1), 379(3), 380(2), 381(3), 381(5)(a), 381(5)(b)	As per Attachment 2, excluding No. 1
<i>Biosecurity Regulation 2016</i>	27(1), 46(1)	As per Attachment 2, excluding No. 1
<i>Body Corporate and Community Management (Accommodation Module) Regulation 2008</i>	159(6)(b)	As per Attachment 2, excluding No. 2 and 6
<i>Body Corporate and Community Management (Commercial Module) Regulation 2008</i>	117(6)(b)	As per Attachment 2, excluding No. 2 and 6
<i>Body Corporate and Community Management (Small Schemes Module) Regulation 2008</i>	95(6)(b)	As per Attachment 2, excluding No. 2
<i>Body Corporate and Community Management (Specified Two-lot Schemes Module) Regulation 2011</i>	33(4)(b)	As per Attachment 2, excluding No. 1

Legislation Title	Sections Delegated to CEO	Limitations to the Exercise of Power
Body Corporate and Community Management (Standard Module) Regulation 2008	161(6)(b)	As per Attachment 2, excluding No. 2
Body Corporate and Community Management Act 1997	51(1)(a), 51(1)(b), 51(6), 51(7), 51(8), 51(8)(a), 51A(i)(b), 51A(5), 51A(6), 51A(7), 60(1), 60(4), 316(1), 430(3), 430(4), 430(5)	As per Attachment 2, excluding No. 1
Building Act 1975	34A(2), 41(1), 46(5), 51(2)(a), 51(2)(b), 51(3), 52, 53(2), 54, 55, 65, 68A(2), 71, 87, 92(2), 92(5), 93(1), 95, 97(2), 117, 124A(2), 143B(2), 190(1), 206(1), 207, 208(1), 210, 221(2), 221(2)(b), 221(3), 221(4), 222(2), 228, 228(4), 236, 237, 238, 239, 242(2), 242(3), 243, 244, 245A, 245B, 245C(1), 245C(2), 245E(2), 245E(3), 245F, 245FA(2), 245XB(2), 245XD(2), 245XF(2), 245XF(3), 245XG(1), 245XN(2), 245XS(1), 245XS(3), 245XV(2), 246ADA(2), 246ADA(5), 246AF(2), 246AF(3), 246AG(1), 246AG(5), 246AG(6), 246AG(7), 246AH, 246AIA, 246AIB(2), 246AQ, 246ATC, 246X, 248(1), 248(2), 248(3), 256(2)(d), 256(2)(e), 256(2)(f), 256(2)(g), 256(2)(h), 256(2)(i), 256(2)(k), 262	As per Attachment 2, excluding No. 1
Building Regulation 2021	8(4), 56(2), 56(3)(a), 65(2), 65(3), 89(2)	As per Attachment 2, excluding No. 1
Building Units and Group Titles Act 1980	8(3)(b), 9(7), 9(8)(b), 10(1), 11(1), 12(1), 22(1), 22(2), 22(7), 24(2), 24(3), 24(4), 24(5), 24(5A), 25(3), 25(4), 25(4A), 26(1), 128	As per Attachment 2, excluding No. 1
Coastal Protection and Management Act 1995	164A(1)	As per Attachment 2, excluding No. 1
Disaster Management Act 2003	29, 31, 37, 57(1), 57(2)(g), 59(1), 61	As per Attachment 2, excluding No. 1
Disaster Management Regulation 2014	5(1)(c)(i), 5(1)(c)(ii), 5(1)(c)(iii), 5(1)(c)(iv), 7(1)(b), 9(1), 9(4), 10(1)	As per Attachment 2, excluding No. 1
Economic Development Act 2012	36B, 36C(3), 36I(3), 40B, 40H(1), 40I, 40J(a), 40J(b), 40K(2), 40K(6), 40M(2), 41(6)(b), 42A, 42B, 42C, 42D, 42E, 42G, 42H, 42I, 42J, 42L, 43(3), 51AJ, 51AQ(2), 52(3), 58(2)(a), 82(1)(b), 84(4)(d), 98(2), 116E(3)(b), 116G, 117, 122(2), 127(4), 128(4), 169(3), 171B, 171B(6), 213(2), 214(2)	As per Attachment 2, excluding No. 1

Legislation Title	Sections Delegated to CEO	Limitations to the Exercise of Power
Environmental Protection Act 1994	128(2), 129(2), 130(3), 131(d), 133(1)(b), 134(4), 140(1), 143(2), 145(1), 145(3), 147(3), 150(1)(d), 152(3), 159(2), 159(3), 159(4), 159(5)(b)(i), 159(5)(b)(ii), 159(5)(b)(iii), 160, 161(3), 162(1), 168(2), 168(4), 170(2)(a), 170(2)(b), 171(2)(a), 171(2)(b), 172(2), 173(1), 173(3), 195, 198(2), 198(4), 203(1), 203(2), 204(2), 209(4), 211, 212(2), 212(3), 212A(2), 212A(3), 213(2), 213(3), 214(2), 214(3), 215(1), 215(1)(a), 216, 217, 218, 219(1), 219(3), 220, 221(2)(b), 227A(2), 227A(3), 227A(5), 228(1), 229, 230(2), 233(3), 237(1)(b), 238(3)(a), 238(7), 240(1), 240(2), 240(3), 242(1)(b), 242(3), 247(1), 247(2)(c), 247(3), 248(b), 249, 250C(a), 254(1), 255(1)(b), 255(2), 258(2), 261(2), 264(2)(a), 265, 266(1), 269(a), 269(b)(i), 269(b)(ii), 269(c), 275(a)(ii), 275(b), 278(1), 280(1), 281, 282(1), 282(1)(a), 282(1)(b), 282(3), 283(1), 283(2), 284C, 284F(1)(a)(ii), 284F(1)(b), 287, 292(1), 292(2), 292(3), 295(1), 295(2)(c), 295(4), 296, 299(2), 300, 301(1), 301(2), 304(1), 305(1)(a), 305(1)(b), 305(3), 305(5), 306(1), 306(3), 306(6), 308(2), 310(1), 311, 312, 314(2), 314(3), 314(5), 315(1), 320DB(1), 320DB(2), 322(1), 322(2), 323(1), 323(2), 326B(1), 326B(2), 326BA(1), 326BA(2), 326F(2), 326G(4), 326G(5), 326G(7), 326G(7)(a), 326G(8), 326H, 326I(2), 326I(3), 332(1), 332(2), 334A(1), 336(1), 336(2), 336(3), 336(4), 336A(1), 337(1), 337(2), 338(1), 339(1), 339(2), 340(1), 340(2)(b), 340(2)(c), 340(3), 342(2), 343A(2)(B), 344(3), 344(4), 344A(2), 344A(3), 344B, 344C(1), 344C(2), 344E(1), 344E(1)(b), 344E(2)(a), 344F(2)(a), 344G(2), 352(1), 355(1), 357E(1), 357E(2), 357F, 357J, 358, 359, 445(1)(c), 445(2), 448, 451(1), 454(1), 454(3)(b), 458(2), 463(2), 490, 502A(2), 507(1), 507(3), 507(4), 509(1), 510, 511, 512(1), 512(2), 512(4), 512(5), 512(6), 512(7), 513(2), 517(2), 521(2)(a)(ii), 521(5), 521(8), 531(1), 544(1), 568, 620(2), 620(5)(b), 621(1), 621(2), 621(4), 623(2), 626(3)(a), 634(1), 671(2), 697(1), 698(1), 698(2), 698B, 699(4), 699(5), 701(2)	As per Attachment 2, excluding No. 1
Environmental Protection (Water) Policy 2009	24(2)	As per Attachment 2
Environmental Protection Regulation 2019	35(1), 35(3), 36(1), 37, 40, 41, 51(2), 51(3), 52, 53, 73, 78(1), 78(2), 79(2), 79(3), 79(4), 80(1), 80(2), 80(3), 80(4), 84(1), 84(2), 84(3), 84(4), 87(1), 87(2), 87(4), 88(2), 92, 93, 94, 97, 117(7), 119, 120, 123, 127, 130, 131, 132, 133, 134, 135, 136, 155, 166(1), 170, 171(3), 172, 173(2), 174(3), 175, 177(2), 177(3), 178(2)	As per Attachment 2, excluding No. 1

Legislation Title	Sections Delegated to CEO	Limitations to the Exercise of Power
Fire and Emergency Services Act 1990	58D, 69, 96, 97, 98(2), 99, 100, 101, 102(1), 104E, 104F(2), 104G(2), 104G(3), 104I(9), 104SI(2)(b)(ii), 109(1), 111(2), 112(1), 112(2), 113(3), 113(6), 113(7), 117(3), 118(1), 118(4), 121(2), 126(1), 133(2), 134(2), 136(3), 136(4), 140, 141(2), 142(3), 146(2), 152C(4)	As per Attachment 2, excluding No. 1
Food Act 2006	55, 56(1), 56(2), 57, 58(a), 58(b), 59(1)(a), 59(1)(b), 60(2), 62(1), 62(2), 62(3), 64, 67, 68(1), 68(2), 69(1)(e), 69(2)(b), 69(3), 71, 72(3), 72(4), 72(5), 73(3), 73(4), 73(5), 74(3), 74(4), 74(5), 74(6), 74(7), 75(1), 78(2), 79(1)(a), 79(2), 80(2), 81, 82(1)(b), 82(2)(a), 82(2)(b), 82(3), 83, 83(2), 83(4), 91(1)(b), 91(2), 92(2), 97(1), 97(2), 97(3), 97(5), 103(1), 103(2), 104, 105(1), 106(2), 107(4), 108(1), 108(2), 108(3), 109(2), 109(2)(a), 109(3), 110(1), 110(2), 110(3), 110(4), 112(4), 112(5), 112(6), 113(1), 114(1), 114(2), 114(3)(c), 115(2), 118(1), 119(2), 120, 121(1)(b), 121(2), 121(3), 222(b), 223, 238(2), 239, 239(1), 255(1)(b), 258(1), 258(2), 277	As per Attachment 2, excluding No. 1
Food Production (Safety) Act 2000	83(1)c	As per Attachment 2
Health (Drugs and Poisons) Regulation 1996	290(3)(a), 291(3)(b)	As per Attachment 2
Heavy Vehicle National Law (QLD)	26C, 69, 75, 76(2)(e), 79(1), 80(1), 82(3), 83(3), 96(1), 102(1), 111(1), 118(1)(b), 119(5)(b), 123, 124(1)(b), 130(3), 132(3), 133(3), 139(1)(b), 142(6)(b), 145(1)(b), 151(3), 152(3), 156(1), 156(2), 156A(2), 156A(4), 159(2), 160(1), 161(1), 162(1), 160(2), 161(2), 162(2), 167(2)(b), 167(2)(b)(ii), 169(1), 170(3), 174(2), 178(2), 190(1), 191(1), 191(3), 264(2), 274, 280, 284, 285, 287(3), 288(3), 311, 312(2), 312(3), 313(2), 313(3), 315, 319, 321, 322(4), 323(3), 324(2), 324A(2), 336A, 341, 342, 351, 354(3), 354(5), 355(2), 355(4), 364, 376(3), 384, 389, 390(2)(e), 392(2), 393(1), 396(2), 398(2), 459, 460(3), 466(2)(a), 468(3), 470(2), 470(3), 470(4), 470(8), 471(2), 472, 473(2)(f), 476(2), 477(1), 504(1), 516(3), 517(4), 522(3) and (5), 529AA, 529A(1), 529A(3), 533(7), 534(5), 535(5), 556(3), 558(3), 559(3), 559(4) and (5), 563, 565(2), 569(2), 570(3), 570A(5), 573, 576C, 577(4), 581(1), 590A, 590B, 590C(1), 603, 604, 609, 610, 611(2), 612(2)(c), 613(1), 641(1), 641(6)(b), 642(2) and (6), 644(3), 645(1), 645(5), 645(6), 647(1), 648(2) and (6), 715, 722, 724	As per Attachment 2, excluding No. 1
Heavy Vehicle (Mass, Dimension and Loading) National Regulation	14(4), 18, 22(1)(b), 23, 24(1)(a), 29(4), 31(2), 41(1)	As per Attachment 2, excluding No. 1

Legislation Title	Sections Delegated to CEO	Limitations to the Exercise of Power
Housing Act 2003	25(1), 26(2)(b), 65	As per Attachment 2, excluding No. 1
Housing Regulation 2015	15(1), 18(2), 19(3)	As per Attachment 2, excluding No. 1
Human Rights Act 2019	49(2), 52(1)(a), 52(1)(b), 77(1), 78(5), 83(1), 93(2), 98(3)	As per Attachment 2, excluding No. 1
Information Privacy Act 2009	29(1), 33(a), 33(c), 33(d)(i), 34(1), 44(3), 49(2), 50(2), 50(5)(b), 52(1)(b), 52(2), 53(2), 53(3), 53(6), 54(2), 54(3), 54(5)(b), 55(1), 55(3), 56(1), 56(3)(b), 56(3)(c), 56(3)(d), 56(4), 57(2), 57(2)(b), 59(2), 60(1), 61(1), 61(1)(b), 61(1)(c), 61(6)(b), 62(3), 63(3), 65(a), 65(b), 66(2), 68(1), 69(2), 70, 71(2), 72(1)(a), 73(1), 74, 76(3)(b), 76(5), 76(5)(b), 81(1), 82(2), 82(3), 87(1), 87(2), 88(1), 88(2), 88(3), 91(2), 91(3)(a), 91(3)(b), 92(2), 94(2), 97(2), 97(3), 102(2), 106(1)(b), 112(2), 114(2), 114(3), 115(1), 127(1), 131(1), 132(1), 157(1), 159(1), 159(3)(b), 161(1), 172(1), 171(2), Schedule 3: 7(3)(a), 10(1)(b), 10(1)(d), 11(1)(c), 11(1)(e), 11(1)(f)(iv)	As per Attachment 2, excluding No. 1
Integrity Act 2009	71(4)	As per Attachment 2
Land Act 1994	13A(4), 13AC(1)(a), 13B(1), 13B(2), 13B(6), 18(1), 18(2), 18(3), 23A(1), 23A(6), 24(3), 25(2), 26(2), 26(4), 26B(8), 31C(1), 31C(2), 31C(3), 31D(1), 31D(2), 31D(3), 32, 34(1), 34(2), 34(3), 34H(1), 34H(2), 34I(1), 34I(3), 34I(4), 38A(1), 38A(2), 38A(3), 38A(4), 38G(1), 38G(2), 44, 45, 46, 47, 48, 49, 52(1), 55(1), 55A(1), 55A(2), 55A(3), 55H(1), 55H(2), 57(1), 57(3), 57(7), 57A(1), 58(1), 58(7), 60(1), 60(3), 62, 63(3), 64(1), 64(4), 65(1), 66(1), 67(2), 67(3), 80(1), 82, 84(1), 94(2), 99(1), 99(3), 99(4), 100, 150(3), 109A(1), 109A(2), 109A(3), 109B(1), 109B(2), 109B(3), 109B(4), 120A(1), 154, 155A(2), 155B(2), 155BA(2), 158, 160(3), 164C(1), 164C(7), 166(1), 168(5), 176(1), 176(2), 176E, 176K(1), 176K(3)(b), 176N, 177, 177A(1), 177A(2), 179, 180(2), 180A, 180H(1), 180H(2), 201, 210, 212(3), 214A, 214B, 214D, 214F(3), 222(6), 225(2), 226(5), 230(2), 232(5), 239(4), 240E(1), 240G, 243(1A), 243(1), 288(1), 288(1)(b), 318, 319, 322(3), 322(5), 322(8), 327, 327A, 327B, 327C(1), 327C(2), 327I(1), 327I(2), 329(1), 332(1), 332(2), 332(7), 336, 339F, 339G, 339H(2), 339I(1), 339I(2), 339J(1), 339J(2), 339K, 339L, 339O(1), 339O(2), 339Q(3)(c), 339R(1)(b), 339R(2), 339T, 339U, 358(1), 358(2), 360C(1), 360C(2), 360C(3), 360D, 363(1)(b), 371(2), 372(2), 372(5), 373A, 420CB, 420E, 423, 427, 431ZG, 431ZH(2), 481A, 481B(1), 481B(2), 481B(4), 481B(5), 481J(1), 481J(2), 482, 492(1), 505(2)	As per Attachment 2, excluding No. 1

Legislation Title	Sections Delegated to CEO	Limitations to the Exercise of Power
Land Regulation 2020	4(3), 4(6), 19(2), 31(3), 32(3), 48(1), 60(2), 60(4), 65(3), 65(4)	As per Attachment 2, excluding No. 1
Land Title Act 1994	18, 50(1)(b), 50(1)(h), 50(1)(j), 54(1), 54(3), 60(1), 64, 65(3A), 67(1), 68(1), 69(1), 69(2), 69(3), 82(1), 83(1)(b), 83(2), 85B(2), 87, 90(1), 90(2), 90(3), 91(1), 97A, 97C, 97D, 97E, 97I, 97K, 97L, 97O, 97P(c), 97S(1), 97U(1), 99(1), 100, 104, 105(2), 108A, 110(1), 122, 125, 126(2), 126(3), 128(1), 129(2), 139(1), 145(1), 149(1), 156(3), 159(3), 159(4), 160, 165, 169(1), 172(1)	As per Attachment 2, excluding No. 1
Land Valuation Act 2010	74, 244	As per Attachment 2, excluding No. 1
Liquor Act 1992	105B(1), 105B(4), 117(2), 117A(2), 173C(1), 173C(2), 173D(6), 173E(1), 173N(4), 173NH(2)(d)	As per Attachment 2, excluding No. 1
Local Law No. 1 (Administration) 2011	8(1), 9(1), 9(2), 9(4), 10(1), 12(1), 14(3), 14(4), 14(6), 14(8), 14(9), 15(3)(a), 15(4), 15(6), 15(7), 15(8), 15(9), 15(11), 16(3), 16(4), 16(5), 16(6), 18(2), 18(3), 18(4), 18(5), 19(1), 19(2), 22(3), 23(1), 23(3), 35(3), 37(3), 37(4), 37A(5)(c), 37A(10)(b)(i), 37A(14), 37A(15)(b)	As per Attachment 2, excluding No. 1 and including the following additional: Section 35(3) For a period of 2 fiscal years from the original fee application payment and Section 23(1) Applications received in accordance with Section 22 must be reviewed in accordance with Section 23(2) which states that the application must not be dealt with by:- (a) the person who made the original decision or (b) a person in a less senior office than the person who made the original decision, unless the original decision was made by the CEO.

<i>Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011</i>	7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011</i>	7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.3 (Establishment or Occupation of Temporary Home) 2011</i>	3(8), 4(6), 8(2)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019</i>	7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.5 (Keeping of Animals) 2011</i>	6(5)(g), 7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.6 (Operation of Accommodation Parks) 2018</i>	6(10)(b), 6(11), 6(12)(a), 6(18), 6(26)(a), 6(30), 6(31), 6(32), 7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011</i>	7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011</i>	8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.13 (Undertaking Regulated Activities Regarding Human Remains) 2011</i>	7(1), 8(1)	As per Attachment 2, excluding No. 1.

<i>Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011</i>	4(8)(b), 6(5)(g), 6(5)(h), 7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011</i>	4, 7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011</i>	6(2)(aa), 6(2)(ah), 6(2)(aj), 7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.17 (Gates and Grids) 2019</i>	7(1), 8(1)	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011</i>	8(1)	As per Attachment 2, excluding No. 1.
<i>Local Law No. 2 (Animal Management) 2011</i>	10(3), 11(2), 19(3), 32(1), 32(6), 33(1), 34(2), Schedule	As per Attachment 2, excluding No. 1.
<i>Subordinate Local Law No. 2 (Animal Management) 2011</i>	Schedule 5, Item 3(e), Schedule 5, Item 4(e), Schedule 5, Item 5(d), Schedule 13	As per Attachment 2, excluding No. 1.
<i>Local Law No. 3 (Community and Environmental Management) 2011</i>	7(1)	As per Attachment 2, excluding No. 1.
<i>Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011</i>	5(2), 6(6), 7(3), 8(4), 11(4)	As per Attachment 2, excluding No. 1.

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019	Schedule 1 Item 4(l), Schedule 2 Item 3(e), Schedule 2 Item 3(f)(ii), Schedule 2 Item 4(b)(ii), Schedule 2 Item 4(c), Schedule 2 Item 4(g)(i), Schedule 2 Item 4(h)(i), Schedule 2 Item 5(a)(i), Schedule 2 Item 5(b)(vi), Schedule 2 Item 6(e)(ii), Schedule 2 Item 6(f)(i)(A), Schedule 2 Item 7(b)(ii)	As per Attachment 2, excluding No. 1.
Local Law No. 5 (Parking) 2011	7(1), 8(1)	As per Attachment 2, excluding No. 1.
Subordinate Local Law No. 5 (Parking) 2011	7(5), 7(6), 7(7), 7(8), 7(9)	As per Attachment 2, excluding No. 1.
Local Law No. 7 (Aerodromes) 2011	5(1), 6(1), 7(1), 13, 14(1), 14(4), 14(7), 18, 21(1)	As per Attachment 2, excluding No. 1.
Local Law No. 8 (Waste Management) 2018	6(1)(b)(i), 6(2), 8(1)(a), 8(2)(a), 9(2)(a), 9(2)(a)(i)(A), 9(2)(a)(i)(B), 10(2), 11(2)(a), 11(2)(b), 12(1)(a), 12(1)(a)(i), 12(1)(a)(ii), 12(2), 13(a), 16(1), 17(2)(b)	As per Attachment 2, excluding No. 1.
Local Government Act 2009	16, 29(1), 29A(3), 60, 61, 61(6), 62, 64, 65(3), 65(4), 66, 67, 68, 69(1), 69(2), 69(3), 69(4), 69(5), 70(2), 70(3), 70(4), 70(7), 70(8), 71(1), 71(3), 71(4), 72(2), 72(3), 72(3)(a), 72(3)(b), 72(5), 73, 74(1), 75, 77, 78, 79, 95, 104(1), 104(7), 105(1), 107(1), 107(3), 110, 133, 137, 138(5), 138A(1), 142(2), 142(4), 142(8), 143, 147, 150P(2), 150S(2), 150AE(4), 150AF(1), 150AF(4), 150BI(1), 150BI(2), 150CN, 150CR, 150DX, 195, 196(2), 197A(3), 197A(4), 198, 219(1), 219(2), 219A, 220, 220A(4), 220B(2), 220B(3), 221(2), 221(4), 222(3), 224(2), 226(1), 226(2), 228(4), 236, 237, 239, 240(1), 250(1)(b), 262	As per Attachment 2, excluding No. 1 and including the following additional: Section 236(1) The delegate will not exercise the delegated power specified under section 236(1) for the purpose of executing a contract for the sale of land.
Local Government Act 2009	The power to make, amend or discharge contracts on behalf of Council, of a value up to the level of financial limits specified in the CEO's Financial Delegations.	As per Attachment 2, excluding No. 1
Local Government Act 2009	The power to enter into community based employment agreements subject to existing financial delegation.	Nil
Local Government Act 2009	The authority to verify documents pursuant to section 250(1)(b).	Nil
Local Government Act 2009	The power to apply for grants to the amount of not more than \$150,000.00	As per Attachment 2, excluding No. 1

Local Government Act 2009	38 The power to decide: (a) how the public interest test of the local laws and subordinate local laws particularised in the schedule is to be conducted; and (b) the matters with which the public interest test report in relation to the local laws and subordinate local laws particularised in the schedule must deal; and (c) the consultation process for the public interest test and how the process is to be used in the public interest test.	
Local Government Regulation 2012	6(6), 14(2), 14(4), 41(1), 53, 55(4), 56(1), 58(2), 59, 63, 88(2), 90(5)(b), 105, 107(1), 108, 110, 111, 112, 113, 114, 115, 117, 122(3), 122(4), 123, 124(2), 130(10), 134, 138(3), 140(3), 141(3), 141(4), 142, 143(1), 143(2), 143(3), 144(1), 144(2), 144(4), 144(5), 144(6), 144(7), 145(2), 146, 149(2), 150(3), 151, 154(1), 154(2)(e), 155(4), 162, 164, 165(4), 173(1), 174(5), 175(3), 182(4), 194, 196(2), 197(2), 199(2), 200, 201, 201B(4), 202A(2), 203, 204, 207, 210(3), 212, 213A(2), 213A(3), 213B(2), 213B(4), 215, 218(2)(b), 220(8), 225, 225(1), 225(3), 225(4), 226, 226(1), 227, 227(1), 228(2)(b), 228(6), 228(7), 228(8), 228(9), 228(10), 230(1), 231(2), 231(4), 232(2), 232(3), 232(4), 232(6), 233(2), 233(5), 234(1), 235, 236, 237, 254B(1), 254B(2), 254B(3), 254B(4), 254C(1), 254D(1), 254D(2), 254F(6), 254F(7), 254K, 262, 277D(2), 287(1), 287(3), 295(1), 295(2), 295(3), 295(4), 296A(2), 306(4), 364(1), Schedule 4 Sections 5, 6, 7, 8, 9, 10	As per Attachment 2, excluding No. 1
Local Government Regulation 2012	15 The power to decide: (a) how the public interest test of the local laws and subordinate local laws particularised in the schedule is to be conducted; and (b) the matters with which the public interest test report in relation to the local laws and subordinate local laws particularised in the schedule must deal; and (c) the consultation process for the public interest test and how the process is to be used in the public interest test.	
Mineral and Energy Resources (Common Provisions) Act 2014	39(3)(b), 42(1), 44(1), 45(1), 45(2), 45(3), 47(1)(a)(i), 47(1)(a)(ii), 48(2), 52(1), 53(1), 53(4), 57(3), 59(2), 59(4)(b), 59(7), 60(1), 63(1)(b)(i), 63(1)(b)(ii), 64(1), 67(b)(iv)(A), 70(1), 72(1), 83(1), 85(1), 87(2), 88(2)(a), 88(2)(b), 89(4), 89(7), 90(4), 90(7), 91(2), 94(1), 96(2), 100(1), 101(2)	As per Attachment 2, excluding No. 1

Mineral Resources Act 1989	19(1), 19(2), 19(3), 20(3), 20(6), 26(3), 26(9)(a)(i), 32(2), 34(1), 46(1), 47(1), 47(2), 47(4), 51(2)(a), 54(a), 65(1)(a), 71(1), 71(2), 71A(1), 85(1)(a), 125(9)(a)(i), 125(10), 129(3)(a), 129(6), 167(1), 181(8)(a), 190(7), 190(8)(a), 216(1), 237(2)(d)(i), 237(2)(d)(ii), 238(1)(a), 260(1), 260(4), 261(1), 279(1)(a), 280(1), 283A(2), 317(10), 335F(1), 335F(2)(a), 335G(1), 335G(2), 335H(1), 335L(1), 403(1)(e), Schedule 1: 2(1)(a), 3(1)(a), 3(3), 4	As per Attachment 2, excluding No. 1
Nature Conservation (Animals) Regulation 2020	42(2), 43(1), 61(2), 235, 242(2), 243, 258, 265, 266(1), 267, 271(1), 275(1), 276, 277, 278, 279, 280, 372, 379(1), 379(2), 381(2), 382, 383	As per Attachment 2, excluding No. 1
Neighbourhood Disputes (Dividing Fences and Trees) Act 2011	88(1)(d), 88(3), 88(4), 88(5A)	As per Attachment 2, excluding No. 1
Peaceful Assembly Act 1992	4 - definition of "representative" - paragraph (b), 10(2)(b), 11(1), 11(4), 11(5), 12(1), 13(1)(b), 13(1)c, 13(1)(d), 13(3), 15(1)	As per Attachment 2, excluding No. 1
Planning Act 2016	18, 20, 26, 19, 21, 22, 23, 24, 25, 26, 29, 35, 36, 37, 38, 37(4), 41(1), 42, 46, 48, 48(3)(b), 48(3)(d), 51, 51(2), 53, 54, 55, 56, 57, 59, 60, 61, 62, 63, 64, 64(9), 65, 66, 67, 71, 75, 76, 78A, 79, 80, 81, 81A, 81B, 82, 82A, 83, 84, 84(3)(b)(i), 84(3)(b)(iii), 85, 86, 86(2A), 87, 89, 93, 93(2), 100, 101, 105, 105(3), 107, 109, 115, 118, 119, 120, 121, 123, 125, 128(1), 128(2), 129, 130, 131, 132, 133, 134, 135, 137, 140, 141, 142, 144(2), 145, 149, Chapter 4, Part 4, 167, 168, 169, 170, 174, 175(1)(a), 176(10), 178(1)(b), 180, 180(13), 181(4), 214, 221, 229(4), 230(6), 239(1), 240, 241, 246(2), 248, 249, 257, 265, 267(13), 270, 275B	As per Attachment 2, excluding No. 1 and including the following additions: Sections 18, 20 and 26 – This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council. Sections 21, 22, 23, 26, 35, 36, 37, and 38 – This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council. Section 24 – This delegation does not include the power to decide to repeal the TLPI or planning scheme policy which is required to be exercised by Council pursuant to a resolution of Council (see subsection (1)). Sections 25 and 26 – This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.

		<p>Section 29 must not be exercised if:</p> <ul style="list-style-type: none">(a) there is a conflict between proposed use and the superseded scheme zoning intent; or(b) compensation issues would arise from the superseded development application, <p>in which case the power must be undertaken by Council.</p> <p>Section 60 must not be exercised if:</p> <ul style="list-style-type: none">(a) the application was impact assessable and there were submissions;(b) the application is being recommended for refusal; or(c) the proposed development is inconsistent with the intent of the zone, <p>in which case the power must be undertaken by Council.</p> <p>Section 60(3)(c) – operational work, reconfiguring a lot and material change of use applications must be decided by Council.</p> <p>Sections 75 and 76 must not be exercised if the original application was decided by Council in which case the power must be undertaken by Council.</p> <p>Section 87 Operational work, reconfiguring a lot and material change of use extension applications must not be decided by Council if</p>
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		recommending refusal. Section 293(5) This delegation does not include any powers that are required to be exercised by Council pursuant to a resolution of Council.
Planning Act 2016 – Development Assessment Rules	1.2, 2.3, 3.1, 3.2, 3.4, 3.5, 3.6(b), 5.1, 6.2, 7.1, 8.1(a), 8.1(b), 8.2, 8.2(b), 8.3(b), 9.2(a), 9.2(b), 11.2, 12.1, 12.2, 12.4, 12.5, 13.1, 17.1, 17.3, 17.4, 18.1, 19.1, 19.3, 22.1(a), 25.1, 26.1, 26.2(a)(i), 26.2(b), 26.2(c), 26.5, 27.2, 27.3, 28.1, 28.4(a), 28.4(b), 29.2, 29.6, 33.1, 34.1, 35.1, 38.2	As per Attachment 2, excluding No. 1
Planning and Environment Court Act 2016	16(3), 18(1), 20(1), 21(2)(a), 26(2), 27(1)(a), 41(2)(a), 41(3), 63(1), 64(1), 4(2)	As per Attachment 2, excluding No. 1
Planning Regulation 2017	12(b), Schedule 18: 3(1), 3(2), Schedule 22: 1, 2, 3, 3A, 3B, 5, 6, 7, 8, 9, 10	As per Attachment 2, excluding No. 1
Plumbing and Drainage Act 2018	90(1)(d), 135(1), 136, 137, 139(1), 142(a), 142(b), 143(1), 143(2), 144, 149(2), 150	As per Attachment 2, excluding No. 1
Plumbing and Drainage Regulation 2019	16(1), 16(2), 17(3), 24(2), 26(2), 27(c), 29(1), 34(1), 41, 45(2), 46, 48, 50(2), 59(3), 67(2), 68(3), 69(2), 75(2), 83(1), 86(1), 86(3), 87(3), 98(3), 101, 107(2), 112, 113, 114, 115(1), 115(2), 116	As per Attachment 2, excluding No. 1
Prostitution Act 1999	64C(5), Schedule 4: definition of 'authorised officer of a relevant local government'	As per Attachment 2, excluding No. 1
Prostitution Regulation 2014	25(2)	As per Attachment 2, excluding No. 1
Public Health Act 2005	13, 24(2), 27(2)(b), 31, 32, 36(5), 57B, 84(1)(b)(i), 84(2)(a), 226(1)(b)(i), 226(2)(a), 244(1)(b)(i), 244(2)(a), 160B, 160C, 313E(3), 313H, 388(2), 393(2), 406, 407, 415, 443(1)(b), 446, 450, 454B(3), 454C(2), 454CA(2), 454G, 454I	As per Attachment 2, excluding No. 1
Public Health (Infection Control for Personal Appearance Services) Act 2003	9, 33, 34, 35, 36, 37, 38(2), 41(1)(c), 40, 44, 45, 47, 48, 49, 50, 51(2), 52, 54, 55, 56, 62, 65(3), 68, 69, 70, 72, 74, 105, 110, 111(6), 121(2), Part 7 Division 1, 137, 140, 143, 147, 153, 154, 155	As per Attachment 2, excluding No. 1
Public Health Regulation 2018	6, 12(2)(c), 16, 22	As per Attachment 2, excluding No. 1

Public Interest Disclosure Act 2010	30(1), 30(1)(b), 30(1)(d), 30(2), 30(3), 31(1), 31(3), 31(4), 32(1), 32(4), 60(3)	As per Attachment 2, excluding No. 1
Public Records Act 2002	10(1)(a), 16(1)(a), 16(1)(A), 16(2), 16(2)(b)(i), 16(3)(a), 18(2)(b), 19(2), 19(3), 19(4), 26(1), 28, 39	As per Attachment 2, excluding No. 1
Queensland Competition Authority Act 1997	13C(2), 13C(2)(b), 13C(2)(c), 13C(3), 13C(3)(b), 13C(3)(c), 18B(1), 19(5)(b), 36A(4), 84(3)(b)	As per Attachment 2, excluding No. 1
Queensland Heritage Act 1992	82(1)(b), 82(1), 117(1), 118	As per Attachment 2, excluding No. 1
Queensland Reconstruction Authority Act 2011	42(5), 43(7), 43(8), 49, 50, 53(1), 53(2), 53(4), 80(2), 80(6), 80(3), 81, 92(3), 111(2), 111(3), 112	As per Attachment 2, excluding No. 1
Residential Services (Accreditation) Act 2002	29(2)(a), 29(3), 189(3)(a)	As per Attachment 2
Residential Tenancies and Rooming Accommodation Act 2008	62(1), 62(3), 64(3), 65(2), 66(2), 67, 68(2), 69, 77(4)(h), 78, 81(1)(b), 88(3), 88(5), 91(2), 97(3), 98(3)(a), 98(3)(b), 99(2)(a), 102(3), 105(3), 106(2), 106(3), 107(2), 109(3), 116(1)(b), 117(2)(b), 117(3)(b), 118(2)(b), 118(3)(b), 118(4)(a)(ii), 118(4)(b)(ii), 145(1), 145(2)(b), 154(b), 155(3), 160(1), 168(3)(a), 168(4), 192(1)(h), 192(i), 192(j), 192(1)(l), 193(1)(a), 195(1)(b), 195(5), 197(1)(a), 198(1)(a), 203, 211(1)(a), 211(2)(b), 216(2), 220(2), 223, 229(1)(b), 233(2), 237(2), 238(2)(a), 242(1)(a), 242(1)(b), 248(1), 248(2), 255(1), 257(1), 259(2), 259(4), 270(1), 271, 272(4)(b), 273(2), 273(7), 274(7), 277(2), 277(3), 277(7)(b), 277(7)(c), 280(1), 280(2), 281(1), 282(1), 283(2), 284(1), 285(2), 286(1), 287(2), 288(1), 289(2), 290A, 291, 294(1), 295(1), 296(1), 296A(1), 297(1), 297A, 298(2), 299(2), 300(1)(b), 300(2), 325(2)(a), 326(1)(b), 333(1), 333(2)(b), 335(1), 355(1), 357(1), 359(1), 363(2), 363(4), 366(2), 366(7)(b), 366(7)(c), 368(1), 368(2), 368(3)(d), 368(4), 369(1), 369(2)(d), 369(5), 370(1), 370(2)(b), 371, 371(3)(d), 372(1), 372(2), 374(1), 374(2)(d), 375(2), 375(4), 376(2), 377(1), 388(1), 393(2), 393(5), 395(3), 402(1), 402(2), 405(1), 405(2), 408(2), 410(1), 418(1), 419(1), 419(2), 424(1), 429(1), 455(1), 455(3), 527D(1), 527D(4), 527E(1)	As per Attachment 2, excluding No. 1

Residential Tenancies and Rooming Accommodation Regulation 2009	2(3), 5(1), 6(1)(b)(v), 8(3)(b)(i), 8(3)(ii), 8(5), 10(1), 13(2), 20, 22(1), 27(2), 29(1)(a), 31(1)(b), 34(1), 36(1)(a), 36(1)(b), 39(1), 40(2)(a), 44(4), 44(6), 2(3), 5(1), 6(1)(b)(v), 8(3)(b)(i), 8(3)(b)(ii), 8(5), 10, 13(2), 14(1)(a), 17(4), 20(1), 22(2), 22(3), 28(2), 30(1)(a), 32(1)(b), 35(1)(a), 36(2), 38(1), 42(1)(a), 42(1)(b), 45(1), 46(2)(a), 50(4), 50(6), 7(3), 7(4), 7(5), 8(4), 9, 10(1), 11(1)(a), 13(2), 14(6), 17, 25, 24(5)(a), 24(5)(b), 25(4), 26(1), 28(1), 31, 33(1)(a), 33(1)(b), 36(1), 37(2)(b), 41(4), 41(6), 42(3), 42(7), 43(2), 45(1), 2(4), 4(2), 6(3)(b)(i) and (ii), 6(5), 8(1), 9(2), 10(2), 11(2), 21(2), 22, 23(1)(a), 23(1)(b), 29(4), 29(6)	As per Attachment 2, excluding No. 1
Right to Information Act 2009	30(1), 30(2), 32(1)(b), 32(2), 33(2), 33(3), 33(6), 34(2), 35(1), 35(3), 36(1), 36(2), 36(4), 36(7), 37(1), 37(3)(b), 37(3)(c), 37(4), 38(2), 38(2)(b), 40(2), 41(1), 42(1)(a), 42(1)(a)(ii), 42(6), 43(3), 43(3)(b)(ii), 43(3)(b)(iii), 43(3)(c)(ii), 45(a), 45(b), 46(2), 47(3), 48(1), 48(3), 49(1), 49(3), 49(5), 50(1), 50(4), 51(1), 51(3), 52(1)(a), 52(1)(b), 52(2), 54(1), 55(2), 64(1), 66(2), 66(3), 68(4), 68(8), 72(1), 72(2), 73(1), 73(2), 73(3), 74(2), 75(2), 75B(2), 76(2), 76(3), 77(2), 83(1), 83(2), 83(3), 93(1)(b), 99(2), 114(1), 118(1), 119(1), Schedule 4: 1(3)	As per Attachment 2, excluding No. 1
River Improvement Trust Act 1940	3(3), 5(1)(a), 5(1A)(a), 5A(1), 5K(2), 6(1A), 12A(1), 14(1B)	As per Attachment 2, excluding No. 1
Safety in Recreational Water Activities Act 2011	29, 29(7), 30	As per Attachment 2, excluding No. 1
State Penalties Enforcement Act 1999	15(1), 23, 24(1), 28(1), 28(2), 33(1), 57(5), 81, 84(1), 84(2), 84(3), 84(4), 94, 157(2), 157(4), 160, 162	As per Attachment 2, excluding No. 1
Statutory Bodies Financial Arrangements Act 1982	62	As per Attachment 2, excluding No. 1
Strong and Sustainable Resource Communities Act 2017	7(3), 9(5)	As per Attachment 2, excluding No. 1
Summary Offences Regulation 2006	10(1)(a), 14(3)	As per Attachment 2, excluding No. 1
Survey and Mapping Infrastructure Act 2003	21(2), 34, 39, 40, 44, 49	As per Attachment 2, excluding No. 1
Sustainable Planning Act 2009	96(1), 96(2), 96(4), 97, 98(4), 223(1), 224, 225, 226, 227(2), 256(1), 261(1)(a)(ii)(A)(B), 262(5)(a), 262(5)(b), 263, 266(1), 267(2), 272(b),	As per Attachment 2, excluding No. 1

	274(2)(b), 276(1), 277(1), 277(3), 280(2)(b), 282(1), 282(2), 284(1), 284(3), 285(2), 287, 288(1)(a), 290(1)(a), 290(1)(b)(i), 290(1)(b)(ii), 290(2), 291(2), 292, 297(1), 302(1)(a), 302(1)(b), 303(2), 303(3), 304(1), 305(3), 313(2), 313(3), 314(2), 314(3), 315(1), 316(4), 317, 318(1), 318(2), 318(4), 324(1), 327(1), 331(6), 334(1), 337(1), 337(2), 348, 350(1)(b), 350(2), 354(1)(b), 354(4), 355(4), 357(2), 362, 363(1), 363(5), 364(2), 368(3), 369, 371, 371(d), 371(e), 373(1)(a), 374(1) and (2), 375(1)(a) and (b), 375(5), 376(1), 378(3), 378(7), 378(9), 378(9)(a), 378(9)(b), 381(a) and (b), 383(4), 385(a), 385(b), 387(1), 387(3), 389, 402(4), 402(5)(a), 402(5)(b), 405(1), 405(2) and (3), 405(5), 407(1)(a), 407(1)(b), 408(3)(b)(i), 408(3)(b)(ii), 412(3), 412(4), 412(5), 412(6), 412(9), 413(2)(a), 413(2)(c), 413(3), 456(1), 456(2), 461(1), 462(1), 463(2), 464(2), 465(1), 466(1), 467(1), 479(1), 485(4), 485(9)(c), 485(10)(b)(ii), 487(4), 488, 498(1), 510(3), 512, 513(3), 515(1), 515(4), 520(2), 521(2)(a)(ii), 528, 529(1), 530(1)(a)(ii), 531(1), 537(1), 543(4), 543(5), 544(c), 545(b)(ii), 546(c), 547(3)(b), 560(1), 562(1) and (2), 568, 588(1), 588(2), 588(3), 590(1), 590(9), 591(2), 592(2), 597(1), 601(1)(a), 601(1)(b), 601(1)(c), 626(3)(a), 632(2), 635(2), 639(1)(a) and (b), 642, 643(1), 643(4), 646(2), 647(2), 650, 651(2), 655(3), 657(3), 660(1), 660(3), 660(5)(b), 661(1), 662(3), 662(4), 664(2), 669(2)(b), 674(1), 677(1)(a) and (b), 678(3), 678(4), 679(2), 691(8), 695(1), 695(3)(a), 695(3)(b), 709(1), 710(1), 710(2)(a), 714(2), 715(1), 716(3), 716(5), 741, 746(1), 749(2), 750, 750(b), 994B(4), 994B(5)	
<i>Tobacco and Other Smoking Products Act 1998</i>	26ZO(3), 26ZPD(3), 28(2), 28(3)	As per Attachment 2, excluding No. 1

<i>Transport Infrastructure Act 1994</i>	11(4), 14(3)(a), 17(4), 25(b), 27(3)(b), 29, 32, 33(2), 36(1), 36(4), 37, 40, 41, 42, 42(5), 43, 43(4), 45, 50(3), 52(6), 55, 62(1), 67A, 72(2), 73(4), 76, 81, 83, 109A(4)(a), 114(3)(a), 115(4), 408(4), 118(1), 118(4)(a), 165(c), 166(1), 168, 168(7)(b), 240B(5)-(7), 240D, 240E(2), 240E(3), 240E(5), 240E(7), 240F(3)(a), 240F(4), 240F(6), 249(3)(a), 249(3)(b), 249(5), 250, 253(1), 253(3), 253(4), 253(7), 255(1), 258A, 260(4)(b), 260(6), 206(7), 285C, 299(4)(a), 300(2), 300(4), 303AAA, 303AA, 305(2), 307(1), 307(5), 308, 308(5), 308(10), 309, 318(1), 318(2), 318(4), 319, 328(2)(b), 332, 333, 335, 334(1), 335(3), 358(1), 403(1), 404(1)(a), 407(3), 420, 420(3), 422, 423, 426(1), 426(2), 431, 432(3), 434, 435, 458, 459(2), 462, 466, 467, 468, 475I, 475J(3), 475J(5), 475ZI(2), 475ZJ, 476C(2), 476C(4)(a), 477(4), 477C, 477E, 477G, 480(8), 485, 485A, 485B	As per Attachment 2, excluding No. 1
<i>Transport Infrastructure (Public Marine Facilities) Regulation 2011</i>	6(b)(i)	As per Attachment 2, excluding No. 1
<i>Transport Infrastructure (State Controlled Roads) Regulation 2017</i>	14(2)	As per Attachment 2, excluding No. 1
<i>Transport Operations (Marine Pollution) Act 1995</i>	93(5), 113(3), 122(1), 122(2)	As per Attachment 2, excluding No. 1
<i>Transport Operations (Marine Safety) Act 1994</i>	153, 219C(4), 219E(3)	As per Attachment 2, excluding No. 1
<i>Transport Operations (Marine Safety) Regulation 2016</i>	179(1), 180(1)(a)(iii)	As per Attachment 2, excluding No. 1
<i>Transport Operations (Road Use Management—Accreditation & Other Provisions) Regulation 2015</i>	125(1), 127, 128(1), 132(1), 133(3)(a)	As per Attachment 2, excluding No. 1
<i>Transport Operations (Road Use Management - Road Rules) Regulation 2009</i>	179(1)(c), 301(4)	As per Attachment 2, excluding No. 1
<i>Transport Operations (Road Use Management—Vehicle Registration) Regulation 2021</i>	202(1)	As per Attachment 2, excluding No. 1

Transport Operations (Road Use Management) Act 1995	69, 71, 74(2), 75(1), 76(1), 101(1), 102(1), 104, 105(5), 109(1)	As per Attachment 2, excluding No. 1
Trusts Act 1973	116	As per Attachment 2, excluding No. 1
Waste Reduction and Recycling Act 2011	28, 29, 29(2), 33, 34(3)(e), 44(1), 45, 45(2), 49, 50(3)(e), 53, 54, 56, 58, 59, 60, 60(3), 61, 63, 64, 65, 66, 67, 68, 69, 72, 72A, 72C, 72D, 72G, 72H, 72J(3)(c), 72L, 72M(1), 72M(2), 72R, 72S, 72U, 72V, 72W, 72X, 72Y, 73A, 73C(2), 73C(3), 73C(4), 73D(1) and (2), 73D(4), 89, 95, 97, 110, 111, 112, 123, 128, 147, 152, 160, 165, 168, 172, 173D, 173H, 173I, 173K, 173L, 173M, 173O, 173Q, 173T, 173ZB, 173ZE, 173ZF, 175, 176(2), 177, 178, 179, 180, 183, 187, 246, 248, 249, 253, 261, 323, 324	As per Attachment 2, excluding No. 1
Waste Reduction and Recycling Regulation 2011	7(b), 26(3)(a), 41Q	As per Attachment 2, excluding No. 1
Water Act 2000	33(2)(b), 46(2)(c), 54(2)(c), 61(2)(c), 72(2)(c), 73(1)(a), 73(1)(b), 73(1)(c), 99(1), 99(2), 101(1), 102(1), 102(3), 107(4), 108(1), 112(3), 112(6), 121(1), 123(2), 123(5), 134(4), 136(1), 137(1), 146(2), 147(4), 149, 154(2), 154(3), 155(2), 155(3)(b), 155(4), 155(5), 157(1), 159(1), 161(1), 162(1), 162(2), 162(3), 164(3), 166(1)(b), 166(1)(c), 166(5), 175, 178(1), 181(1), 181(2), 184(1), 186, 187(1), 187(2), 188(2)(a)(i), 188(2)(a)(ii), 193(1), 193(2), 193(4), 195(2), 197(2), 198(3), 199(3), 200(1), 200(6), 201(2), 201(4), 206(1), 211(1), 212(3), 213(1)(a), 215(1), 216(1), 218(1), 218(3), 223(1), 227(1), 235(1), 236(1), 238(1), 239(1), 434(3), 556, 598A, 700A(1)(a)(i), 700A(1)(b), 779, 862(1), 863(3), 877(1)	As per Attachment 2, excluding No. 1
Water Regulation 2016	34(1), 34(3)(b)(i), 34(3)(b)(ii), 37(2), 58(1), 58(2), 61(2), 61(2)(a), 61(2)(b), 63, 113(1)(a), 113(1)(b), 114(a), 114(b), 119(3)	As per Attachment 2, excluding No. 1

<i>Water Supply (Safety and Reliability) Act 2008</i>	20(1), 21(1)(c)(ii), 23(1), 23A(2), 25A(1), 26(2), 26(8), 28(1), 28(4)(b), 33(2), 33(4), 34(2), 35(1), 36(2)(b), 36(2)(c), 41(1), 41(3), 43(1), 44(1), 44(2), 44(3), 44(4), 45(1), 45(2), 52(2), 52(3)(a), 52(3)(b), 54(1), 54(2), 54(3), 54(5), 57(2), 58(1), 58(2), 59(2), 60(1), 60(2), 61(1), 95(1), 99A(1), 100(2), 102(2), 102(3), 102A(2), 102A(3), 103(2), 107(2)(b), 109(1), 115(3), 142(2)(a), 142(2)(b), 142C(2), 145(1), 166(3), 167(2), 168(1), 168(2)(c), 169(1), 169(2), 180(1), 180(3), 180(4), 180(5), 181(1), 182, 183(1), 183(2), 183(3), 183(4), 184(1), 184(2), 184(3), 185(2), 191, 192(1), 192(2), 193(3), 195(1), 195(2), 196AA(1), 196AD(1), 196AE(1), 202(1), 203(1)(b), 208(2), 208(5), 209(1), 212(2), 212(3), 215(1), 215(3), 215(7), 230(2), 230(4), 230(6)(b), 230(9), 259(2)(b), 259(4), 259(6), 270(2), 270(4), 271(2), 271(4), 303(4)(e), 306(1), 307(2), 333(2), 352F, 352HB(1), 352HB(2), 352O(2)(c)(iii), 352P, 352Q(1), 352T(2), 352T(2)(a), 352T(2)(b), 352U(3), 354(3)(b), 359(3), 359(4), 371C, 371H(2), 372(2), 373, 374(2), 375, 378, 379(1), 379(2), 379(3), 381(1), 381(4), 381(6), 383(2), 383(2)(b), 384(3), 399B(1), 399B(2), 399B(4), 399C(3)(a), 399C(3)(b), 446(2), 447, 463(1)(d), 475(2)(b) and (c), 475(5), 476(1), 496, 498(1), 512(1), 513(3), 517(1), 524(2), 524A(2), 526, 573, 670(2), 670(3), 671(2), 671(3)(a)	As per Attachment 2, excluding No. 1
<i>Work Health and Safety Act 2011</i>	38, 47, 51, 52, 53 54, 65, 70, 71(5), 71(7), 74, 75, 76, 77, 78, 80, 81, 82(2), 87, 89, 97A, 102B, 102G, 103A, 103F, 112, 138, 140, 141, 141A, 142(4), 142A, 180, 181, 184, 216, 221, 224, 229, 229F, 231(1), 231(1A), 231(3)	As per Attachment 2, excluding No. 1
<i>Work Health and Safety Regulation 2011</i>	43, 85(4), 144B, 144I, 144P, 144Q(1), 144Q(2), 144U, 144V, 144VA, 144VB, 144Y, 265, 270(1)(b), 288C, 288D, 344, 346, 383, 422(1), 424, 425(1), 426, 429, 430, 678(1), 678(2), 683, 684	As per Attachment 2, excluding No. 1
<i>Workers' Compensation and Rehabilitation Act 2003</i>	48, 54(7), 56(5), 57(3), 58(6), 58(10), 64(2), 68A(1), 68A(3), 69, 70, 77(3), 79, 80(3), 83, 92, 92A, 93, 93A, 94, 96, 97, 100(2), 103, 107E(2), 107E(6), 109(1), 207B(4), 226, 227, 228(1), 228(2), 228(3), 228(4), 280, 532C, 532D, 536(4), 541, 568, 571B, 576C	As per Attachment 2, excluding No. 1
<i>Workers' Compensation and Rehabilitation Regulation 2014</i>	115(3)	As per Attachment 2, excluding No. 1

ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

Limitations to the Exercise of Powers

Meeting Date: 13 September 2022

Attachment No: 4

LIMITATIONS TO THE EXERCISE OF POWER

1. The Chief Executive Officer may sub-delegate the powers contained in Schedule 1.
2. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
3. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
4. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
5. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
6. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
7. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

ANNUAL REVIEW OF DELEGATION OF POWERS TO CHIEF EXECUTIVE OFFICER

Chief Executive Officer - Financial Delegation

Meeting Date: 13 September 2022

Attachment No: 5

CHIEF EXECUTIVE OFFICER – FINANCIAL DELEGATION

- (a) Formally approve any operating expenditure within budget and in accordance with policy, with the following limitation:

Where a natural disaster and/or extraordinary emergent event has been declared in the local government area, the CEO can exercise the delegation to formally approve expenditure necessary which does not cause a variation of greater than 5% from budget.
- (b) Formally approve any capital expenditure within budget and in accordance with policy, with the following limitation:

Where a natural disaster and/or extraordinary emergent event has been declared in the local government area, the CEO can exercise the delegation to formally approve expenditure necessary which does not cause a variation of greater than 5% from budget.
- (c) Formally approve the investment or borrowing of money in accordance with Council's approved policy.
- (d) Formally approve Act of Grace payments, on a case-by-case basis, as an equitable remedy to persons who may have been unintentionally disadvantaged by the effects of Council legislation, actions or omissions and who have no other viable means of redress, to the value of not more than \$2,000.
- (e) Formally approve the waiver of debt where all practical means to recover the debt have been exhausted and such debt is less than \$3000. The Chief Executive Officer must provide a report of debts that have been waived to be presented to Council at the next available meeting.
- (f) Formally approve the refund, exemption or reduction of fees and charges due to an error, on a case by case basis in accordance with Council's Refund, Exemption and Reduction of Fees and Charges Policy.
- (g) Formally approve the refund, exemption or reduction of fees and charges, other than due to an error, on a case by case basis, to the amount of not more than \$5,000 in accordance with Council's Refund, Exemption and Reduction of Fees and Charges Policy. The Chief Executive Officer must provide a report of these refunds, exemptions or reductions of fees to be presented to Council at the next available meeting.

10.8 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2022**File No:** 8148**Attachments:**
1. **Income Statement - June 2022**[↓](#)
2. **Key Indicator Graphs - June 2022**[↓](#)**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer**Author:** Marnie Taylor - Acting General Manager Corporate Services

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2022. This report has been prepared along similar lines to the normal month end Management Reports and is the best comparison against the 2021/2022 Budget.

OFFICER'S RECOMMENDATION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2022 be received.

COMMENTARY

The attached financial report and graphs have been compiled from information within Council's TechnologyOne system. The reports presented are as follows:

1. Income Statement (Actuals and Budget for the period 1 July 2021 to 30 June 2022), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position at the end of the 2021/22 financial year prior to a small number of accounting adjustments for general purpose financial reporting purposes. The actual financial results reported as part of Council's annual report will include these adjustments. This Budget Management report shows the most useful comparison against Council's budgeted position.

Results should be approximately 100% of the May budget review as the end of financial year processing is now complete.

Operational revenue and expenses are mostly in line with expectations for the 2021/22 financial year, with both showing some slight improvement. The May monthly budget review reflected Council's latest expected position for the year.

The following commentary is provided in relation to the Income Statement:

Total Operating Revenue is at 100% of the May monthly budget review. Key components of this result are:

- Fees and charges revenue is at 104% largely due to results ahead of budget for Development Approvals, Venue and Events, and Water Fees.
- Private and recoverable works finished the year ahead of budget at 102% due to additional private works completed by Civil Operations and Fitzroy River Water.
- Rent and lease income is ahead of budget at 102% due to the timing of billing and end of financial year accrual adjustments.
- Grant revenue is at 104% partly due to the timing of payments under the Regional Airports Screening Infrastructure Program and the Rockhampton Zoo Exhibition Grants
- Interest Revenue is ahead of budget at 107% due to increased cash holdings and increases to interest rates for investments.

- Other income is at 93% of budget due to a portion of funds from Sunwater for Rookwood Weir Landholders Grant Program treated as unearned revenue in 2021/22 and carried forward to the 2022/23 financial year.

Total Operating Expenditure is at 99% of the May monthly budget review. Key components of this result are:

- Employee costs are below budget at 98% partly due to several employee vacancies.
- Contractors and consultants are at 103%. This is partly due to increased costs for Fitzroy River Water projects. Community Facilities and Events also had contractor costs above budget, however in both cases this was offset by savings under Materials and Plant.
- Materials and Plant are at 92% partly due to reduced construction materials expense for Community Facilities and equipment hire for community events.
- Asset operational is at 96%. This is partly due to electricity costs under budget for Civil Operations and Community Facilities.
- Administrative expenses are at 94% of budget. Administrative expenses are impacted by the timing of replacement of ICT equipment and licensing renewals.
- Other expenses are at 93% of budget mostly due to the timing of Council grants, contributions, and sponsorships.
- All other expenditure items are in proximity to budget.

The net operating result per this report is improved compared to the May monthly budget review. The budgeted net result was a surplus of \$0.3M and the actual result is a surplus of \$3.2M.

For the Annual Financial Report, several expenditures originally recorded as capital expenditure have been reclassified as operating expenditure. This occurs when expenditure originally classified as capital does not meet the requirements for capitalisation as a non-current asset and therefore must be expensed in the current financial year.

Examples of this treatment include work that is capital in nature however the amount of expenditure is below the threshold for capitalisation as a non-current asset, landscaping (planting of trees and shrubs), and feasibility, scoping, planning and design for projects that do not proceed.

For the 2021/2022 financial year, the expenditure reclassified from capital to operating for the Annual Financial Report totalled \$3.5m. This amount was greater than previous years due to the processing of previous financial years' non-current asset capitalisations in 21/22. When the \$3.5m is reclassified as operating expenditure, the net operating result reduces to a final deficit position of \$0.3m.

The following commentary is provided in relation to capital income and expenditure, as well as investments and loans:

Total Capital Income is at 100% of the May budget review.

Total Capital Expenditure is at 89% of the May budget review. The capital program saw \$25.0m spent during June and expenditure totalled \$99.4m for the financial year. Any unspent capital budgets will be carried forward to the 22/23 financial year.

Total Investments are \$129.5m as at 30 June 2022.

Total Loans are \$158.3m as at 30 June 2022. In June, Council drew down \$40.0m of loan funding from Queensland Treasury Corporation and also paid the final quarterly loan repayment for the 2021/22 financial year.

CONCLUSION

Operational income and expenses are mostly in line with the latest budget expectations for the 2021/22 financial year and Council has recorded an operating surplus for the year prior to a small number of accounting adjustments for financial reporting purposes.

Capital results for 2021/22 were also in range of budget, with Capital Income at 100% and Capital Expenditure at 90% of the May budget review. Budget amounts for any Capital Income not received and unspent Capital Expenditure will be carried forward to the 22/23 financial year.

In conclusion, the forecast operating result for the 21/22 year was slightly lower than actual results with a final net operating surplus of \$3.2m. The capital expenditure budget for 22/23 will increase due to the carry forward of unspent budget amounts from the 21/22 financial year.

SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2022

Income Statement - June 2022

Meeting Date: 13 September 2022

Attachment No: 1

Income Statement
For Period July 2021 to 13 (Accruals) 2022
100% of Year Gone



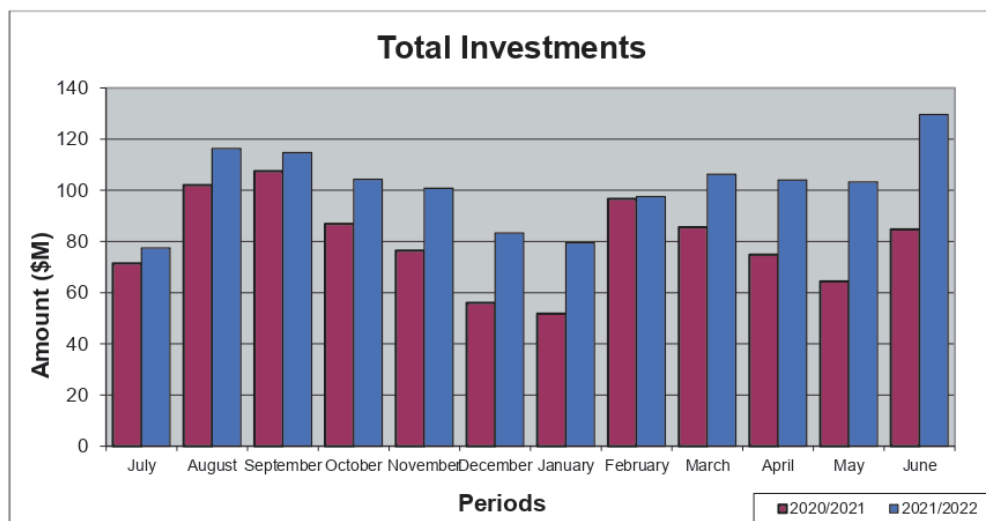
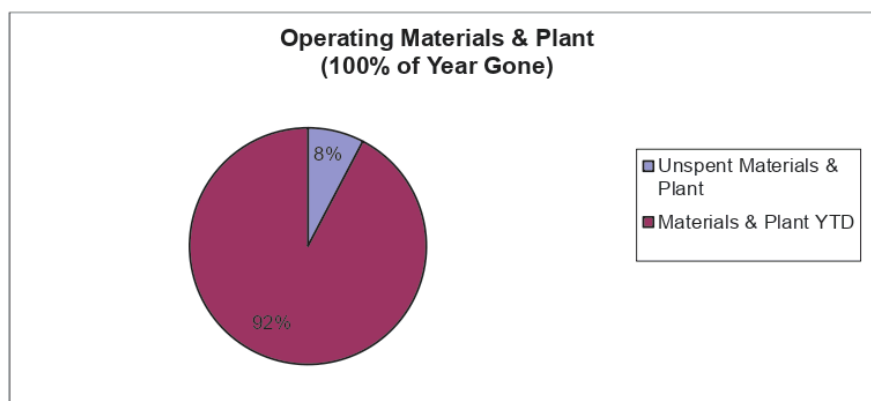
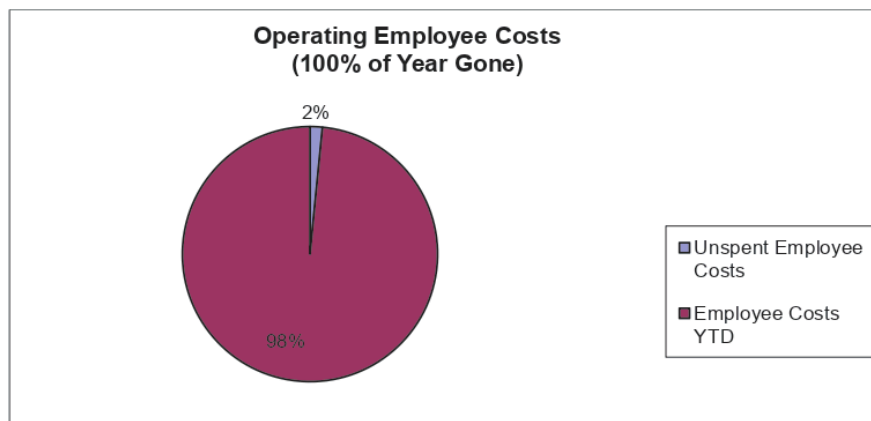
	Adopted Budget	Monthly Budget Review	YTD Actual	% of Monthly Budget Review
	\$	\$	\$	
OPERATING				01 12
Revenues				
Net rates and utility charges	(160,931,373)	(159,431,373)	(158,830,374)	100% A
Fees and Charges	(27,688,335)	(28,177,546)	(29,376,569)	104% A
Private and recoverable works	(6,292,810)	(7,492,007)	(7,628,172)	102% A
Rent/Lease Revenue	(3,331,723)	(3,331,723)	(3,394,920)	102% A
Grants Subsidies & Contributions	(13,907,572)	(18,676,753)	(19,404,435)	104% A
Interest revenue	(508,000)	(598,000)	(640,210)	107% A
Other Income	(7,197,133)	(8,752,623)	(8,142,937)	93% A
Total Revenues	(219,856,946)	(226,460,026)	(227,417,617)	100% A
Expenses				
Employee Costs	89,494,925	85,615,384	84,275,046	98% A
Contractors & Consultants	22,639,536	20,470,425	21,052,815	103% A
Materials & Plant	13,684,577	22,470,405	20,743,484	92% A
Asset Operational	28,072,816	28,072,500	26,885,780	96% A
Administrative expenses	14,536,811	13,444,706	12,616,783	94% A
Depreciation	56,812,137	58,212,136	61,224,256	105% A
Finance costs	4,582,740	4,582,740	4,824,051	105% A
Other Expenses	1,334,865	1,325,365	890,026	67% A
Total Expenses	231,158,406	234,193,662	232,512,241	99% A
Transfer / Overhead Allocation				
Transfer / Overhead Allocation	(9,170,179)	(7,992,820)	(8,294,297)	104% A
Total Transfer / Overhead Allocation	(9,170,179)	(7,992,820)	(8,294,297)	104% A
TOTAL OPERATING POSITION (SURPLUS)/DEFICIT	2,131,281	(259,184)	(3,199,674)	1235% A
CAPITAL	Carry over Budget	Monthly Budget Review	YTD Actual	% of Monthly Budget Review
Total Developers Contributions Received	(5,345,400)	(5,345,400)	(2,741,322)	51%
Total Capital Grants and Subsidies Received	(55,825,260)	(49,438,689)	(51,803,874)	105%
Total Proceeds from Sale of Assets	(7,275,000)	(1,204,000)	(1,212,152)	101%
Total Capital Income	(68,445,660)	(55,988,089)	(55,757,347)	100%
Total Capital Expenditure	158,315,399	110,809,453	99,446,266	90%
Net Capital Position	89,869,740	54,821,364	43,688,919	80%
TOTAL INVESTMENTS			129,541,470	
TOTAL BORROWINGS			158,253,109	

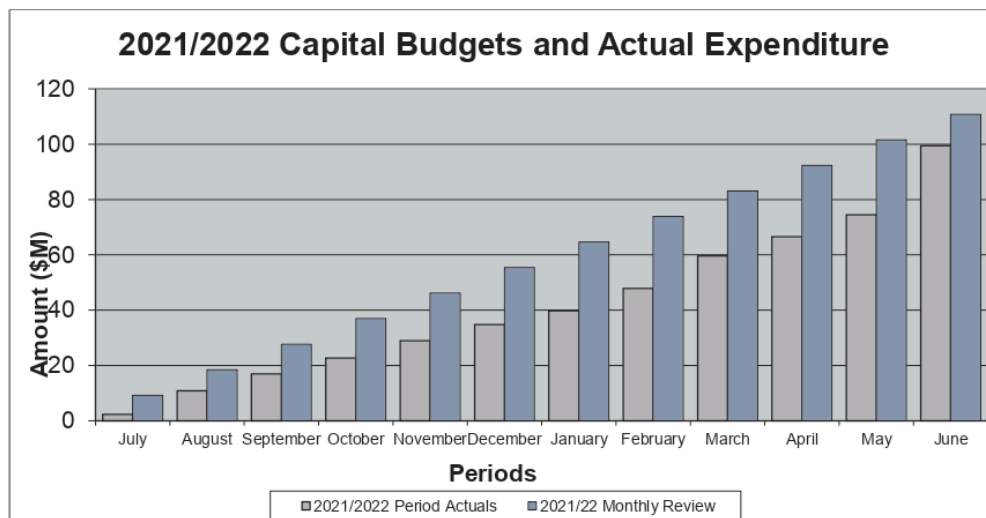
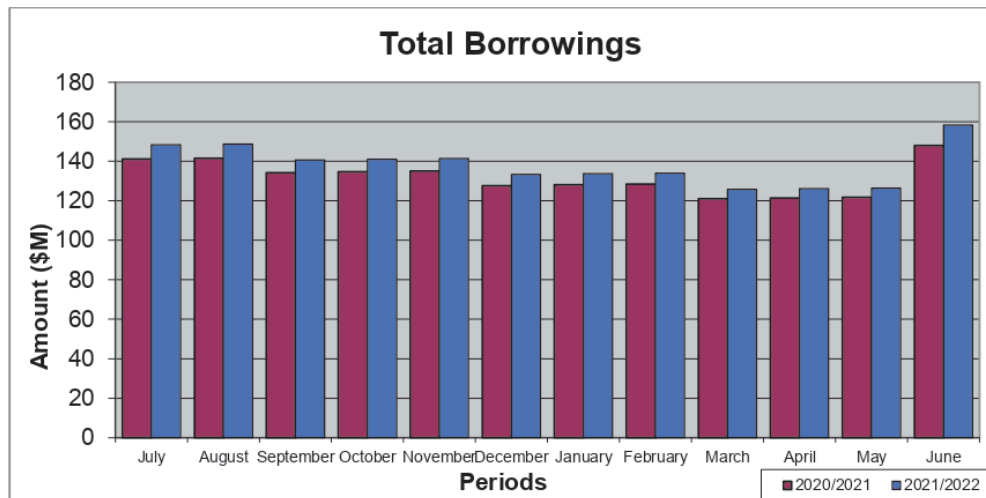
SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2022

Key Indicator Graphs - June 2022

Meeting Date: 13 September 2022

Attachment No: 2





10.9 SALE OF ACCESS RESTRICTION STRIP - 66A MACFARLANE STREET, BERSERKER

File No:	1680
Attachments:	1. Letter from Dept. Communities, Housing and Digital Economy ↓ 2. Aerial map ↓
Authorising Officer:	Megan Younger - Manager Corporate and Technology Services Ross Cheesman - Deputy Chief Executive Officer
Author:	Michelle Mills - Property and Resumptions Officer Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Coordinator Property and Insurance reporting on a request from the Department Communities, Housing and Digital Economy to purchase a Council owned access restriction strip located at 66A MacFarlane Street, Berserker.

OFFICER'S RECOMMENDATION

THAT pursuant to section 236(1)(b)(i) of the *Local Government Regulation 2012*, the Chief Executive Officer (Property and Resumptions Officer) be authorised to negotiate and enter into a contract for the sale of 66A MacFarlane Street, Berserker (Lot 9 on RP603468) to the State of Queensland (represented by Department of Communities, Housing and Digital Economy), the adjoining owner of 48-54 Musgrave Street, Berserker (Lot 1 on SP335282), subject to the following conditions:

1. The sale price will be \$1,191 + GST;
2. The purchaser must amalgamate 66A MacFarlane Street, Berserker (Lot 9 on RP603468) with their adjoining lot; and
3. All costs incurred will be paid by the purchaser, including but not limited to stamp duty, survey costs, planning application costs (if applicable), purchaser's legal costs (if applicable) and registration fees.

COMMENTARY

Council received a written interest to purchase (see attachment 1) Council owned access restriction strip located at 66A MacFarlane Street, Berserker (Lot 9 on RP603468) from the Department of Communities, Housing and Digital Economy.

66A MacFarlane Street (see attachment 2), serves as an access restriction strip and is approximately 28m² in size and only 40cm wide.

Under the *Local Government Regulation 2012*, Council has the ability to sell directly to a government agency without going to tender or auction.

Comments were sought from relevant Council Officers in relation to the disposal, resulting in no objections to the proposed sale as the purpose of the access restriction strip is no longer required.

PREVIOUS DECISIONS

There are no previous decisions relating to the sale of this Council owned property.

BUDGET IMPLICATIONS

The property is valued at \$1,191 on Council's land asset register and it is recommended that the property is sold for this amount.

LEGISLATIVE CONTEXT

Section 236(1)(b)(i) of the Local Government Regulation 2012 allows the Local government to dispose of a valuable non-current asset (land) other than by tender or auction if the purchaser is a government agency.

LEGAL IMPLICATIONS

The purchaser will be required to enter into an REIQ Contract of Sale.

STAFFING IMPLICATIONS

Existing resources within Property and Insurance can adequately manage the sale of the property.

RISK ASSESSMENT

As the property is vacant land, no risk assessment has been conducted.

CORPORATE/OPERATIONAL PLAN

Goal 1.1 – We are fiscally responsible.

1.1.3 We have effective governance with accountable decision-making practices

CONCLUSION

As this property is not required for the purpose of an access restriction strip or any other purpose, it is recommended that Council sells 66A MacFarlane Street, Berserker to the State of Queensland (represented by Department of Communities, Housing and Digital Economy) for the price of \$1,191, subject to amalgamation with the adjoining lot.

**SALE OF ACCESS RESTRICTION STRIP
- 66A MACFARLANE STREET,
BERSERKER**

**Letter from Dept. Communities,
Housing and Digital Economy**

Meeting Date: 13 September 2022

Attachment No: 1



Department of
**Communities, Housing
and Digital Economy**

13 July 2022

Michelle Mills
Property & Resumptions Officer
Property and Insurance
Rockhampton Regional Council
PO Box 1860
Rockhampton Qld 4700
Via email: Michelle.Mills@rcc.qld.gov.au

Dear Michelle

Interest in the purchase of Lot 9 RP603468

The Department of Communities, Housing and Digital Economy (DCHDE) confirms its interest in the purchase of the following property from Rockhampton Regional Council:

Lot/Plan:	9/RP603468
Tenure:	FH – FREEHOLD
Area:	28.00 m ²
Locality:	BERSERKER
Local Government:	ROCKHAMPTON REGIONAL
Primary Address:	66A MACFARLANE ST BERSERKER QLD

DCHDE's interest in the parcel is to amalgamate the land with the adjoining property (Lot 1 SP335282) owned by DCHDE. This would facilitate a secondary road access to MacFarlane Street from Lot 1 SP2335282, providing enhanced development outcomes for a proposed new neighbourhood centre.

The State has committed \$4.555 million to build a new neighbourhood centre in Rockhampton providing the community with access more local services and support.

DCHDE has engaged QBuild to act on its behalf in relation to this matter and looks forward to progressing this transaction. If you have any queries, don't hesitate to contact Janette Rowe, Chief Property Manager, QBuild on 0476 817 782.

Yours sincerely

A handwritten signature in black ink, appearing to read "Heidi Trobbiani".

Heidi Trobbiani
Principal Program Officer

Property and Facilities
GPO Box 806 Brisbane
Queensland 4001 Australia

Telephone +617 3719 7899

**SALE OF ACCESS RESTRICTION STRIP
- 66A MACFARLANE STREET,
BERSERKER**

Aerial map

Meeting Date: 13 September 2022

Attachment No: 2



11 NOTICES OF MOTION

11.1 NOTICE OF MOTION - COUNCILLOR DONNA KIRKLAND - TRAVEL TO REEF GUARDIAN COUNCIL EXECUTIVE MEETING AND LGAQ CONFERENCE

File No: 10072

Attachments: 1. Correspondence to Chief Executive Officer [↓](#)

Responsible Officer: Nicole Semfel - Acting Senior Executive Assistant to the Mayor
Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Donna Kirkland has indicated her intention to move a Notice of Motion at the next Council meeting scheduled for Tuesday 13 September 2022 regarding attendance at 2022 LGAQ Annual Conference.

COUNCILLOR'S RECOMMENDATION

THAT Council:

1. Approve Councillor Donna Kirkland's attendance at the 2022 Annual LGAQ Conference to be held in Cairns from 17–19 October 2022; and
2. Approach Great Barrier Reef Marine Park Authority (The Reef Authority) for contribution towards travel expenses of Councillor Donna Kirkland's accommodation and flights for the Reef Guardian Council Executive Biannual Meeting, in Cairns on 20 October 2022.

BACKGROUND

1. The Local Government Association of Queensland Annual Conference combines with their Annual General Meeting, with 77 Councils across Australia invited to participate. The conference provides a host of trade displays and Council forums covering a variety of current and upcoming subjects relevant to local councillors.

The benefits of networking across Councils from within the State cannot be understated for this three-day event. The conference potential is to provide Councillors with information and solution pathways for localised concerns, further complimented by exposure to latest innovations and information around growing our regions.

At the Ordinary Council meeting on Tuesday 12 July 2022 Council resolved and delegated 4 Council representatives to attend the LGAQ conference. However, this does not limit a Councillor from choosing to attend the conference of their own desire for personal development and networking. In accordance with Rockhampton Regional Council's Expenses Reimbursement and Provision of Facilities for Mayor and Councillors Policy, 5.1.3 *For Councillors, excluding the Mayor, if the travel is outside of the CQROC Local Government Areas and the purpose of the travel is for other official Council business or professional development, regardless of budget allocation, the travel must be approved in advance by Council resolution.*

2. The Reef Guardian Council Executive Committee Biannual Meeting is traditionally aligned with the LGAQ Annual Conference to help manage the logistics of representatives. As such the Executive Committee meeting will be on Thursday 20 October 2022. The Snapshot launch and field trip will be from 8.45am–1pm, followed by formal Executive Committee meeting from 1.30–4pm (at the Cairns Regional Council Civic Reception Room, Council Chambers 119-145 Spence Street). Councillor Kirkland is the nominated RRC representative as an Executive for the Reef Guardian Councils, and as such, will be attending the Cairns meeting.

In accordance with Rockhampton Councils Expenses Reimbursement and Provision of Facilities for Mayor and Councillors Policy, 5.1.3 *Council pays or reimburses expenses incurred by a Councillor (for example, flights, car, accommodation, meals) as set out in this policy. If associated travel expenses are in line with the budget allocation prior Council approval is not required for travel undertaken:(b) Outside of the CQROC Local Government Areas where the purpose of the travel is connected with fulfilling the Councillor's duties as the Council endorsed representative to an external organisation, association or body.*

This meeting will also include the launch of the Reef Guardian Councils Climate Change Initiatives Snapshot and a combined Executive Committee and Working Group field trip. The launch will be a key opportunity to promote the climate change mitigation work of the 19 Reef Guardian Councils as highlighted in the Snapshot.

The Snapshot launch and field trip, by necessity, will be an in-person event only (no ability to dial in virtually). The formal meeting from 1.30pm-4pm will include the ability to attend virtually via MS Teams. The Reef Authority, through their commitments in the Reef Guardian Councils terms of reference, can provide travel assistance with flights and accommodation in order to help support attendance at the Executive Committee Meeting.

In addition to the Executive Committee and Working Group the Reef Authority's CEO, the Minister for Environment Hon Tanya Plibersek MP, and Senator Nita Green, Special Envoy for the Great Barrier Reef, will be invited to the launch. Media will also be invited to the launch to promote the good work of the 19 Reef Guardian Councils.

Associated costs shall be expended from the Councillor Travel Expenses Allocation. This would include the flight travel, transfers, accommodation, meals, LGAQ conference registration of \$1,740 plus gala dinner of \$175.

Corporate Plan Goal 1.2; we are respected and recognised for our engagement with the community and our contributors to the region.

Specific Mechanisms; participation in collaborative and Networking Opportunities

Efforts; We have a productive and respectful relationship with stakeholders within neighbouring regions

This is an opportunity to learn from and meet seasoned Councillors from across Qld, including Central Qld, building and strengthening relationships with Rockhampton Regional Council. The information from forums further enhancing Councillors capacity across council business.

As Councillor Donna Kirkland will already be travelling to Cairns for attendance at the Reef Guardian Council biannual meeting, it would seem prudent to take advantage of the LGAQ conference at the same time. In addition, the combined opportunity for subsidised travel expenses through GBRMPA further reducing costs from Councillor's expenditure allowance.

**NOTICE OF MOTION -
COUNCILLOR DONNA KIRKLAND -
TRAVEL TO REEF GUARDIAN
COUNCIL EXECUTIVE MEETING AND
LGAQ CONFERENCE**

**Correspondence to
Chief Executive Officer**

Meeting Date: 13 September 2022

Attachment No: 1

**Councillor Donna Kirkland**

Division 7
Water and Environmental Sustainability Portfolio
donna.kirkland@rrc.qld.gov.au
0436 380 490

24 August 2022

Mr Evan Pardon
Chief Executive Officer
Rockhampton Regional Council
232 Bolsover Street
ROCKHAMPTON QLD 4700

Dear Evan

Notice of Motion

I hereby give notice of my intention to move the following motion at the meeting of Council on Tuesday 13 September 2022.

THAT Council:

1. ***Approve Councillor Donna Kirkland's attendance at the 2022 Annual LGAQ Conference, in Cairns from 17 – 19 October 2022.***
2. ***Approach Great Barrier Reef Marine Park Authority (The Reef Authority) for contribution towards travel expenses of Councillor Donna Kirkland's accommodation and flights for the Reef Guardian Council Executive Biannual Meeting, in Cairns on 20 October 2022.***

Yours faithfully

A handwritten signature in blue ink, appearing to read "Donna Kirkland".

Councillor Donna Kirkland
Division 7
Rockhampton Regional Council

11.2 NOTICE OF MOTION - COUNCILLOR SHANE LATCHAM - BOWEN BASIN MINING CLUB LUNCHEON**File No:** 10072**Attachments:** 1. Correspondence to Chief Executive Officer from Councillor Shane Latcham [↓](#)**Responsible Officer:** Nicole Semfel - Acting Senior Executive Assistant to the Mayor
Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Shane Latcham has indicated his intention to move a Notice of Motion at the next Council meeting scheduled for Tuesday 13 September 2022 regarding attendance at Bowen Basin Mining Club Luncheons.

COUNCILLOR'S RECOMMENDATION

THAT Council approve Councillor Shane Latcham's attendance at any Bowen Basin Mining Club luncheon meetings in Mackay during this current term of office.

BACKGROUND

Rockhampton Regional Council (RRC) has had a highly visible presence at Bowen Basin Mining Club since 2012. There has been a long association of RRC Councillors attending Bowen Basin Mining Club luncheon meetings.

The Bowen Basin Mining Club provides the largest networking events for the resource mining industry in the Bowen Basin.

The last Bowen Basin Mining Club meeting was held in Rockhampton on Thursday 28 July 2022. The event was well supported by resource mining industry representatives and businesses who had travelled from afar as Brisbane, Emerald, and Mackay.

Councillor Shane Latcham has been approved to attend the next Bowen Basin Mining Club luncheon meeting in Mackay on Thursday 15 September 2022. Councillor Shane Latcham has attended most of the Bowen Basin Mining Club meetings during this current term of office. Councillor Shane Latcham attended the Qld Mining Expo in July 2022; and assisted with the Advance Rockhampton stand to promote the Rockhampton Region.

Attendance at the Bowen Basin Mining Club by RRC Councillors represents a commitment on behalf of Rockhampton Regional Council to support the resource mining industry in Central Queensland.

According to the 2016 Census data, there were 1752 residents (5.1% of the whole resident workers) in the Rockhampton Region that were directly employed in the mining industry. This was more than a 20% increase from the 2011 Census data.

Associated costs shall be expended from within the Councillor Travel Expenses allocation. This would include the registration fee, travel by vehicle and meals to attend the event. Accommodation is not required. Councillors attending the Bowen Basin Mining Club meetings would be able to car-pool to save on transport costs to and from Mackay.

Rockhampton Regional Council is respected and recognised for engagement with the mining community and contributions to the Region.

**NOTICE OF MOTION -
COUNCILLOR SHANE LATCHAM -
BOWEN BASIN MINING CLUB
LUNCHEON**

**Correspondence to
Chief Executive Officer
from Councillor Shane Latcham**

Meeting Date: 13 September 2022

Attachment No: 1

**Councillor Shane Latcham**

Division 1
Waste and Recycling Portfolio
shane.latcham@rrc.qld.gov.au
0437 857 736

05 September 2022

Mr Evan Pardon
Chief Executive Officer
Rockhampton Regional Council
232 Bolsover Street
ROCKHAMPTON QLD 4700

Dear Evan

Notice of Motion

I hereby give notice of my intention to move the following motion at the meeting of Council on Tuesday 13 September 2022.

"THAT Council approve Councillor Shane Latcham's attendance at any Bowen Basin Mining Club meetings in Mackay; during this current term of office."

Yours faithfully

A handwritten signature in black ink, appearing to read "SL", is written over a faint, larger signature.

Councillor Shane Latcham
Division 1
Rockhampton Regional Council

12 QUESTIONS ON NOTICE

Nil

13 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting

14 CLOSED SESSION

In accordance with the provisions of section 254J(3) 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.

RECOMMENDATION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

15.1 Proposed Disposal of Part of a Lot to an Adjoining Owner

In accordance with section 254J(3)(g) (i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; AND a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

15.2 Request for Trustee Consent to Purchase Part of State Reserve

In accordance with section 254J(3)(i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

15 CONFIDENTIAL REPORTS

15.1 PROPOSED DISPOSAL OF PART OF A LOT TO AN ADJOINING OWNER

File No: 1680
Attachments: 1. Aerial Map & Photos
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Michelle Mills - Property and Resumptions Officer
Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(g) (i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; AND a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

SUMMARY

Council has received a request to purchase part of Council freehold land by an adjoining property owner.

15.2 REQUEST FOR TRUSTEE CONSENT TO PURCHASE PART OF STATE RESERVE**File No:** 6984**Attachments:**
1. Aerial Map
2. Encroachment on Public Land Policy**Authorising Officer:** Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer**Author:** Michelle Mills - Property and Resumptions Officer
Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

SUMMARY

Reporting on a request for Council's consent as Trustee for the Reserve, for an application from an adjoining owner to purchase part of Reserve land, described as Lot 200 on SP106354.

16 CLOSURE OF MEETING