



ORDINARY MEETING

AGENDA

11 DECEMBER 2023

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 11 December 2023 commencing at 9:00am for transaction of the enclosed business.

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

CHIEF EXECUTIVE OFFICER
7 December 2023

Next Meeting Date: 23.01.24

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

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor N K Fisher
Councillor S Latcham
Councillor C E Smith
Councillor C R Rutherford
Councillor M D Wickerson
Councillor D M Kirkland
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE**4 CONFIRMATION OF MINUTES**

Minutes of the Ordinary Meeting held 28 November 2023

Minutes of the Communities Committee Meeting held 21 November 2023

Minutes of the Infrastructure Committee Meeting held 5 December 2023

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS**10.1 COUNCILLOR DISCRETIONARY FUND APPLICATION - PARKANA FOOTBALL CLUB**

File No: 8295
Attachments: Nil
Authorising Officer: Nicole Semfel - Executive Assistant to the Mayor
Justin Kann - Manager Office of the Mayor
Author: Katie-Lea Kellett - Executive Support Officer

SUMMARY

Councillor Donna Kirkland is seeking approval from Council to donate \$1500.00 from her Councillor Discretionary Fund to the Parkana Football Club towards costs to update their clubhouse.

OFFICER'S RECOMMENDATION

THAT Council approve the donation of \$1500.00 from Councillor Donna Kirkland's Councillor Discretionary Fund to the Parkana Football Club.

BACKGROUND

Parkana Football Club are seeking monetary assistance to update the clubhouse.

Councillor Donna Kirkland is seeking approval from Council for the donation of \$1500.00 from her Councillor Discretionary Fund to assist the Parkana Football Club updating their clubhouse.

11 OFFICERS' REPORTS

11.1 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2023

File No:	8148
Attachments:	1. Income Statements - November 2023 ↓ 2. Key Indicator Graphs - November 2023 ↓
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 November 2023.

OFFICER'S RECOMMENDATION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 November 2023 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 2023 to 30 November 2023), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position after four months of the 2023/24 financial year. Results should be approximately 41.7% of budget.

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

Total Operating Revenue is at 47% of the adopted budget. Key components of this result are:

- Net Rates and Utility Charges are at 48% of budget. Council's rates and utility charges for the first six months of the financial year ending 31 December 2023 have been raised and were due on 6 September 2023.
- Private and recoverable works are at 55% of budget. This is mostly due to the timing of the works performed and invoiced.
- Other Income is at 53% mainly due to the additional car rental concession income from the Airport.
- All other revenue items are in proximity to budget.

Total Operating Expenditure is at 32% of the adopted budget. Key components of this result are:

- Contractors and Consultants are at 37% due to the timing of the work performed.
- Asset operational expenses are at 37% due to the timing of payments for services such as electricity which are billed quarterly.
- Administrative expenses are at 33% as the estimated timing of expenditure for the majority of this account group is later in the financial year for events managed by Community and Culture Unit and Advance Rockhampton.

- Other Expenses are at 34% due to the timing of payments for the disbursement of Community Assistance Grants & Sponsorships.
- All other expenditure items are in proximity to budget.

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

Total Capital Income is at 18% of the carryover budget. The majority of capital revenue budgeted to be received in 2023/24 is from grants and subsidies tied to performance obligations. As capital works progress through the year and meet performance milestones, grants will be claimed.

Total Capital Expenditure is at 25% of the carryover budget. The amount of capital expenditure carried over from 2022/23 was \$8.6M and this has been recognised in August, bringing the 2023/24 capital expenditure budget to a total of \$159.2M.

Total Investments are \$68.4M at 30 November 2023.

Total Loans are \$126.8M at 30 November 2023.

CONCLUSION

With five months of the financial year passed, indications are that operational activities are mostly in line with expectations. Total operational revenue is ahead of budget at 47% due to the levying of the General Rates and Utility Charges for the six months ending 31 December 2023.

The capital program saw \$40.5M spent during the first five months of the financial year and capital expenditure will need to gain momentum over the coming months to deliver the projects budgeted for the 2023/24 financial year.

**SUMMARY BUDGET MANAGEMENT
REPORT FOR THE PERIOD ENDED
30 NOVEMBER 2023**

Income Statements - November 2023

Meeting Date: 11 December 2023

Attachment No: 1



Income Statement
For Period July 2023 to November 2023
41.7% of Year Gone

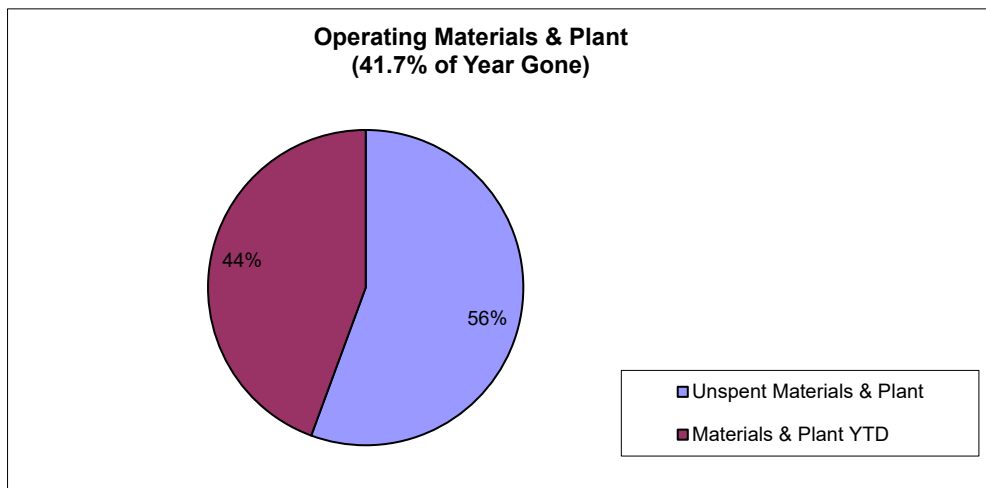
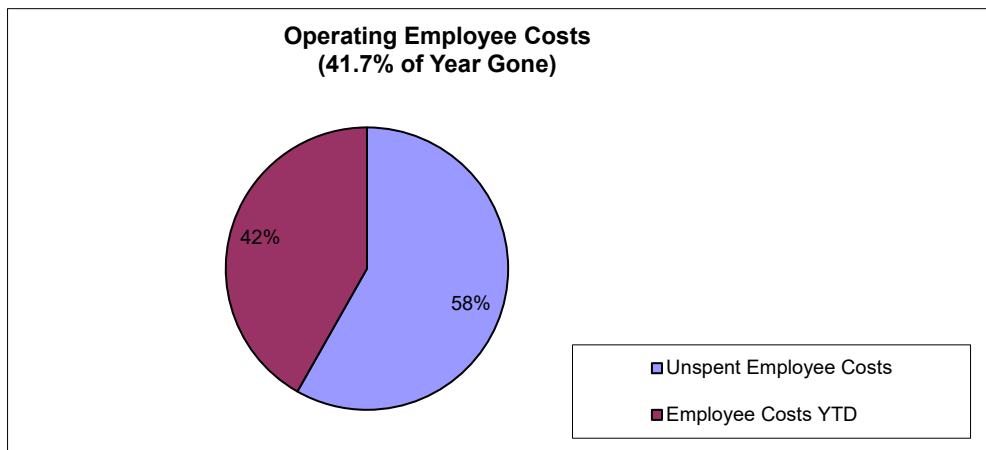
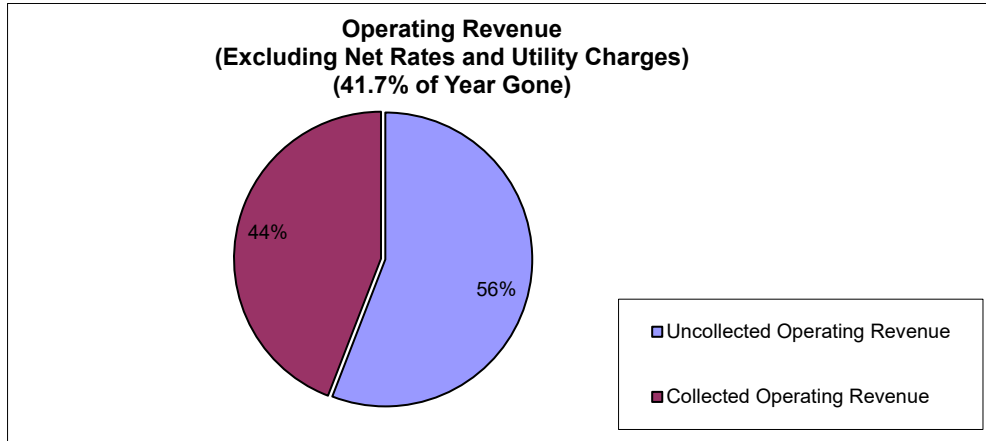
	Adopted Budget	Monthly Budget Review	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Monthly Budget Review
	\$	\$	\$	\$	\$	
OPERATING						
Revenues						
Net rates and utility charges	(187,045,651)	(187,045,651)	(89,269,705)	0	(89,269,705)	48%
Fees and Charges	(37,940,957)	(37,940,957)	(16,422,893)	0	(16,422,893)	43%
Private and recoverable works	(6,357,439)	(6,357,439)	(3,523,980)	0	(3,523,980)	55%
Rent/Lease Revenue	(3,658,701)	(3,658,701)	(1,422,983)	0	(1,422,983)	39%
Grants Subsidies & Contributions	(11,738,257)	(11,738,257)	(4,613,529)	0	(4,613,529)	39%
Interest revenue	(3,842,750)	(3,842,750)	(1,552,331)	0	(1,552,331)	40%
Other Income	(5,583,817)	(5,583,817)	(2,963,574)	0	(2,963,574)	53%
Total Revenues	(256,167,572)	(256,167,572)	(119,768,995)	0	(119,768,995)	47%
Expenses						
Employee Costs	99,783,767	99,783,767	41,707,681	213,900	41,921,581	42%
Contractors & Consultants	26,140,307	26,140,307	9,792,582	9,524,481	19,317,063	37%
Materials & Plant	20,316,259	20,316,259	9,017,289	7,123,231	16,140,521	44%
Asset Operational	30,601,904	30,601,904	11,390,876	1,764,626	13,155,503	37%
Administrative expenses	15,990,307	15,990,307	5,351,704	2,865,149	8,216,853	33%
Depreciation	67,171,870	67,171,870	27,994,237	0	27,994,237	42%
Finance costs	3,777,460	3,777,460	1,619,662	0	1,619,662	43%
Other Expenses	1,331,865	1,331,865	457,192	12,726	469,918	34%
Total Expenses	265,113,740	265,113,740	107,331,223	21,504,114	128,835,337	40%
Transfer / Overhead Allocation						
Transfer / Overhead Allocation	(7,474,642)	(7,474,642)	(3,556,882)	0	(3,556,882)	48%
Total Transfer / Overhead Allocation	(7,474,642)	(7,474,642)	(3,556,882)	0	(3,556,882)	48%
TOTAL OPERATING POSITION (SURPLUS)/DEFICIT	1,471,526	1,471,526	(15,994,654)	21,504,114	5,509,460	-1087%
CAPITAL						
Total Developers Contributions Received	(7,273,428)	(7,273,428)	(734,100)	0	(734,100)	10%
Total Capital Grants and Subsidies Received	(55,043,604)	(63,864,205)	(10,688,747)	0	(10,688,747)	17%
Total Proceeds from Sale of Assets	0	(70,000)	(65,459)	0	(65,459)	94%
Total Capital Income	(62,317,032)	(71,207,633)	(11,488,306)	0	(11,488,306)	18%
Total Capital Expenditure	150,637,323	159,252,548	40,555,463	123,961,757	164,517,220	25%
Net Capital Position	88,320,291	88,044,915	29,067,157	123,961,757	153,028,914	33%
TOTAL INVESTMENTS			68,413,517			
TOTAL BORROWINGS			126,819,016			

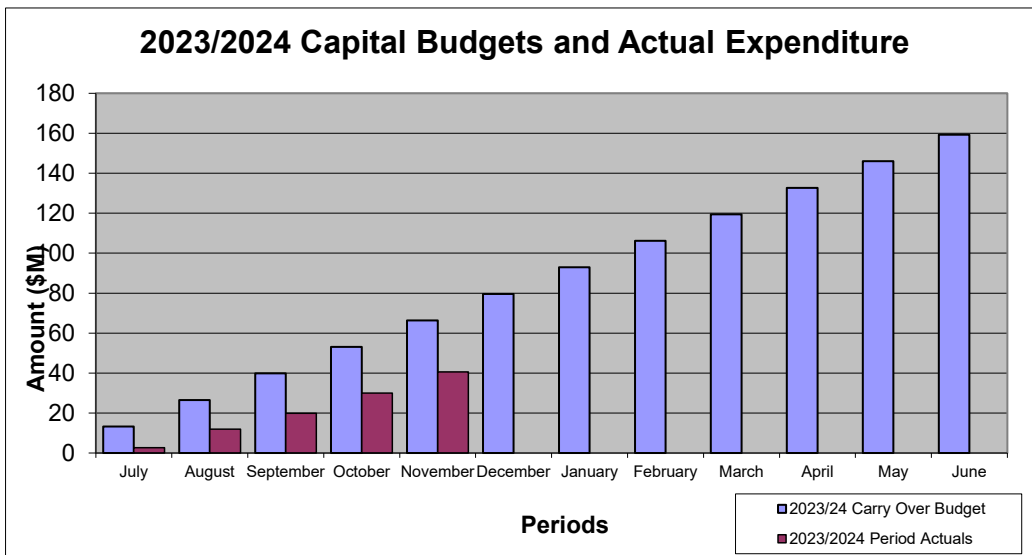
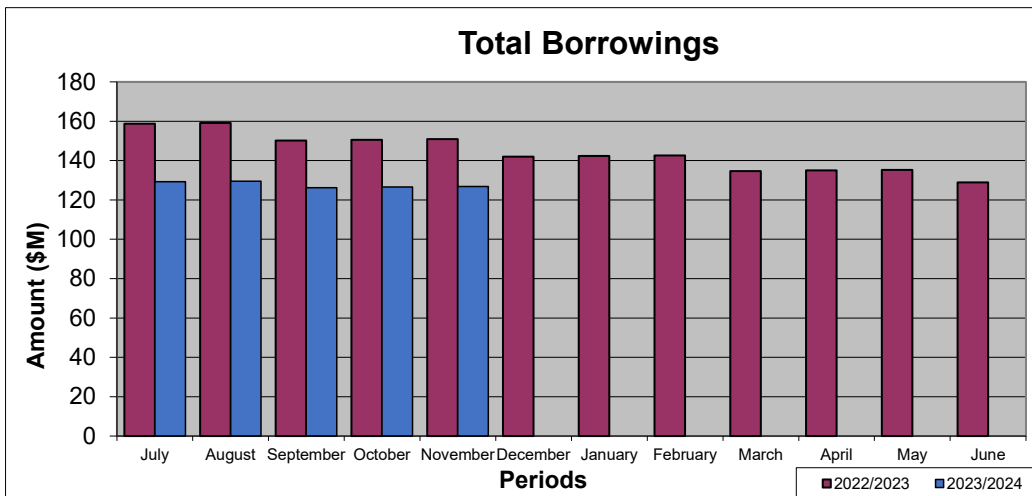
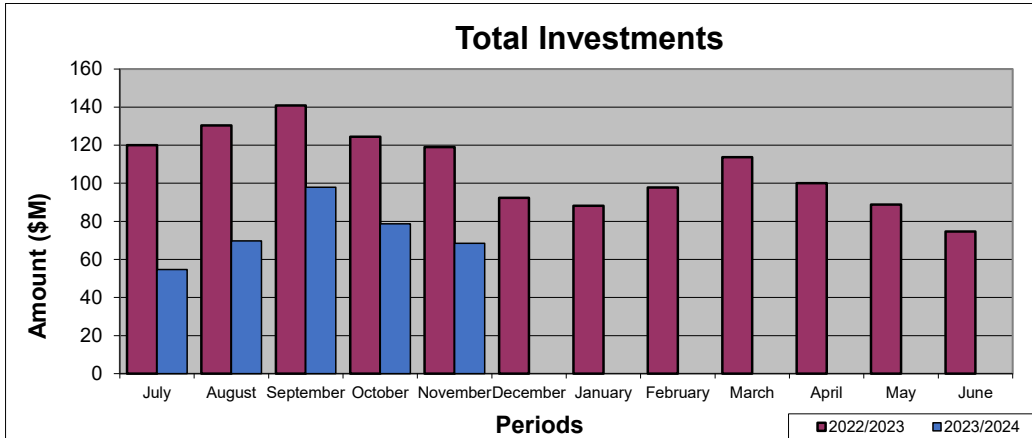
SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2023

Key Indicator Graphs - November 2023

Meeting Date: 11 December 2023

Attachment No: 2





11.2 2023/2024 REVISED BUDGET

File No:	8785
Attachments:	<ol style="list-style-type: none">1. 2023/2024 Revised Budget & Forward Projections↓2. Revenue Policy 2023/2024↓3. Revenue Statement 2023/2024↓4. Debt (Borrowings) Policy 2023/2024↓5. 2023/2024 Estimated Activity Statement for Business Activities↓6. 2023/2024 One Page Budget Summary↓7. 2023/2024 Revised Capital Budget Summary↓8. 2023/2024 Revised Capital List (Confidential)
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Marnie Taylor - Chief Financial Officer

SUMMARY

Chief Financial Officer presenting a budget amendment under s.170 of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

THAT in accordance with s.170(3) of the *Local Government Regulation 2012*, the budget amendment for the 2023/2024 financial year be adopted incorporating the following attachments:

1. 2023/2024 Revised Budget & Forward Projections;
2. Revenue Policy 2023/2024 as adopted by Council on 4 July 2023;
3. Revenue Statement 2023/2024 as adopted by Council on 4 July 2023;
4. Debt (Borrowings) Policy 2023/2024 as per the new estimates; and
5. 2023/2024 Estimated Activity Statement for Business Activities: a statement showing the estimated costs of Council's significant business activities and commercial business units.

COMMENTARY

This budget amendment is presented as a result of the number of changes required to the 2023/2024 budget, particularly in the capital revenue and expenditure areas. Council officers considered that it was not sufficient to undertake a Monthly Budget Review to present to Council in order to capture all the changes.

As a result, the Finance team has been monitoring changes proposed by various sections of Council and in consultation with the Leadership Team and Managers, now presents an amended budget for 2023/2024, which reflects the decisions made and resulting changes to programs.

Operational Budget Estimate Changes

The 2023/2024 Original Budget proposed a deficit of \$1.47M, the changes made in the amended budget have improved Council's position, with a forecast of a proposed deficit of \$897k.

With each budget revision, substantial organisational effort is required. It was considered important to update the position, both in the operational budget and capital budget, to ensure that the loan amounts drawn down later in the financial year match Council's position closely.

The major operational budget movements are:

- Office of the CEO – consultancy cost has increased by \$98k which was offset by transfers from corporate services.
- Corporate Services recorded an overall reduction of \$138k which includes:
 - Workforce and Governance – Decrease of \$69k- employee costs
 - Internal Audit – Decrease of \$12k - employee costs
 - GM Corporate Services – Decrease of \$160k - employee costs
 - Finance – Increase of \$13k - employee costs
 - Corporate & Technology Services – Increase of \$65k – Subscriptions
- Regional Services net expenditure has increased by \$246k and the changes include:
 - Civil Operations - Private Works revenue forecast has increased by \$76k
 - Infrastructure Planning - Disaster Management Grants increased by \$51k
 - RRWR – Fees & Charges revenue increased by \$302k
 - FRW – Increase of \$683k including an increase to employee costs of \$319k due to the restructure, this has been partially offset by employee cost savings in Advance Rockhampton, as well as the biosolids contract for \$350k
- Community Services has forecasted an overall increase of \$346k due to:
 - Communities Management – Reduction of \$27k
 - Community Assets and Facilities recorded and overall increase of \$517K due to renewed cleaning contract and a Depot Manager position added which was partly funded by other areas of Council
 - Communities and Culture’s revenue budget has improved by \$30k due to increased ticket collections from Major Venues
 - Parks – grant funding brought forward which improved the forecast by \$16k
 - Planning & Regulatory Services revenue
 - Increase of \$97k mainly due to unearned revenue from previous year
- Advance Rockhampton
 - Economic Development – New grant program CRCNA resulted in \$46k improvement
 - Strategy and Planning – Employee costs has been reduced by \$199k to partially offset the FRW restructure

Total Operational Budget changes result in the net operating deficit for 2023/2024 improving by \$547k (from \$1.47M to \$897k).

Capital Budget

The Capital Budget has been updated to reflect budget reallocations between projects and the timing of some projects across the current and next two financial years.

Council adopted an original capital expenditure budget of \$150.6M (\$88M net) in July 2023. The Capital Budget has been updated to reflect budget reallocations between projects and the timing of some projects across the current and next two financial years which will result in capital expenditure revised to \$143.9M (\$85.4M net). Capital revenue budgets across the current and next two financial years has decreased by \$10.5M, whilst Capital expenditure budgets have increased by \$7.3M. Therefore, the net budget impact across the three financial years from the Carryover Budget is an increase of \$17.8M.

A listing by Section of the capital budget changes is attached for information. The major movements from the October Budget Review are:

Corporate Services

Fleet Services expenditure has recorded an increase of \$2.64M as additional allocation for plant acquisition. The acquisition cost has increased substantially post COVID.

Regional Services**Civil Operations**

Civil Operations' expenditure budget has decreased by \$1.36M, mainly due to the withdrawal of Archer Street project from Council's capital program, a reduction of \$2.73M. Budget revisions elsewhere resulted in an increase of \$1.37M.

Waste & Recycling Services

Waste & Recycling Services' expenditure budget changes comprised of budget reallocations between projects with a small overall decrease of \$58k.

FRW

FRW's expenditure budget was increased by \$11.2M which includes a transfer of \$10M from Project Delivery for the construction of the sewer pipeline between South Rockhampton and Gracemere. There were also budget revisions that resulted in an increase of \$1.2M.

Project Delivery

Project Delivery's revenue budget decreased by \$13.65M to reflect the actual funding to be received for the Mount Morgan water security project.

Project Delivery's changes to expenditure budget comprised of transfer of \$10M to Fitzroy River Water, revision of some project allocations as well as the movement of budget allocations to future years based on the current status of the projects as well as future projections.

Communities**CAF**

Community Assets and Facilities' expenditure budget has increased by \$115k and the changes comprised of budget reallocations between projects and revision of allocations based on latest forecasts.

Parks

Parks' revenue budget has decreased by \$50k due to the removal of funding for Jefferies Park project.

Parks' expenditure budget has increased by \$871k due to addition of \$960k Northside Depot improvement project and increase in allocation of Jefferies Park project by \$66k. This resulted in a net increase of \$921k to the Parks' capital budget.

Resourcing

Resourcing revenue budget has increased by \$3M forecasting an increase in next round of Works for Queensland funding (2024-27).

Key Sustainability Ratios:

The amendments to the budget have seen an improvement in the ratios as adopted in July:

Ratio	Adopted Budget Position	October Revised Budget	Target Commentary
Operating Surplus Ratio	(0.6)%	(0.3)%	Between 0% and 10%
Asset Sustainability Ratio	94.7%	92.2%	Greater than 90%
Net Financial Ratios	53.5%	43.8%	Not greater than 60%

Budget Adoption Papers

In accordance with S.169 and S.170 of the Local Government Regulation 2012, full budget papers are to be included as part of the amendment to budget. As a result, the following have been included for adoption without alteration from original adoption in July 2023:

- Revenue Policy 2023/2024
- Revenue Statement 2023/2024

Debt (Borrowings) Policy 2023/2024

Council utilises loan borrowings to fund capital and infrastructure works when required. Repayments are usually spread over a period of 15 to 20 years or shorter depending on the life of the asset being created. The Debt (Borrowings) Policy includes the following information:

- (a) New borrowings for the current and the next nine financial years; and
- (b) Repayment schedule for new and existing borrowings.

Based on the new estimates, our borrowing forecasts have changed and the revised Borrowing Policy is included as an attachment to this report to support the revised budget adoption.

The 2023/2024 One Page Budget Summary, the 2023/2024 Revised Capital Budget Summary and the 2023/2024 Revised Capital List are included as working papers to support the revised budget adoption.

CONCLUSION

There are a considerable amount of changes included in this amendment to budget. The revision has shown an overall improvement in Council's position and aligned more appropriately the capital revenue and expenditure forecast for the remainder of the financial year.

2023/2024 REVISED BUDGET

2023/2024 Revised Budget & Forward Projections

Meeting Date: 11 December 2023

Attachment No: 1

LONG TERM FINANCIAL FORECAST - FINANCIAL STATEMENTS - 2023/2024 REVISED BUDGET
ROCKHAMPTON REGIONAL COUNCIL
 Statement of Income and Expenditure

	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-31	2031-32	2032-33
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Income										
Revenue										
Operating revenue										
Rates and utility charges excluding discounts and rebates	204,921	219,263	228,032	240,570	248,989	262,680	271,873	286,822	296,859	307,248
Less rebates and discounts	(18,150)	(19,421)	(20,198)	(21,309)	(22,054)	(23,267)	(24,082)	(25,406)	(26,296)	(27,216)
Net rates, levies and charges	186,771	198,535	206,277	217,618	225,234	237,618	245,933	254,540	263,447	272,667
Fees and charges	38,414	40,461	42,079	43,552	45,076	46,654	48,287	49,977	51,726	53,536
Rental income	3,662	3,809	3,923	4,021	4,122	4,225	4,330	4,438	4,549	4,663
Interest received	4,117	3,126	2,285	2,387	2,651	3,089	2,983	3,287	3,514	3,680
Sales revenue	7,257	7,547	7,773	7,968	8,167	8,371	8,580	8,795	9,015	9,240
Other income	6,188	6,435	6,628	6,794	6,964	7,138	7,317	7,499	7,687	7,879
Grants, subsidies, contributions and donations	13,747	8,883	9,180	9,453	9,735	10,025	10,325	10,633	10,952	11,281
Total operating revenue	260,157	270,102	279,702	293,437	303,649	318,914	329,612	346,045	358,007	370,312
Capital revenue										
Government subsidies and grants—capital	78,154	35,572	14,861	21,785	17,013	17,189	15,053	13,547	12,189	12,463
Contributions from developers	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273	7,273
Grants, subsidies, contributions and donations	85,428	42,846	22,134	29,059	24,287	24,463	22,326	20,821	19,462	19,737
Total revenue	345,584	312,947	301,837	322,495	327,936	343,376	351,938	366,866	377,469	390,048
Capital income	-	-	-	-	-	-	-	-	-	-
Total income	345,584	312,947	301,837	322,495	327,936	343,376	351,938	366,866	377,469	390,048
Expenses										
Operating expenses										
Employee benefits	99,720	104,440	108,591	111,839	115,184	118,629	122,178	125,833	129,597	133,474
Materials and services	89,792	89,378	87,278	90,304	94,069	96,085	99,472	102,978	107,335	110,366
Finance costs	3,822	4,746	7,241	8,916	9,814	10,137	9,703	9,568	9,030	8,131
Depreciation and amortisation	67,172	70,654	73,645	76,118	77,749	80,127	82,543	84,620	86,869	88,526
Other expenses	546	574	597	618	640	663	686	710	735	761
Total operating expenses	261,053	269,792	277,352	287,795	297,456	305,640	314,582	323,709	333,566	341,257
Capital expenses	-	-	-	-	-	-	-	-	-	-
Total expenses	261,053	269,792	277,352	287,795	297,456	305,640	314,582	323,709	333,566	341,257
Net result	84,531	43,155	24,485	34,701	30,480	37,736	37,356	43,157	43,903	48,791
Operating result										
Operating revenue	260,157	270,102	279,702	293,437	303,649	318,914	329,612	346,045	358,007	370,312
Operating expenses	261,053	269,792	277,352	287,795	297,456	305,640	314,582	323,709	333,566	341,257
Operating result	(897)	309	2,350	5,642	6,193	13,274	15,030	22,337	24,441	29,054

Statement of Financial Position

	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-31	2031-32	2031-32
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Assets										
Current assets										
	-	-	-	-	-	-	-	-	-	-
	15,182	13,048	11,216	9,620	9,620	9,620	9,620	9,620	9,620	9,620
	79,900	61,819	43,880	45,700	45,684	46,749	47,906	50,359	50,041	57,495
Cash and cash equivalents	95,081	74,867	55,096	55,319	55,304	56,369	57,526	59,979	59,661	67,114
Trade and other receivables	20,668	21,768	22,651	23,791	24,672	25,958	26,846	28,172	29,057	30,134
Inventories	2,145	2,145	2,145	2,145	2,145	2,145	2,145	2,145	2,145	2,145
Other current assets	6,205	6,205	6,205	6,205	6,205	6,205	6,205	6,205	6,205	6,205
Non-current assets held for sale	32	32	32	32	32	32	32	32	32	2,365
Total current assets	124,131	105,017	86,129	87,492	88,358	90,709	92,754	96,533	97,100	107,964
Non-current assets										
Property, plant & equipment	3,233,194	3,449,632	3,619,053	3,765,168	3,895,941	4,012,538	4,146,324	4,275,703	4,404,308	4,531,689
Right of use assets	1,118	903	679	438	422	405	388	371	352	333
Other non-current assets	925	1,055	1,654	1,528	1,358	907	767	744	813	885
Total non-current assets	3,235,237	3,451,590	3,621,387	3,767,133	3,897,721	4,013,850	4,147,479	4,276,817	4,405,474	4,532,906
Total assets	3,359,369	3,556,607	3,707,516	3,854,625	3,986,079	4,104,559	4,240,233	4,373,350	4,502,573	4,640,870
Liabilities										
Current liabilities										
Trade and other payables	28,240	28,770	28,829	29,771	30,781	31,636	32,681	33,761	34,920	36,029
Unearned Revenue	2,134	1,832	1,597	-	-	-	-	-	-	-
Borrowings	10,558	14,634	18,313	21,028	23,302	24,455	26,345	28,551	26,836	27,745
Provisions	22,943	28,037	22,943	26,036	26,114	22,943	22,943	22,943	22,977	22,943
Other current liabilities	11,307	11,307	11,307	11,307	11,307	11,307	11,307	11,307	11,307	11,307
Total current liabilities	75,182	84,581	82,988	88,143	91,504	90,341	93,276	94,562	96,040	98,024
Non-current liabilities										
Unearned Revenue	3,927	2,096	499	499	499	499	499	499	499	499
Borrowings	133,794	191,285	236,069	258,106	265,852	250,410	244,095	226,558	199,723	171,979
Provisions	25,200	20,105	20,105	17,011	13,840	13,840	13,840	13,840	13,806	13,806
Total non-current liabilities	162,921	213,486	256,673	275,617	280,191	264,749	258,435	240,897	214,028	186,284
Total liabilities	238,103	298,066	339,661	363,759	371,695	355,091	351,711	335,459	310,068	284,308
Net community assets	3,121,266	3,258,540	3,367,855	3,490,866	3,614,384	3,749,468	3,888,522	4,037,891	4,192,505	4,356,563
Community equity										
Asset revaluation surplus	1,429,450	1,523,570	1,606,400	1,696,710	1,789,747	1,887,096	1,988,793	2,095,005	2,205,716	2,320,983
Retained surplus	1,691,815	1,734,970	1,759,455	1,794,156	1,824,636	1,862,372	1,899,729	1,942,886	1,986,789	2,035,580
Total community equity	3,121,266	3,258,540	3,367,855	3,490,866	3,614,384	3,749,468	3,888,522	4,037,891	4,192,505	4,356,563

Statement of Cash Flows

	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-31	2031-32	2031-32
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Cash flows from operating activities										
Receipts from customers	231,229	250,730	261,634	274,869	286,289	300,325	311,119	326,395	338,138	349,650
Payments to suppliers and employees	(181,108)	(194,244)	(196,800)	(202,222)	(209,296)	(214,945)	(221,725)	(228,886)	(236,963)	(243,959)
Interest received	4,117	3,126	2,285	2,387	2,651	3,089	2,983	3,287	3,514	3,680
Rental income	3,859	3,796	3,914	4,013	4,114	4,215	4,322	4,430	4,541	4,653
Non-capital grants and contributions	13,477	9,217	9,155	9,431	9,714	9,999	10,300	10,608	10,928	11,251
Borrowing costs	(3,490)	(4,364)	(6,848)	(8,513)	(9,401)	(9,714)	(9,269)	(9,123)	(8,574)	(7,664)
Payment of provision	(606)	-	(5,095)	-	(3,094)	(3,171)	-	-	-	(34)
Net cash inflow from operating activities	67,478	68,260	68,244	79,965	80,978	89,798	97,731	106,711	111,584	117,578
Cash flows from investing activities										
Payments for property, plant and equipment	(142,889)	(199,054)	(157,683)	(133,225)	(114,945)	(98,834)	(114,124)	(107,388)	(104,447)	(102,653)
Payments for intangible assets	(420)	(333)	(929)	(329)	(354)	(73)	(351)	(359)	(366)	(374)
Proceeds from sale of property, plant and equipment	-	6,500	-	-	-	-	-	-	-	-
Grants, subsidies, contributions and donations	81,510	42,846	22,134	29,059	24,287	24,463	22,326	20,821	19,462	19,737
Net cash inflow from investing activities	(61,799)	(150,041)	(136,477)	(104,495)	(91,012)	(74,445)	(92,149)	(86,926)	(85,352)	(83,289)
Cash flows from financing activities										
Proceeds from borrowings	24,000	72,000	63,000	43,000	31,000	9,000	20,000	9,000	-	-
Repayment of borrowings	(9,927)	(10,410)	(14,515)	(18,223)	(20,957)	(23,264)	(24,399)	(26,306)	(26,525)	(26,810)
Repayments made on finance leases	(67)	(23)	(23)	(24)	(24)	(25)	(25)	(26)	(26)	(26)
Net cash inflow from financing activities	14,007	61,567	48,462	24,753	10,019	(14,289)	(4,425)	(17,332)	(26,550)	(26,835)
Total cash flows										
Net increase in cash and cash equivalent held	19,686	(20,214)	(19,771)	223	(15)	1,064	1,157	2,453	(318)	7,453
Opening cash and cash equivalents	75,395	95,081	74,867	55,096	55,319	55,304	56,369	57,526	59,979	59,661
Closing cash and cash equivalents	95,081	74,867	55,096	55,319	55,304	56,369	57,526	59,979	59,661	67,114

Statement of Changes in Equity

	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-31	2031-32	2031-32
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Asset revaluation surplus										
Opening balance	1,316,829	1,429,450	1,523,570	1,608,400	1,696,710	1,789,747	1,887,096	1,988,793	2,095,005	2,205,716
Increase in asset revaluation surplus	112,621	94,120	84,830	88,310	93,037	97,348	101,697	106,212	110,712	115,266
Closing balance	1,429,450	1,523,570	1,608,400	1,696,710	1,789,747	1,887,096	1,988,793	2,095,005	2,205,716	2,320,983
Retained surplus										
Opening balance	1,607,284	1,691,815	1,734,970	1,759,455	1,794,156	1,824,636	1,862,372	1,899,729	1,942,886	1,986,789
Net result	84,531	43,155	24,485	34,701	30,480	37,736	37,356	43,157	43,903	48,791
Closing balance	1,691,815	1,734,970	1,759,455	1,794,156	1,824,636	1,862,372	1,899,729	1,942,886	1,986,789	2,035,580
Total										
Opening balance	2,924,113	3,121,266	3,258,540	3,367,855	3,490,866	3,614,384	3,749,468	3,888,522	4,037,891	4,192,505
Net result	84,531	43,155	24,485	34,701	30,480	37,736	37,356	43,157	43,903	48,791
Increase in asset revaluation surplus	112,621	94,120	84,830	88,310	93,037	97,348	101,697	106,212	110,712	115,266
Closing balance	3,121,266	3,258,540	3,367,855	3,490,866	3,614,384	3,749,468	3,888,522	4,037,891	4,192,505	4,356,563

Measures of Financial Sustainability & Required Disclosure

Reported Change in Rates And Utility Charges				
	30/06/2023	30/06/2024	\$ Increase	% Increase*
Budgeted Gross Rate Revenue	\$191,044,121	\$204,921,460	\$13,877,339	7.3%

	Forecast									
	30/06/2024	30/06/2025	30/06/2026	30/06/2027	30/06/2028	30/06/2029	30/06/2030	30/06/2031	30/06/2032	30/06/2033
1 Operating Surplus Ratio - Target Benchmark between 0% and 10%										
(Net Operating Surplus / Total Operating Revenue) (%)	(0.3)%	0.1%	0.8%	1.9%	2.0%	4.2%	4.6%	6.5%	6.8%	7.8%
2 Net Financial Asset / Liability Ratio - Target Benchmark not greater than 60%										
((Total Liabilities - Current Assets) / Total Operating Revenue) (%)	43.8%	71.5%	90.6%	94.1%	93.3%	82.9%	78.6%	69.0%	59.5%	47.6%
3 Asset Sustainability Ratio - Target Benchmark greater than 90%										
(Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense) (%)	92.2%	128.1%	136.2%	98.5%	62.3%	61.4%	77.1%	82.0%	80.2%	82.1%

2023/2024 REVISED BUDGET

Revenue Policy 2023/2024

Meeting Date: 11 December 2023

Attachment No: 2

REVENUE POLICY 2023-2024

STATUTORY POLICY



1 Scope

This policy is Rockhampton Regional Council's strategic Revenue Policy which applies for the financial year 1 July 2023 to 30 June 2024.

2 Purpose

In accordance with the *Local Government Regulation 2012*, section 193, this policy identifies the principles Council intends to apply for:

- (a) Levying of rates and charges;
- (b) Granting concessions for rates and charges;
- (c) Recovery of overdue rates and charges; and
- (d) Cost-recovery methods.

This policy also addresses:

- (a) The purpose for concessions: and
- (b) The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

3 Related Documents

3.1 Primary

Local Government Act 2009

Local Government Regulation 2012

3.2 Secondary

Planning Act 2016

Debt Recovery Policy

Development Incentives Policy – 1 January 2021 to 31 December 2021

Development Incentives Policy – 15 May 2018 to 31 December 2020

Development Incentives Policy – 1 August 2017 to 14 May 2018

Development Incentives Policy – 1 December 2013 to 31 July 2017

Fees and Charges Schedule

Infrastructure Charges Collection Policy

Rates Concession Policy

Rates Relief (Hardship) Policy

Reconfiguration of a Lot Incentives Policy

LEGAL AND GOVERNANCE USE ONLY			
Adopted/Approved:	Adopted, 4 July 2023	Department:	Corporate Services
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Revenue Statement
Rockhampton Region Planning Scheme

4 Definitions

To assist in interpretation, the following definitions apply:

Act	<i>Local Government Act 2009</i>
CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council	Rockhampton Regional Council
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
Regulation	<i>Local Government Regulation 2012</i>

5 Policy Statement

5.1 Background

When determining principles to be applied for the levying of rates and charges, Council must act consistently with the local government principles, namely:

- (a) Transparent and effective processes and decision making in the public interest;
- (b) Sustainable development and management of assets and infrastructure, and delivery of effective services;
- (c) Democratic representation, social inclusion and meaningful community engagement;
- (d) Good governance of, and by, local government; and
- (e) Ethical and legal behaviour of Councillors, local government employees and councillor advisors.

5.2 Principles Applied in Levying Rates and Charges

5.2.1 Making Rates and Charges

It is Council's policy to identify certain services where the consumer of the services is expected to meet all or the greater part of the total cost of providing the specific service. In such cases, the cost of providing the service includes the cost of acquiring the commodity or service, the cost of providing the infrastructure or the cost to process and/or deliver the commodity or service and any overheads associated with these cost components.

It is acknowledged that individual consumers of a commodity or service cannot always be separately identified. For this reason, there is a need for specific user charges to be supplemented by other general revenue sources.

The relevant components of Council's rates and charges are based on a combination of specific user charges, separate charges, special charges and a differential general rating system based on the value of the land to provide the most equitable and rational basis for raising revenue.

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Rates and charges are determined after due consideration of the following:

- (a) Council’s legislative obligations;
- (b) The needs and expectations of the general community;
- (c) The cost of maintaining existing facilities and necessary service;
- (d) The need of additional facilities and services; and
- (e) Equity by ensuring the fair and consistent application of lawful rating and charging principles, without bias, taking account of all relevant considerations, and disregarding irrelevancies such as the perceived personal wealth of individual ratepayers or ratepayer classes.

Council also has regard to the principles of:

- (a) Transparency of process;
- (b) Simplicity and efficient administration; and
- (c) Flexibility to take account of changes in the local economy.

5.2.2 Levying Rates and Charges

In levying rates and charges, Council applies the following principles:

- (a) Making clear what is Council’s and each ratepayers responsibility in relation to the rating system;
- (b) Making the levying process, granting discount and any refund of rates and charges as simple and efficient to administer as possible; and
- (c) Timing the levy of rates notices to take into account the financial cycle to which ratepayers are accustomed or may adapt to.

5.3 Principles Applied in Granting Concession for Rates and Charges

In considering the application of concessions, Council is guided by the principles of:

- (a) Reducing the financial burden of rates and charges payable by pensioners;
- (b) Equity by providing the same treatment for ratepayers with similar circumstances;
- (c) Transparency by making clear the requirements necessary to receive concessions; and
- (d) Support eligible not-for-profit or charitable community organisations whose objectives do not include the making of a profit and who provide services to their membership and the community.

In circumstances where a ratepayer incurs responsibility for a rating debt that is beyond their financial capacity to pay immediately, Council may consider avenues to assist with the payment of the liability.

Certain activities benefit the community and the cost of meeting their obligations may impact on the provision of these activities. Council should assist in such circumstances.

The purpose for the concessions is to provide support to identified classes of ratepayers in meeting their obligations under Council’s rating regime within the available provisions of the Act and the Regulation.

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5.4 Principles Applied to the Recovery of Overdue Rates and Charges

Under the provisions of Chapter 4 Part 12 of the Regulation, Council exercises its rates and charges recovery powers in order to reduce the overall rate burden on ratepayers by:

- (a) Transparency in making clear the obligations of ratepayers and the processes used by Council in assisting them to meet their financial obligations;
- (b) Making the processes used to recover outstanding rates and charges clear, simple to administer and cost effective; and
- (c) Equity, by having regard to capacity to pay in determining appropriate arrangements for different sectors of the community;

Council requires payment of rates and charges within a specified period and pursues the collection of overdue rates and charges diligently. The non-payment of rates and charges by some ratepayers places an unfair burden on other ratepayers who meet their legal obligations in full.

When pursuing the collection of overdue rates and charges Council gives due concern for any financial hardship faced by ratepayers.

Council's Debt Recovery Policy and Rates Relief (Hardship) Policy provide guidance in the collection of overdue rates and charges.

5.5 Payments in Advance

Council accepts payments in advance by lump sum or by instalment. Interest is not payable on any credit balance.

5.6 Cost-Recovery Fees and Other Fees

Council makes cost recovery fees and other fees and charges. Generally, Council sets these fees and charges at a level which reflects the underlying costs and charges, including allocated overheads and administration costs.

For cost recovery fees, the expected revenue from fees and other sources for each cost recovery scheme will not exceed the costs of the scheme.

For other fees and charges, where they relate to an operation which has private sector competitors, the fees reflect the full cost including costs which a private sector competitor would face but which Council, because it is a public-sector entity, does not incur.

Council may apply community service obligations to its business activities and exclude the cost of those obligations in fixing prices for the activity. Council each year adopts a Code of Competitive Conduct Statement which provides the framework for identification of community service obligations enforced on its identified business units.

5.7 Physical and Social Infrastructure Costs for New Development

Council requires developers to pay reasonable and relevant contributions towards the cost of physical and social infrastructure required to support the development. Specific charges are detailed in Rockhampton Region Planning Scheme.

Mechanisms for the planning and funding of infrastructure for urban growth are contained within the *Planning Act 2016*. These schemes are based on normal anticipated growth rates. Where a new development is of sufficient magnitude to accelerate the growth rate of a specific community within the Region, it may be necessary to bring forward physical and social infrastructure projects. Where this occurs, Council expects developers to meet sufficient costs to ensure the availability of facilities is not adversely affected and existing ratepayers are not burdened with the cost of providing the additional infrastructure.

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5.7.1 Development Incentives Policies

Council has adopted development incentives policies to stimulate the economic growth of the Region. The development incentives policies can be found on Council's website. The focus of the policies are to provide relief of fees and charges to those applications which:

- (a) Create new jobs and investment;
- (b) Value-add through enhanced service delivery or supply chains;
- (c) Generate growth within identified strategic sectors; and
- (d) Diversify and make the local economy more sustainable.

5.8 Delegation of Authority

Authority for implementation of the Revenue Policy is delegated by Council to the CEO in accordance with section 257 of the Act.

Authority for the day to day management of the Revenue Policy is the responsibility of the Deputy Chief Executive Officer/General Manager Corporate Services and/or the Chief Financial Officer.

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) As required by legislation – reviewed each financial year at the beginning of the annual budget process;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Legal and Governance



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2023/2024 REVISED BUDGET

Revenue Statement 2023/2024

Meeting Date: 11 December 2023

Attachment No: 3

REVENUE STATEMENT 2023/2024



SCOPE

The Revenue Statement is produced in accordance with the Legislative requirements:

- Section 104(5)(a)(iv) of the *Local Government Act 2009*, the system of financial management established by a local government must include and budget including a Revenue Statement;
- Section 169(2)(b) of the *Local Government Regulation 2012*, a local government's budget for each financial year must include a Revenue Statement; and

Section 172 of the *Local Government Regulation 2012*, outlines the requirements of the Revenue Statement.

OVERVIEW

The purpose of this revenue statement is to:

- provide an explanatory statement outlining and explaining the revenue raising measures adopted in the budget, and
- comply in all respects with legislative requirements.

REFERENCE

- *Local Government Act 2009*
- *Local Government Regulation 2012*

APPLICABILITY

This revenue statement applies to the financial year from 1 July 2023 to 30 June 2024. It is approved in conjunction with the Budget as presented to Council on 4 July 2023.

It is not intended that this revenue statement reproduce all related policies. Related policies will be referred to where appropriate and will take precedence should clarification be required.

GUIDELINE

Pursuant to the provisions of the *Local Government Act 2009* and the *Local Government Regulation 2012* the following explanation of revenue raising measures adopted in the 2023/2024 Budget are provided.

1. RATES AND CHARGES (LGA s94)

For the financial year beginning 1 July 2023, Rockhampton Regional Council will make and levy rates and charges. Rates and Charges will include:

- A. Differential General Rates,
- B. Special Rates and Charges,
- C. Separate Charges, and

D. Utility Charges for Water, Sewerage and Waste Management.

The Statement deals with the principles used by Council in fixing rates and charges and if applicable, how the Council will apply user pays principles to utility and general charges.

2. GENERAL RATES

Council accepts that the basis for levying general rates in Queensland is land valuations. Ideally, the general rate would be determined by dividing the total income needed from general rates by the rateable valuation of lands. However there is considerable diversity in the Region in terms of land use and location (such as between the urban and rural areas), land values, access to, and actual and potential demands for services and facilities.

Council is committed to spreading the general rates burden equitably among broad classes of ratepayer. This does not mean the general rate is levied on a "user pays system". Instead, Council has designed the general rating system taking into account the following factors:

- the relative rateable value of lands and the general rates that would be payable if only one general rate were levied;
- the use of the land as it relates to actual and potential demand for Council services;
- location of the land as it relates to actual and potential demand for Council services; and
- the impact of rateable valuations on the level of general rates to be paid. Council is of the opinion that a common rating policy and structure should be embraced for the whole Region.

3. GENERAL RATES – CATEGORIES AND DESCRIPTIONS (LGR Chapter 4, Part 5 Division 1)

Council adopts differential general rating for the following reasons:

- Council is committed to spreading the general rates burden equitably;
- the use of a single general rate would not result in an equitable distribution of the rates burden among ratepayers;
- certain land uses and locations of lands require and/or impose greater demands on Council services relative to other land uses and locations; and
- valuation relativities between commercial/industrial, rural, urban, productive and residential uses, do not reflect the intensity of land use nor the actual or potential demands on Council services and facilities.
- Within each differential rating category a minimum general rate has been applied to ensure that all owners contribute a minimum equitable amount towards Council's general revenue requirements in circumstances where levying rates based solely on land valuation would not achieve that outcome.

The Council, for the purpose of making and levying differential general rates, has resolved to categorise all rateable land in its area into thirty (30) categories and sub categories specified hereunder in the schedule.

Rockhampton Regional Council

Revenue Statement 2023/2024

GENERAL RATING CATEGORIES 2023-2024

No.	Category	Description	Identifiers (Land Use Codes)
1	Commercial	Land used, or intended to be used, in whole or in part, for commercial/service purposes, other than land included in categories 2.1 2.2, 2.3. Including a lot in a community title scheme or building unit	01, 04, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26A, 27, 28, 29B, 30A, 32, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49,
2.1	Major shopping centres with a floor area 0 – 10,000m ²	Land used, or intended to be used, as a shopping centre with a gross floor area up to 10,000m ² and a value greater than or equal to \$2,100,000.	12, 13, 14, 15, 16, 23 with a rateable valuation =>\$2,100,000
2.2	Major shopping centres with a floor area 10,001 - 50,000m ²	Land used, or intended to be used, as a shopping centre with a gross floor area between 10,001m ² and 50,000m ² and a value greater than or equal to \$2,100,000.	12, 13, 14, 15, 16, 23 with a rateable valuation =>\$2,100,000
2.3	Major shopping centres with a floor area >50,000m ²	Land used, or intended to be used, as a shopping centre with a gross floor area greater than 50,000m ² and a value greater than or equal to \$2,100,000.	12, 13, 14, 15, 16, 23 with a rateable valuation =>\$2,100,000
3.1	Light/Low Impact Industry	Land used, or intended to be used, in whole or in part, for light/low impact industrial purposes, other than land included in categories 3.2 & 3.3. Including a lot in a community title scheme or building unit	01, 30B, 33, 34, 36
3.2	General Industry	Land used, or intended to be used, in whole or in part, for general industrial purposes, other than land included in categories 3.1 and 3.3. Including a lot in a community title scheme or building unit	29A, 35

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3.3	High Impact and/ or noxious industry	<p>Land used, or intended to be used, in whole or in part for high impact and /or noxious industrial purposes for example:</p> <ul style="list-style-type: none"> (a) a fuel dump; (b) fuel storage; (c) an oil refinery; (d) heavy industry; (e) special industry (f) concrete batching and or manufacturing of large form concrete products (g) noxious industry which emanates excessive noise, odour or dust, including an abattoir. <p>other than land included in categories 3.1 and 3.2.</p> <p>Including a lot in a community title scheme or building unit</p>	26B, 31, 37
4.1	Power Generation Coal	<p>Land used, or intended to be used, in whole or in part, for or ancillary to the generation of electricity from a facility by the means of a coal fired power station</p> <p>(excluding transformers/substations).</p>	90
4.2	Power Generation Solar Farm	<p>Land used, or intended to be used, in whole or in part, for or ancillary to the generation of electricity from a large scale solar farm facility.</p> <p>(excluding transformers/substations).</p>	90
4.3	Power Generation Wind Farm	<p>Land used, or intended to be used, in whole or part to produce electricity by the means of one or a cluster of wind turbines for which the purpose is to drive electrical generators for the generation of electricity.</p> <p>(excluding transformers/substations).</p>	90

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4.4	Power Generation Battery Storage	Land used, or intended to be used, in whole or part for or/ancillary to the generation and/or storage of electricity via a large scale battery. (excluding transformers/substations).	90
5.1	Extractive Industries - Quarry	Land used, or intended to be used, in whole or in part, for extractive industry purposes other than category 5.2, 5.3 & 5.4.	40A
5.2	Extractive Industries - Salt Manufacturing	Land used, or intended to be used, in whole or in part and incidental to the making and extraction of salt.	40D
5.3	Extractive Industries - Mining	Land used, or intended to be used, in whole or in part, for the purpose of and incidental to a gold or other metal mining operation or any purpose associated with an integrated mining operation. With a valuation less than \$80,001	40B
5.4	Extractive Industries - Mining	Land used, or intended to be used, in whole or in part, for the purpose of and incidental to a gold or other metal mining operation or any purpose associated with an integrated mining operation. With a valuation greater than \$80,000	40C
6.1	Agriculture, farming and other rural	Land used, or intended to be used, for non-residential rural, agricultural or farming purposes.	60, 61, 64, 65, 66, 67, 68, 69, 70, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 94, 85, 86, 87, 88, 89, 93. (excl. 63 & 72 excl. lands in any other category).
6.2	Agriculture -Intensive	Land used for intensive agricultural purposes or associated activities.	62 & 63

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8.1	Residential Other	Land with a value of less than \$105,001 used, or intended to be used, for:- (a) residential purposes that is not the owner's principal place of residence (NPPR); or (b) two or more self-contained dwellings (including flats)	02, 03, 05, 08 & 09
8.2	Residential Other	Land with a value of \$105,001 or more used, or intended to be used, for:- (a) residential purposes, that is not the owner's principal place of residence (NPPR); or (b) two or more self-contained dwellings (including flats)	02, 03, 05, 08 & 09
9	Residential 1	Land which is used or intended to be used for residential purposes by means of a single residence that is not part of a community title scheme and is: (a) used by the property owner or at least one of the property owners as their principal place of residence (PPR); and (b) otherwise occupied only by members of a single household that includes the resident property owner or owners with a value of less than \$105,001.	01, 02, 04, 05, 06 and 94 with a rateable valuation <\$105,001 (excl. lands in any other category).
10	Residential 2	Land which is used or intended to be used for residential purposes by means of a single residence that is not part of a community title scheme and is: (a) used by the property owner or at least one of the property owners as their principal place of residence (PPR); and (b) otherwise occupied only by members of a single household that includes the resident property owner or owners with a value of between \$105,001 and \$170,000.	01, 02, 04, 05, 06 and 94 with a rateable valuation >\$105,000 but <\$170,001 (excl. lands in any other category).

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11	Residential 3	Land which is used or intended to be used for residential purposes by means of a single residence that is not part of a community title scheme and is: (a) used by the property owner or at least one of the property owners as their principal place of residence (PPR); and (b) otherwise occupied only by members of a single household that includes the resident property owner or owners with a value of between \$170,001 and \$250,000.	01, 02, 04, 05, 06 and 94 with a rateable valuation >\$170,000 but <\$250,001 (excl. lands in any other category).
12	Residential 4	Land which is used or intended to be used for residential purposes by means of a single residence that is not part of a community title scheme and is: (a) used by the property owner or at least one of the property owners as their principal place of residence (PPR); and (b) otherwise occupied only by members of a single household that includes the resident property owner or owners with a value between \$250,001 and \$500,000	01, 02, 04, 05, 06 and 94 with a rateable valuation >\$250,000 but <\$500,001 (excl. lands in any other category).
13	Residential 5	Land which is used or intended to be used for residential purposes by means of a single residence that is not part of a community title scheme and is: (a) used by the property owner or at least one of the property owners as their principal place of residence (PPR); and (b) otherwise occupied only by members of a single household that includes the resident property owner or owners with a value more than \$500,000.	01, 02, 04, 05, 06 and 94 with a rateable valuation >\$500,000 (excl. lands in any other category).
21	Strata (residential)	Land, which is a lot in a community title scheme or residential group title, used as the owner's principal place of residence (PPR).	08 and 09 (excl. lands in any other category).

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24	Vacant urban/rural land >\$430,000	Vacant land intended for use for development purposes with a value of more than \$430,000.	01 and 04 with a rateable valuation >\$430,000
25	Developer concession	Land, which qualifies for a discounted valuation pursuant to section 50 of the <i>Land Valuation Act</i> .	72
26	Special uses	Land, used, or intended to be used, for non-commercial purposes such as social and community welfare, defence or education purposes or land not covered by any other land use code.	00, 21, 50, 51, 52, 55, 56, 57, 58, 92, 96, 97A, 97B, 99
27.1	Other \$0 - \$60,000	Land, with a value of \$60,000 or less, which is not otherwise categorized.	01, 04, 91, 95, with a rateable valuation <\$60,001
27.2	Other - >\$60,000	Land, with a value of more than \$60,000, which is not otherwise categorized.	01, 04, 91, 95, with a rateable valuation >\$60,000

Land Use Codes

The land use codes referred to in column 4 above and the definitions of these land use codes, are prepared and adopted by the Rockhampton Regional Council for use in conjunction with the differential rating categorisation, description and identification table appearing above. A full list of the land use codes and their definitions are attached to Council's 2023/24 Revenue Statement – see appendix 1.

If a property has been identified to have more than one land use code, Council will apply the highest applicable rating category.

Council may utilize town planning scheme to assist in the identification of rating categories as required especially in relation to low, general and high impact industry.

Identification of Land

The Council delegates to the Chief Executive Officer (CEO), pursuant to section 81(4) and (5) of the *Local Government Regulation 2012*, the power to identify the rating category to which each parcel of rateable land belongs.

In undertaking this task the CEO will be guided by the descriptions of each category. The terms 'LV', 'Land Valuation', 'SV' and 'Site Valuation' refer to the Land Valuation and Site Valuation assigned by the Queensland Department of Resources for the applicable year of valuation.

Objecting to Differential General Rate Category

In accordance with Chapter 4, Part 5, Division 4 of the Regulation the owners of rateable land will be informed that they have the right of objection to the rate category their land is included in. Pursuant to

section 90 of the Regulation objections must be in writing and received within thirty (30) days of rate notices being issued. The only ground for objecting is that the owner considers the land should belong to a different rating category.

Definitions for words used in this document:

Principal Place of Residence (PPR)

For the sake of clarity, in identifying the rating category to which residential land belongs, the Council will assume that where a ratepayer's postal address is not the same as the property address, the land will not be the ratepayer's Principal Place of Residence (PPR).

The term "principal place of residence" is a single dwelling house or dwelling unit (part of a Community Title Scheme or residential group title, not a flat) at which one owner of the land must reside permanently for a minimum of 6 months of the year.

In establishing principal place of residence Council will consider as evidence, but not be limited to, the owner's declared address for Queensland driver's licence, or any other form of evidence deemed acceptable to Council.

Intended Use

Reference to the intended use (or use intended) for rateable land is a reference to land that is capable of being used for this use.

Capable of Use/Capable of being Used

Reference to capable of use (or capable of being used) includes having obtained approval from Council for this use by way of:

- (a) a development application
- (b) a building works application
- (c) a licence or application under a Local Law by Council for this use.

Mining

Land that was used, is used, or intended to be used:

- as a mine (or for purposes ancillary or associated with mining such as, for example, washing down, stockpiling and loading, haulage, water storage, buffering and rehabilitation); or
- in conjunction with other land as part of an integrated mining operation.

For the purposes of the definition of mining, 'integrated mining operation' means land contained in more than one rateable assessment which land was used, is used, or intended to be used in an integrated manner for the purposes of mining or purposes ancillary or associated with mining such as, for example, washing down, stockpiling and loading, haulage, water storage, buffering and rehabilitation.

Solar Farm

Land which is used for:

- (a) converting sunlight to electric current via a collection of photovoltaic solar panels located upon the land, and
- (b) connected to the mains power grid, and

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(c) including any purpose ancillary to or associated with (a) or (b).

Wind Farm

Land used in whole or in part to produce electricity by means of one (1) or a cluster of wind turbines that drive electrical generators.

Power Generation Battery Storage

Land used in whole or in part to store electricity by means of one (1) or a cluster of Battery Storage Power Stations that is capable of storing at least one (1) megawatt of power.

Minimum General Rate

The minimum general rate is set for each differential rating category to ensure an appropriate contribution from all property owners, irrespective of the valuation of a property.

General Rates and Minimum General Rates

For the 2023/2024 financial year differential general rates and minimum general rates will be levied pursuant to section 94 of the *Local Government Act 2009*, on the differential general rate categories as follows-

Category No.	Category	General Rate (cents in the Dollar of Rateable Value)	Minimum General Rate (\$)
1	Commercial	2.7084	1,818
2.1	Major shopping centres with a floor area 0 – 10,000 sqm	3.0296	24,981
2.2	Major shopping centres with a floor area 10,001 - 50,000 sqm	4.5945	285,279
2.3	Major shopping centres with a floor area >50,000 sqm	8.7741	2,155,494
3.1	Light/Low Impact Industry	2.7498	1,818
3.2	General Industry	3.0125	2,450
3.3	High Impact and/ or noxious industry	4.2529	3,792
4.1	Power Generation Coal	11.0052	37,379
4.2	Power Generation Solar Farm	8.5135	26,684
4.3	Power Generation Wind Farm	8.5135	26,684
4.4	Power Generation Battery Storage	8.5135	26,684
5.1	Extractive Industries - Quarry	7.9328	3,095

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5.2	Extractive Industries - Salt Manufacturing	7.8194	5,080
5.3	Extractive Industries – Mining, \$0 - \$80,000	7.9328	3,095
5.4	Extractive Industries – Mining, >\$80,000	10.4654	34,839
6.1	Agriculture, farming and other rural	0.8884	1,689
6.2	Agriculture - Intensive	1.5810	14,706
8.1	Residential Other, \$ 0 - \$105,000	1.6575	1,188
8.2	Residential Other, >\$105,000	1.5137	1,741
9	Residential 1, \$ 0 - \$105,000	1.4308	907
10	Residential 2, \$105,001 - \$170,000	1.2763	1,503
11	Residential 3, \$170,001 - \$250,000	1.2248	2,170
12	Residential 4, \$250,001 - \$500,000	1.1506	3,062
13	Residential 5, > \$500,000	1.0358	5,753
21	Strata (residential)	1.7029	907
24	Vacant urban/rural land >\$430,000	2.5662	1,792
25	Developer concession	1.6343	0
26	Special uses	1.8230	2,912
27.1	Other \$0 - \$60,000	2.2314	772
27.2	Other >\$60,001	3.1694	1,792

4. LIMITATION ON RATE INCREASE – LGR Chapter 4, Part 9, Division 3

For the 2023/2024 financial year Council will not be resolving to limit any increases in rates and charges.

5. SPECIAL RATES/CHARGES (LGA s94)**Rural Fire Services Levies**

Council will, pursuant to section 128A of the *Fire and Emergency Services Act 1990* and section 94 of the *Local Government Act 2009*, make and levy special charges for the provision of rural fire fighting services to certain parts of the Region. The charges shall be levied on all land which specifically benefits from the provision of rural fire-fighting services.

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For 2023/2024, the Council shall make a special charge, in the following amounts, for each of the following Rural Fire Brigades.

Rural Fire Brigade	Levy 2023/2024	Rural Fire Brigade	Levy 2023/2024
Alton Downs	\$50.00	Garnant	-
Archer Ulam	-	Gogango	\$5.00
Aricia	-	Gracemere	\$20.00
Bajool	\$25.00	Kalapa	\$20.00
Bouldercombe	\$50.00	Marmor	\$20.00
Calioran	-	Morinish	-
Calliungal	\$50.00	Stanwell	-
Dalma	\$10.00	South Ulam	-
Faraday	-	Westwood	\$50.00

The rateable land to which each of the special charges will apply is land within the areas separately described on a map titled "ROCKHAMPTON REGIONAL COUNCIL - RURAL FIRE BRIGADES BOUNDARIES". A copy of the Map is attached at Schedule 1.

The discount for the prompt payment of rates and charges, granted in accordance with section 130 of the *Local Government Regulation 2012*, will not apply to these charges.

Overall Plan

The Overall Plan for each of the special charges is as follows:-

1. The service, facility or activity for which each special charge is levied is to fund the provision of fire prevention and firefighting services, equipment and activities by the rural fire brigades identified in the special charge table in the defined benefit areas.
2. The time for implementing the overall plan is one (1) year ending 30 June 2024. However, provision of fire-fighting services is an ongoing activity, and further special charges are expected to be made in future years.
3. The works and services specified in the overall plan will be carried out or provided during the year ending on 30 June 2024.
4. The estimated cost of implementing the overall plan (being the cost of planned works and activities for 2023/2024) is approximately \$89,395.
5. The special charge is intended to raise all funds necessary to carry out the overall plan.

The owner of the land to be levied with the special charge has specifically benefited, or will specifically benefit, from the implementation of the overall plan, comprising fire-fighting services, because rural fire brigades are charged with fire-fighting and fire prevention under the *Fire and Emergency Services Act 1990* and whose services could not be provided or maintained without the imposition of the special charge.

6. **SEPARATE CHARGES (LGA s94)**

Council will make and levy separate charges pursuant to section 94 of the *Local Government Act 2009* to defray the expense it incurs in providing identified services or facilities or engaging in identified activities for the benefit of its local governed area. The charges are calculated on the basis of the estimated cost to Council of providing these services. Revenue raised from these charges will only be used to fund either

all or part of the costs associated with the activities.

Council considers that the benefit of each service, facility or activity is shared equally by all parcels of rateable land, regardless of their value.

Road Network Separate Charge

Council will make and levy a separate charge to defray part of the cost of maintaining the road network within the region. Council will make and levy the charge equally on all rateable land within the Rockhampton Regional Council area.

The amount of the Road Network Separate Charge will be \$460.00 per annum per rateable assessment throughout the region.

Natural Environment Separate Charge

Council will make and levy a separate charge to defray part of the cost of formulating and implementing initiatives for environmental protection, enhancement and conservation, including the many and varied initiatives that contribute to these outcomes.

Council will make and levy the charge equally on all rateable land within the Rockhampton Regional Council area.

The amount of the Natural Environment Separate Charge will be \$55.00 per annum per rateable assessment throughout the region.

The discount for the prompt payment of rates and charges, granted in accordance with section 130 of the *Local Government Regulation 2012*, will not apply to the Natural Environment Separate Charge.

7. STATE EMERGENCY MANAGEMENT LEVY

State Emergency Management Levy in accordance with the *Fire and Emergency Services Act 1990*, Council is required to collect an emergency management levy on all prescribed properties on behalf of the Queensland Fire and Emergency Services.

The Levy is not a Council charge and the funds collected are remitted to the Queensland Fire and Emergency Services. However, Council is entitled to an administration fee for collecting this Levy, as prescribed by section 6 of the *Fire and Emergency Services Regulation 2011*. Rate assessments with multiple properties are levied per parcel, in accordance with the State's legislation, excluding contiguous agricultural parcels in the same ownership.

8. UTILITY CHARGES (LGA s94)

Council will make and levy utility service charges, pursuant to section 94 of the *Local Government Act 2009*, for the financial year beginning 1 July 2023 on the basis of an equitable distribution of the burden on those who utilise, or stand to benefit from, the provision of the utility services.

WATER

Water charges will be set to recover all of the costs associated with the provision of water services by Council in the financial year.

Subject to any express provision to the contrary Council will charge all land connected to its water supply, or capable of connection to the supply, a two-part tariff for the period 1 July 2023 to 30 June 2024, comprising:-

- a graduated single tier access charge for land connected to Council's water supply, or capable of connection to the supply; and
- a multi-tiered consumption charge for residential users and a single tier charge for non-residential users.

There are three (3) water supply areas: Gracemere, Mount Morgan and Rockhampton.

The following additional policy is adopted in relation to access charges:

- (a) The access charge for an individual residential community title lot will be the sum payable for a 20mm water meter connection, regardless of the true size of the connection to the lot itself or to the development of which it forms part.
- (b) The access charge for premises that contain residential flats will be the sum payable for a 20mm water meter connection multiplied by the number of flats upon the premises, regardless of the true size of the connection to the premises.
- (c) To prevent doubt, a management lot in a staged residential community titles scheme is not a residential community title lot.
- (d) The access charge for an individual commercial community title lot will be:
 - i. If the size of the water meter at the boundary of the scheme land (i.e. the meter to which the property services to individual scheme lots connect) is not greater than 50mm, then the access charge per lot shall be the sum payable for a 20mm water meter connection.
 - ii. If the size of the water meter at the boundary of the scheme land is greater than 50mm, the standard non-residential access charges according to the meter size will apply.

The following additional policy is adopted in relation to consumption charges:

- (a) Where water is supplied to premises that comprise a residential flats development, the consumption volume allowed in each tier will be multiplied by the number of flats upon the premises.
- (b) Where water is supplied to a lot which forms part of a community titles scheme, and the supply to each individual lot and the common property is not separately metered, Council will levy the consumption charges for the water supplied to the premises (the scheme) in a manner permitted by section 196 of the *Body Corporate and Community Management Act 1997*, namely:
 - i. Council will levy each lot-owner for a share of the supplied volume recorded by the water meter at the boundary of the scheme land, and that share will be equivalent to the ratio of the contribution schedule lot entitlement of the owner's lot to the aggregate of contribution schedule lot entitlements recorded in the community management statement for the community titles scheme; or
 - ii. For a community titles scheme in which there is only a single schedule of lot entitlements rather than a contributions schedule and an interest schedule (i.e. a scheme that continues to be governed by the *Building Units and Group Titles Act 1980* rather than by the *Body Corporate and Community Management Act 1997*), Council will levy each lot-owner for a share of the supplied volume recorded by the water meter at the boundary of the scheme land, and that share will be equivalent to the ratio of the lot entitlement of the owner's lot to

- the aggregate of lot entitlements recorded in the building units plan or the group title plan of which the lot is part; or
- iii. Alternatively to levying the consumption charges on the basis of lot entitlement, Council may exercise its discretion to enter with the body corporate for a community titles scheme to which the *Body Corporate and Community Management Act 1997* applies an arrangement under which the body corporate accepts liability for the full consumption charge payable upon the supplied volume recorded on the water meter at the boundary of the scheme land, in which case Council will levy the body corporate for the full amount of the consumption charge and will make no separate levies against lots in the scheme.
- (c) Where water is supplied to a lot or common property which forms part of a community titles scheme where the supply to each individual lot and the common property is separately metered to the common property of a community titles scheme, Council will levy each lot for its metered consumption and the body corporate for the water supplied to the common property.
- (d) Where more than one dwelling house is situated upon a single parcel of land (that is to say, the land the subject of a single valuation), Council will charge a separate two-part tariff for each dwelling house as if each were located upon a different, individually-valued parcel.
- (e) Where a dwelling house is situated partly upon one parcel of land and partly upon another, Council will charge a single two-part tariff for supply to the building, and will levy the tariff against the parcel upon which the dominant portion of the house is situated. The dominant portion will be the portion of the house that has the greater floor area.
- (f) The following provisions apply to premises serviced by a designated fire service:
- i. Council will charge a separate two-part tariff for the service, in addition to the tariff/s it charges for any other water service connection/s to the land.
 - ii. The access charge for the service will be determined upon the basis that the service connects to a 20mm water meter.
 - iii. Standard consumption charges will apply unless Council resolves to discount the charge pursuant to this resolution.
 - iv. The consumption charge will be, for a quarter for which the Queensland Fire and Emergency Service reports or verifies, or Council otherwise verifies, use of the service to fight a fire, either the standard consumption charge or that sum discounted by a percentage Council determines as appropriate.
 - v. If the Queensland Fire and Emergency Service reports or verifies, or Council otherwise verifies, that the service was used during a quarter to fight a fire, and Council determines after the end of that quarter that a discounted consumption charge was appropriate for the quarter, Council may credit against the next quarterly consumption charge the difference between the charge paid and the discounted charge determined as appropriate.
 - vi. To prevent doubt, Council may determine that a 100% discount is or was appropriate.
- (g) For non-licensed premises (i.e. premises without a commercial liquor license) occupied or used by eligible Not-for-Profit or Charitable Community Organisations, Council will provide a concession in accordance with its Rates Concession Policy for access to Council's water supply, and water consumed from that supply will be charged at residential rates, excluding rural fire brigades.

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- (h) Council will apply section 102 of the *Local Government Regulation 2012* to the reading of water meters so that if a meter is due to be read on a particular day (e.g. the last day of a quarter) to enable Council to calculate a consumption charge to be levied, the meter will be deemed read on that particular day if it is read within 2 weeks before the day or 2 weeks after the day.
- (i) The commencing water meter reading for a quarterly consumption charge cycle (i.e. a quarter plus or minus 2 weeks at the beginning and the end of the quarter) is the reading last recorded in a quarterly charge cycle, or, in the case of a new meter connection, the reading recorded on the day of connection.
- (j) The minimum value of a debt required to raise a charge will be \$5.00. If the total charge on an Assessment is less than this amount, then the charges will not be raised and consequently a bill will not be issued. This charge is not raised at all and is effectively written off which will prevent the raising of small balances where the cost of administration, printing, postage and collection is greater than the revenue returned.
- (k) For the purposes of making and levying water charges the following definitions apply:-
- i. A not-for-profit community or charitable organisations, that Council accepts or approves by resolution as a body that is eligible to receive a concession under the Rates Concession Policy..
 - ii. A community title lot is a lot in a community titles scheme.
 - iii. A community titles scheme is a community titles scheme created under the *Body Corporate and Community Management Act 1997*, or is a development similar to such a scheme but that continues to be governed by the *Building Units and Group Titles Act 1980* rather than by the *Body Corporate and Community Management Act 1997* (e.g. a development created under the *Integrated Resort Development Act 1987*).
 - iv. A contribution schedule lot entitlement is an entitlement by that name, recorded in the community management statement (or analogous instrument) for a community titles scheme.
 - v. A designated fire service is a water supply service to premises, specifically dedicated for use in fighting fires.
 - vi. A flat is a self-contained residential unit or module that is not a community title lot; but (to prevent doubt) the expression does not include a bedroom in a boarding house.

Gracemere Water Supply

The access charge for all properties located within the boundaries, and approved properties outside the boundaries of the Gracemere Water Supply Area, will be as detailed in the water access charges table below per meter or per lot as appropriate for the period 1 July 2023 to the 30 June 2024 and will generally be levied on a half yearly basis.

Meter Size	Annual Charge
20mm	\$ 551.00
25mm	\$ 820.00
32mm	\$ 1,343.00
40mm	\$ 2,097.00
50mm	\$ 3,276.00

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Special 60mm	\$ 4,781.00
65mm	\$ 5,537.00
75mm	\$ 7,370.00
80mm	\$ 8,386.00
100mm	\$ 12,994.00
150mm	\$ 29,478.00
200mm	\$ 52,409.00
Vacant Land	\$ 551.00

The access charge for unoccupied land that is capable of connection to Council's water supply will be the sum payable for a 20mm residential water meter connection.

The consumption charge detailed in the consumption charges table below will apply for all water consumed in the water period (year). This charge will apply to all properties located within the boundaries and approved properties outside the boundaries of the Gracemere Water Supply Area. The water period (year) for the consumption charge will be for a period from the 1 July 2023 to the 30 June 2024 and billing will generally be in arrears on a quarterly basis.

Gracemere Water Supply Scheme – Non Residential Consumption Charges

<u>Tier</u>	<u>Charge per Kilolitre</u>
All consumption	\$ 2.30/kl

Gracemere Water Supply Scheme – Residential Consumption Charges

<u>Tier (Per Meter)</u>	<u>Charge per Kilolitre</u>
<=75kl per quarter	\$ 1.00/kl
> 75kl <=150kl per quarter	\$ 1.56/kl
>150kl per quarter	\$ 3.07/kl

Mt Morgan Water Supply

The access charge for all properties located within the boundaries, and approved properties outside the boundaries of the Mount Morgan Water Supply Area, will be as detailed in the water access charges table below per meter or per lot as appropriate for the period 1 July 2023 to the 30 June 2024 and will generally be levied on a half yearly basis.

<u>Meter Size</u>	<u>Annual Charge</u>
20mm	\$ 568.00
25mm	\$ 845.00
32mm	\$ 1,385.00
40mm	\$ 2,161.00
50mm	\$ 3,375.00
65mm	\$ 5,706.00

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75mm	\$ 7,593.00
80mm	\$ 8,527.00
100mm	\$ 13,501.00
150mm	\$ 30,449.00
200mm	\$ 54,007.00
Vacant Land	\$ 568.00

The access charge for unoccupied land that is capable of connection to Council's water supply, will be the sum payable for a 20mm residential water meter connection.

The consumption charge detailed in the consumption charges table below will apply for all water consumed in the water period (year). This charge will apply to all properties located within the boundaries and approved properties outside the boundaries of the Mount Morgan Water Supply Area. The water period (year) for the consumption charge will be for a period from the 1 July 2023 to the 30 June 2024 and billing will generally be in arrears on a quarterly basis.

Mount Morgan Water Supply Scheme – Non Residential Consumption Charges

<u>Tier</u>	<u>Charge per Kilolitre</u>
All consumption	\$ 2.30/kl

Mount Morgan Water Supply Scheme – Residential Consumption Charges

<u>Tier (Per Meter)</u>	<u>Charge per Kilolitre</u>
<=75kl per quarter	\$ 1.00/kl
> 75kl <=150kl per quarter	\$ 1.56/kl
>150kl per quarter	\$ 3.07/kl

Rockhampton Water Supply

The access charge for all properties located within the boundaries, and approved properties outside the boundaries of the Rockhampton Water Supply Area, will be as detailed in the water access charges table below per meter or per lot as appropriate for the period 1 July 2023 to the 30 June 2024 and will generally be levied on a half yearly basis.

<u>Meter Size</u>	<u>Annual Charge</u>
20mm	\$ 523.00
25mm	\$ 770.00
32mm	\$ 1,262.00
40mm	\$ 1,969.00
50mm	\$ 3,076.00
65mm	\$ 5,198.00

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75mm	\$ 6,923.00
80mm	\$ 7,875.00
100mm	\$ 12,304.00
150mm	\$ 27,679.00
200mm	\$ 49,209.00
Vacant Land	\$ 523.00

The access charge for unoccupied land that is capable of connection to Council's water supply will be the sum payable for a 20mm residential water meter connection.

The consumption charge detailed in the consumption charges table below will apply for all water consumed in the water period (year). This charge will apply to all properties located within the boundaries and approved properties outside the boundaries of the Rockhampton Water Supply Area. The water period (year) for the consumption charge will be for a period from the 1 July 2023 to the 30 June 2024 and billing will generally be in arrears on a quarterly basis.

Rockhampton Water Supply Scheme – Non Residential Water Consumption Charges

<u>Tier</u>	<u>Charge per Kilolitre</u>
All consumption	\$ 2.30/kl

Rockhampton Water Supply Scheme – Residential Water Consumption Charges

<u>Tier (Per Meter)</u>	<u>Charge per Kilolitre</u>
<=75kl per quarter	\$ 1.00/kl
> 75kl <=150kl per quarter	\$ 1.56/kl
>150kl per quarter	\$ 3.07/kl

SEWERAGE

For the financial year beginning 1 July 2023 Council will make and levy a sewerage charge in respect of land within the Declared Sewerage Areas of Rockhampton Region to which the Council provides or is prepared to provide sewerage services, including areas to which such services are extended from time to time during the course of the financial year.

A sewerage charge will also be levied on non-rateable land where the owner of the land requests that Council provide sewerage services.

In accordance with the Requirement to Connect to Sewerage Infrastructure Policy that was adopted by Council on 7 October 2014, the sewerage access charges in relation to Stage 2 of the Mount Morgan Sewerage Scheme are only charged upon connection to the system.

The sewerage charge will be set to recover all of the costs associated with the provision of sewerage reticulation services provided by Council in the financial year.

For occupied land, charges for 2023/2024 will be made and levied on the following basis:-

- i. Generally, a sewerage charge will be levied in respect of each water closet pedestal or urinal installed.
- ii. However, for a single dwelling, residential unit, secondary dwelling - dependent person living (granny flat), stables property or a property subject to a residential differential rate, only the first water closet pedestal will attract the normal sewerage pedestal charge.
 - The term single dwelling is to be given its ordinary meaning as a residential property used for ordinary domestic purposes and includes home office situations such as for example, where desk or computer work may be done, phone calls made or answered from within the premises for business purposes but where there are no more than 1 (one) non-resident employee on the premises and no significant external indicia to distinguish the premises from any other domestic residence;
 - The term single dwelling does not include premises where a distinct externally visible business activity has been established.
 - The term 'secondary dwelling - dependent person living (granny flat)' is defined as a dwelling, whether attached or detached, that is used in conjunction with, and subordinate to, a dwelling house on the same lot.
- iii. In the case of multiple dwellings on a single title or assessment (e.g. flats), the sewerage charge is calculated by multiplying the number of flats by the charge for the first water closet pedestal.
- iv. In the case of Retirement Villages or Aged/Nursing Homes incorporating independent living accommodation, the sewerage charge will be levied on the first pedestal only in each independent living unit/cottage. Sewerage charges will be levied on a per pedestal/urinal basis for pedestals/urinals installed elsewhere at the Aged/Nursing Homes properties.
- v. For all other premises, the sewerage charge is calculated on the number of pedestals together with the number of urinals multiplied by the charge for the first water closet pedestal. For the purpose of this paragraph, each 1200mm of a continuous style urinal or part thereof will count as one urinal.

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- vi. Sewerage Charges do not apply to Public Amenities Blocks on leased Council land that are locked and controlled by the Clubs.

Where there is more than one dwelling house on a land parcel, charges shall apply as if each house were on a separate land parcel. Where there is more than one commercial or industrial building upon a land parcel, charges will apply as if each building were on a separate land parcel.

Where a building is used for more purposes than one, charges will be levied by reference to the dominant use of the building, determined by Council.

For properties within the differential general rating category '6.1' Agriculture, farming and Other Rural, the sewerage utility charge is levied on the same basis as residential properties, even though to be eligible the properties must be classified as commercial use properties.

For the purpose of these charges:

- (a) a community titles lot is taken to be:
- I. A single dwelling if it is used wholly or predominantly as a place of residence; or
 - II. A non-dwelling property in any other case.
- (b) A community title lot is a lot in a community titles scheme;
- (c) A community titles scheme is a community titles scheme created under or by virtue of the *Body Corporate and Community Management Act 1997*, or is a development similar to such a scheme but that continues to be governed by the *Building Units and Group Titles Act 1980* rather than by the *Body Corporate and Community Management Act 1997* (e.g. a development created under the *Integrated Resort Development Act 1987*);
- (d) A contribution schedule lot entitlement is an entitlement by that name, recorded in the community management statement (or analogous instrument) for a community titles scheme.

The sewerage charges will be those shown in the following tables:-

Sewered Premises	Basis	Number of Charges
Private Dwelling/Residential Unit/Secondary dwelling - dependent person living (granny flat or Stables.	Each Residence (regardless of number of pedestals)	1 Charge
Flats	Each Flat	1 Charge
Aged/Nursing Home Plus Aged/Nursing other fixtures	Each Unit/Cottage Each Pedestal/Urinal	1 Charge 1 Charge
Other Premises	Each Pedestal / 1200mm of Urinal or part thereof	1 Charge
Vacant Land	Each rateable property	1 Vacant Land Charge

For those properties in the Declared Sewerage Areas, charges as per the above schedule for 2023/2024 will be:

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<u>Declared Sewered Area</u>	<u>Amount of Charge</u>	<u>Amount of Vacant Land Charge</u>
Gracemere	\$ 1,024.00	\$ 973.00
Mount Morgan	\$ 964.00	\$ 916.00
Rockhampton	\$ 796.00	\$ 756.00

WASTE & RECYCLING

For the financial year beginning 1 July 2023, Council will make and levy the following utility charges for:

<u>Schedule of Waste Collection and Recycling Charges</u>	
<u>Service</u>	<u>Annual Charge</u>
Domestic Services	
Combined General Waste/Recycling Service	\$ 519.00
Additional General Waste Service – same day service as nominated service	\$ 400.00
Additional Recycling Service – same day service as nominated service day	\$ 231.00
Bulk bin service are subject to assessment. Available bin sizes - (660L, 1100L, 1.0 m ³ , 1.5m ³ , 2.0m ³ and 3.0m ³ (subject to availability)	Annual Charge per Domestic Premises
Commercial Services	
General Waste Service - 240L	\$ 515.00
Recycling Service – 240L	\$ 276.00
Commercial Residential General Waste Service	\$ 437.00

Where Council deems a specialised waste collection service is required for Domestic Service/s bulk waste bins are used in lieu of the standard 240L wheelie bin and Waste and Recycling Collection Charges to the property are based on the annual charge per domestic premises.

“Domestic Premises” includes any of the following types of premises used as a separate domicile such as:

- A house or a single unit private dwelling; or
- Each separate domicile in a premises containing 2 or more flats, a lot in a community title scheme (apartments) or other dwelling units .

Services to be provided**Domestic Waste and Recycling Services**

The service comprises the following services as described:

Combined Domestic General Waste and Recycling Collection Service

This service is on the basis that the combined general waste and recycling collection service provided is available to properties within a Declared Waste Collection Area.

The combined domestic general waste and recycling collection charge, Council levies against a Domestic Premise will be the single sum shown in the Schedule of Waste and Recycling Collection Charges, covering for the full financial year the combined cost of:

- providing a Standard General Waste Container (240L waste container) to hold domestic general waste;

- emptying the waste container once per week and removing the contents from the premises;
- disposal of the waste at an approved facility;
- providing a standard recycling waste container (240L) to hold recyclables;
- emptying the waste container fortnightly, and removing the contents from the premises; and
- processing of recyclable material at an approved facility, and
- Queensland Government waste levy – as per the *Waste Reduction and Recycling Act 2011*.

Domestic Premises – General

Council will levy the charge on each domestic premises used as a separate domicile; whether occupied or not within the Waste Collection Areas, regardless of whether ratepayers choose to use the domestic general waste collection and/or recycling services Council makes available.

Where there is more than one structure on land capable of separate occupation a charge will be made for each structure. The charge will apply to each house, unit, flat, secondary dwelling, a lot in a community title scheme, dual occupancy or other dwelling designed for separate residential occupation at a domestic premises. However, for a domestic premises where a secondary dwelling exists on the same lot (whether attached or detached) for a dependent person living (granny flat), only one charge is made.

The number of charges levied to a domestic property shall be the number of bins the Chief Executive Officer or his delegate considers necessary; or the number of bins the ratepayer requests, whichever is greater. Additional bin collections from domestic properties will only be made available on the same day as the minimum service.

To ensure public health standards are maintained in rural residential areas, waste collection services are offered on an elective basis to owners of rural residential land in proximity to major haul routes and where it is economically and/or responsibly viable to do so.

These properties shall be identified on waste collection area maps by geo-fencing the land parcel and shall be deemed as located within the waste collection area. Once levied the charge will apply and cannot be removed.

Where a service is supplied to a residence on a property within differential rating category 6.1 – agriculture, farming and other rural, the domestic waste charge shall apply. For newly constructed structures, the charge will apply from the earlier of plumbing or building approval or delivery of waste containers.

Commercial Waste and Recycling Services

The service comprises of the following services as described:

Commercial Premises in a Designated Waste Collection Area – 240L Service

This service is on the basis that the general waste and recycling collection service it provides are available to commercial properties within the Designated Waste Collection Areas.

A General Waste Collection and/or Commercial Recycling Collection levy shall be charged per waste container collection (called a Service) as per the Schedule of Waste and Recycling Collection Charges, covering for the full financial year the combined cost of:

- providing the number of waste containers that the Chief Executive Officer or his delegate considers necessary or the number of bins the ratepayer requests, whichever is greater;

- emptying each waste container and removing the contents from the premises on the number of occasions each week that the Chief Executive Officer or his delegate considers necessary; or on the number of occasions the ratepayer requests, whichever is greater;
- disposal of the waste at an approved facility;
- where a waste container is provided to hold recyclables;
- emptying and removing the contents from the premises of that waste container once per fortnight;
- processing of recyclable material at an approved facility; and
- Queensland Government waste levy – as per the *Waste Reduction and Recycling Act 2011*.

Commercial Residential Waste Service.

This service is undertaken on the above premise but excludes the Queensland Government waste levy. Eligible properties are residential properties that Council provides a commercial waste collection service (not recycling). Eligible properties are:

- Nursing Homes, retirement villages and private age care;
- Residential, lifestyle or manufactured home parks;
- Boarding Houses; and
- Purpose built Student Accommodations – off campus, rooming accommodations

Commercial Premises - General

Council will levy a waste and recycling collection levy against commercial premises for the removal of commercial waste and recycling, unless the Chief Executive Officer or his delegate is satisfied that an approved private waste collection provider removes commercial waste and recycling from the premises, and will do so, at least once weekly for commercial waste and or once fortnightly for recycling.

Where there is more than one structure on land capable of separate occupation a charge will be made for each structure. Charges for the collection of commercial waste will be based on the number of waste containers and frequency of collection. Charges will be made for additional collections from commercial properties.

9. COST RECOVERY FEES (LGA s97)

The principles of Full Cost Pricing are applied in calculating all cost recovery fees of the Council where applicable, but the fees will not exceed the cost to Council of providing the service or taking the action for which each fee is charged.

Cost Recovery Fees are listed in Fees and Charges which was last adopted at Council's Meeting held on 23 May 2023.

10. BUSINESS ACTIVITY FEES

Council has the power to conduct business activities and make business activity fees for services and facilities it provides on this basis. Business activity fees are made where Council provides a service and the other party to the transaction can choose whether or not to avail itself of the service. Business activity fees are a class of charge, which are purely commercial in application and are subject to the Commonwealth's Goods and Services Tax.

Business activity fees include but are not confined to the following: rents, plant hire, private works and hire of facilities.

11. TIME FOR PAYMENT (LGR s118)

Rates and utility charges referred to in this policy shall generally be levied half yearly with the exception of water consumption which will be levied at quarterly intervals on a rolling basis. Such rates and utility charges shall be payable by the due date detailed on the rate notice.

All rates and charges will be due and payable on the day that is 30 clear days after the issue of a notice to pay.

As a guide a separate rates notice will be issued in the first six months of the financial year (July – December), and in the second half of the financial year (January – June). These notices will cover the billing periods 1 July 2023 to 31 December 2023 (issued August/September), and 1 January 2024 to 30 June 2024 (issued February/March), respectively. Each notice includes one half of the annual rates and charges levied.

12. INTEREST (LGR s133)

All rates and charges remaining outstanding 30 clear days after the due date will be deemed to be overdue rates and will thereafter bear interest at the rate of 11.64% per annum, compounding on daily rests in accordance with the *Local Government Regulation 2012*, calculated on the balance of overdue rates and charges. The interest rate is to be effective from 1 July 2023.

13. DISCOUNT (LGR s130)

Discount at the rate of ten (10) percent will be allowed on gross Council rates and charges, excluding any charge specifically excluded from discount entitlement, provided payment of the full amount outstanding, including any overdue rates and interest to the date of payment, less any discount entitlement, is paid by the due date on original notice of the levy.

The discount shall not apply to special charges, Natural Environment separate charge or water consumption charges.

14. RATE CONCESSIONS (LGR s121)

Council approves concessions each year prior to the adoption of the budget and are included in the Rate Concession Policy. This was adopted by Council on the 4 July 2023. The main areas of concessions are as follows:

Pensioner Subsidy

For Pensioner Ratepayers of their principal place of residence Council will offer a subsidy (upon the same terms and conditions as the Queensland Government Pensioner Rate Subsidy Scheme of 20%) (to a maximum of \$260) on all rates levied in respect of the property the person owns and occupies, excluding environment separate charge, special rates/charges, water consumption charges and rural and state fire levies/charges.

For Pensioner Ratepayers of their principal place of residence a person in receipt of a Widow/ers Allowance will be entitled to a subsidy of 20% (to a maximum of \$260) on all rates levied in respect of the property the person owns and occupies, excluding environment separate charge, special rates/charges, water consumption charges and rural and state fire levies/charges.

In both cases, the concession is offered on the basis that the ratepayers are pensioners (as defined by the *Local Government Regulation 2012*). Should a person be entitled to only part of the State subsidy,

because of part ownership of the property, or other relevant reason, the Council rebate would be similarly reduced.

Permit to Occupy – Separate Charges

Council will grant a concession of all Separate Charges on those assessments that only contain a permit to occupy for pump sites and where the land area is 25 square metres or less, provided the ratepayer as shown on the assessment is the owner of another property in the Council area on which the Separate Charges have been levied.

The concession is offered on the basis that the payment of the additional separate charge will cause the ratepayer hardship.

Permit to Occupy – General Rates

Council will grant a concession of up to the equivalent to Rating Category 27.1 minimum general rate for properties on those assessments that only contain a permit to occupy for pump sites and where the land area is 25 square metres or less, provided the ratepayer as shown on the assessment is the owner of another property in the Council area on which General Rates have been levied.

The concession is offered on the basis that the payment of general rates will cause the ratepayer hardship.

Eligible Not-for-Profit or Charitable Community Organisations

Council will grant varied levels of concessions to eligible Not for -Profit or Charitable Community Organisations in accordance with the provisions of the Rates Concession Policy.

The concessions are offered on the basis that the ratepayers are entities whose objects do not include the making of a profit.

CBD Commercial Properties with Mixed Residential Use

The purpose of the concession is to reduce vacancies in the CBD by providing an incentive for commercial property owners within the defined CBD area to utilise unoccupied commercial space for residential purposes. Residential purposes is defined as any space constructed and permitted for residential use and occupied by the owner or tenant as a residence.

The basis for this concession is stimulation of economic development within the defined CBD area.

Council Owned/Trustee Vacant Land

Council will grant a concession on General Rates and Separate Charges for vacant land that is owned or held as Trustee by Council if it is leased to another entity and the land is not used for any business, commercial or industrial purpose. The level of concession is in accordance with Council's Rates Concession Policy.

The concessions are offered on the basis that the payment of general and separate rates will cause the ratepayer/lessee hardship.

Multi-Residential Unit Developments

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

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This may apply where it has been deemed impractical for Council to provide services to a multi-residential unit development consisting of six or more units within a plan.

Water Consumption Charges

Council will grant a concession/rebate of 50% on water consumption for the following assessments:

- a) 237107 – Gracemere Lakes Golf Club: and
- b) 237109 - Gracemere Bowls Club.

The concession is offered on the basis that the payment of general rates will cause the ratepayer hardship.

Lot 1 South Ulam Rd, Bajool

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

146963-2 – being Lot 1 South Ulam Rd, Bajool (L1 MLG80014 Parish of Ultimo)

- (a) General Rate 100%;
- (b) Road Network Charge 100%; and
- (c) Environment Separate Charge 100%.

The concession is offered on the basis that the payment of general rates will cause the ratepayer hardship

Rates Relief (Hardship) – General Rating Category 6.1 and Residential Properties

Where the payment of rates and charges will cause hardship to a land owner Council may offer a deferment of the payment of rates and charges for general rate category 6.1 (agricultural, farming and other rural), and residential properties.

Applications are considered in accordance with the Rates Relief (Hardship) Policy.

Rebate of Residential Water Consumption for Health Related Uses Policy

Rebates for residential water consumption are available to customers who are required to use large amounts of water for eligible health related uses, for example kidney dialysis.

Applications are considered in accordance with the Rebate of Residential Water Consumption for Health Related Uses Policy.

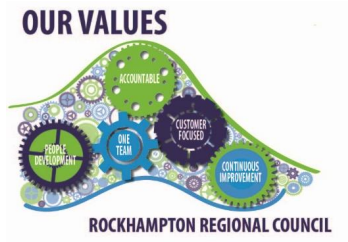
Undetected Leak Rebate Policy – Non-Residential and Residential

Rebates for undetected water leaks are available to non-residential and residential customers when an undetected water leak or other exceptional water loss occurs on the customer's side of the water meter.

The concession is offered on the basis that the payment of general rates will cause the ratepayer hardship

15. AUTHORITY

It is a requirement of the *Local Government Act 2009* that for each financial year Council adopt, by resolution, a Revenue Statement.



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APPENDIX 1 – Rockhampton Regional Council Primary Land Use Codes 2023/2024

ROCKHAMPTON REGIONAL COUNCIL Primary Land Use Codes 2023/24		
Code	Description	Definition
00	Unspecified	Land not categorised by any other land use code.
01	Vacant Urban Land	Vacant land being put to no use in an urban area (irrespective of zoning).
02	Single Unit Dwelling	Land used primarily as a site for a dwelling
03	Multi Dwellings or Flats	The use of a parcel of land for two or more self-contained residential dwellings or flats but not group or strata title
04	Large Home Site Vacant	Vacant land being put to no use (irrespective of zoning), generally greater 5,000 square metres and not used for a bonafide rural activity.
05	Large Home Site Dwelling	Land used primarily as a site for a dwelling, generally greater 5,000 square metres and not used for a bonafide rural activity.
06	Outbuildings	A parcel of land with a relatively minor shed or garage as the main structural improvement in an urban area. The improvement would be a gross underdevelopment of the site.
07	Guest House/Private Hotel/	An accommodation building where room only or room and meals are provided and have shared facilities (not a motel) in an urban area.
08	Building Units	A residential parcel of land surveyed on a Building Unit Plan or Survey plan where a single structure has been surveyed and which may include Common Property and which has attached to it a Community Management Statement in an urban area.
09	Group Title	A parcel of land where the structural improvements have been surveyed and a registered plan and Community Entitlement Scheme has been established
10	Combined Dwelling and Shops	Combined dwelling/multi dwelling and shops i.e. residential flats with shops but not registered on a Building Unit Plan or Group Title Plan.
11	Shop Single	Shop with or without attached accommodation and may include provision for car parking.
12	Shopping Group (7 - 9 Shops)	Seven to nine shops and may include provision for car parking.
13	Shopping Group (2 - 6 Shops)	Two to six shops and may include provision for car parking.
14	Shops – Main Retail (Central Business District)	Shops located in main inner city/town commercial area (central business district).
15	Shops – Secondary Retail (Fringe Central Business)	Shops located on fringe of a central business district of city/town commercial areas.
16	Drive In Shopping Centre	Drive In Shopping Centre including major regional, regional, sub regional and neighbourhood centres and having ten or more shops.
17	Restaurant/Function Centre	Restaurant including fast food outlet e.g. Kentucky Fried Chicken, McDonalds or function centre.

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ROCKHAMPTON REGIONAL COUNCIL Primary Land Use Codes 2023/24		
Code	Description	Definition
18	Special Tourist Attraction	Any development with special recreation, historical or residential features which attracts a large number of people (includes tourist village).
19	Walkway	Stratum as walkway.
21	Residential Institution (Non-Medical Care)	Aged peoples homes not predominantly medical care.
22	Car Park	An area of land which has been prepared to accommodate vehicles either below or at ground level or on suspended concrete floors.
23	Retail Warehouse	Isolated large showroom, warehouse used for retail purposes.
24	Sales Area Outdoors (Dealers, Boats, Cars, etc)	Dealers, boats, cars, bulk landscape supplies, etc.
25	Professional Offices	Offices providing administrative, financial management, the practice of a profession (examples include banks, solicitors, lending agents and brokers, medical centres, chemists, dentists).
26A	Funeral Parlour	Funeral parlour.
26B	Crematoria	Crematorium
27	Hospital, Convalescent Home, Hospice (Medical Care) (Private)	Hospital, aged peoples home, nursing home, convalescent home including hospice. Predominantly medical care.
28	Warehouse and Bulk Stores	Warehouse and bulk stores not used for retail purposes.
29A	Transport Terminal	Freight and logistics.
29B	Transport Terminal	Passenger
30A	Service Station	Predominantly used for fuel retailing which includes fuelling area, associated retail shop and associated parking area. If ability to undertake servicing repairs see Land Use Code 36.
30B	Service Station	Predominantly used for fuel retailing which includes fuelling area, associated retail shop and associated parking area. If ability to undertake servicing repairs, see Land Use Code 36.
31	Oil/Fuel Depot and Refinery	Fuel dumps or storage and oil refineries.
32	Wharves	Actual wharfs, jetties and barge landings
33	Outdoor Storage Area/Contractors Yard	Builders/contractors yard, outdoor storage area (not retail or hardware) or area for parking heavy equipment/materials.
34	Cold Stores/Ice works	Cold stores/ice works.
35	General Industry	Industrial premises that are not Light Industry– Land Use Code 36, or Heavy Industry – Land Use Code 37. Refer to Rockhampton Planning Scheme industry thresholds.

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ROCKHAMPTON REGIONAL COUNCIL Primary Land Use Codes 2023/24		
Code	Description	Definition
36	Light Industry	Light service and manufacturing industries e.g. vehicle workshops, Lawn mowing and Outboard Motor repairs, fitting and Turning workshop, small fabricating workshops, electrical goods repairs/maintenance, implement/machinery assembly this is not an exhaustive list. Refer to Rockhampton Planning Scheme industry thresholds.
37	Heavy/Noxious Industry	Industry from where a deal of offensive noise, odour, dust, etc. emanates including Abattoirs concrete batching and/or manufacturing of large form concrete products. Refer to Rockhampton Planning Scheme industry thresholds.
38	Advertising/Hoarding	Advertising/hoarding. Predominant used for advertising.
39	Harbour Industries	Harbour associated service industry. Storage industry and processing.
40A	Extractive (Quarry)	Any industry which extracts quarry material from the ground.
40B	Extractive (Mining)	Any industry which extracts mining material from the ground With a land valuation <\$80 001 (also refer to the term 'mining' as defined in Council's Revenue Statement).
40C	Extractive (Mining)	Any industry which extracts mining material from the ground With a land valuation >\$80 000 (also refer to the term 'mining' as defined in Council's Revenue Statement).
40D	Salt Production	Land used for the purposes of and incidental to the making and extraction of salt.
41	Child Care excluding Kindergarten	Facility for safe keeping of below school age children.
42	Hotel/Tavern	Premises licensed by Licensing Commission as hotel or tavern for the sale of liquor including casino.
43	Motel	Building predominantly used for overnight or short-term accommodation (includes motor inn).
44	Nursery (Plants)	Retail of plants and associated garden material.
45	Theatre/Cinema	Theatre or cinema.
46	Drive-in Theatre	Drive-in theatre.
47	Licensed Club	Any club with liquor licence/non sporting e.g. R.S.L. (not including clubs with attached sporting/recreation facilities).
48	Sports Club/Dance Facility	All sporting/dance/fitness/health/bowling clubs with or without a liquor licence run as a business.
49	Caravan Park	Caravan park.
50	Other Club Non Business	Boy Scouts/Girl Guides etc. not run as a business. Memorial Halls, Q.C.W.A., School of Arts etc. Sporting Clubs not run as business including sports fields/area tennis courts etc.
51	Church/Facilities	Churches, places of worship, church hall etc.

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ROCKHAMPTON REGIONAL COUNCIL Primary Land Use Codes 2023/24		
Code	Description	Definition
52	Cemetery	Cemetery
55	Library	Library.
56	Show Ground, Race Course, Airfield	Show ground, race course, airfield.
57	Parks, Gardens	Parks, gardens - including undeveloped parkland.
58	Educational	University, tertiary, training academy, colleges/school (including ancillary uses) and kindergarten.
60	Sheep Grazing Dry	Poorer country associated with running wethers.
61	Sheep Breeding	Better class country used for lamb breeding.
62	Aquaculture	Land used for breeding, rearing, and harvesting of fish, shellfish, algae, and other organisms in all types of water environments.
63	Cattle Fattening Intensive Feedlot	Concentration of feeding stock for sale on a large scale feedlot environment with licensed carrying capacity of Standard Cattle Units (SCU)
64	Cattle Grazing Breeding	Concentration of the growing and selling of young stock – includes stud breeding.
65	Cattle Grazing Breeding and Fattening	Mixture of growing and/or selling young and mature stock – includes associated studs.
66	Cattle Grazing Fattening	Concentration of feeding and grazing mature stock for sale
67	Goats	Goat studs and dairies.
68	Dairy Cattle Quota Milk	Supplying to milk factory on a quota basis– includes feedlot dairies.
69	Dairy Cattle Non Quota	Supplying milk to factory on an entitlement or proportion basis- includes to feedlots.
70	Cream	Supplying cream only for manufacturing purposes
71	Oil Seed	Safflower, sunflower, linseed, etc.
72	Section 49 Valuation Vacant	Vacant land subdivided under Sections 49 and 50 of the <i>Land Valuation Act 2010</i> .
73	Grains	All grains including wheat, barley, oats, maize, rye, etc.
74	Turf Farm	Growing turf for the purpose of harvesting and sale.
75	Sugar Cane	Lands used for the growing of sugar cane or associated experimental purposes.
76	Tobacco	Land used for the cultivation of tobacco.
77	Cotton	Land used for the cultivation of cotton.
78	Rice	Land used for the cultivation of rice.
79	Orchard	Includes all orchards – citrus, exotic fruit and nut, stone, other fruits and nuts, etc.
80	Tropical Fruits	Tropical fruits as separate to orchards e.g. bananas, paw paw.
81	Pineapples	The growing of pineapple either for cash crop or manufacturing purposes.

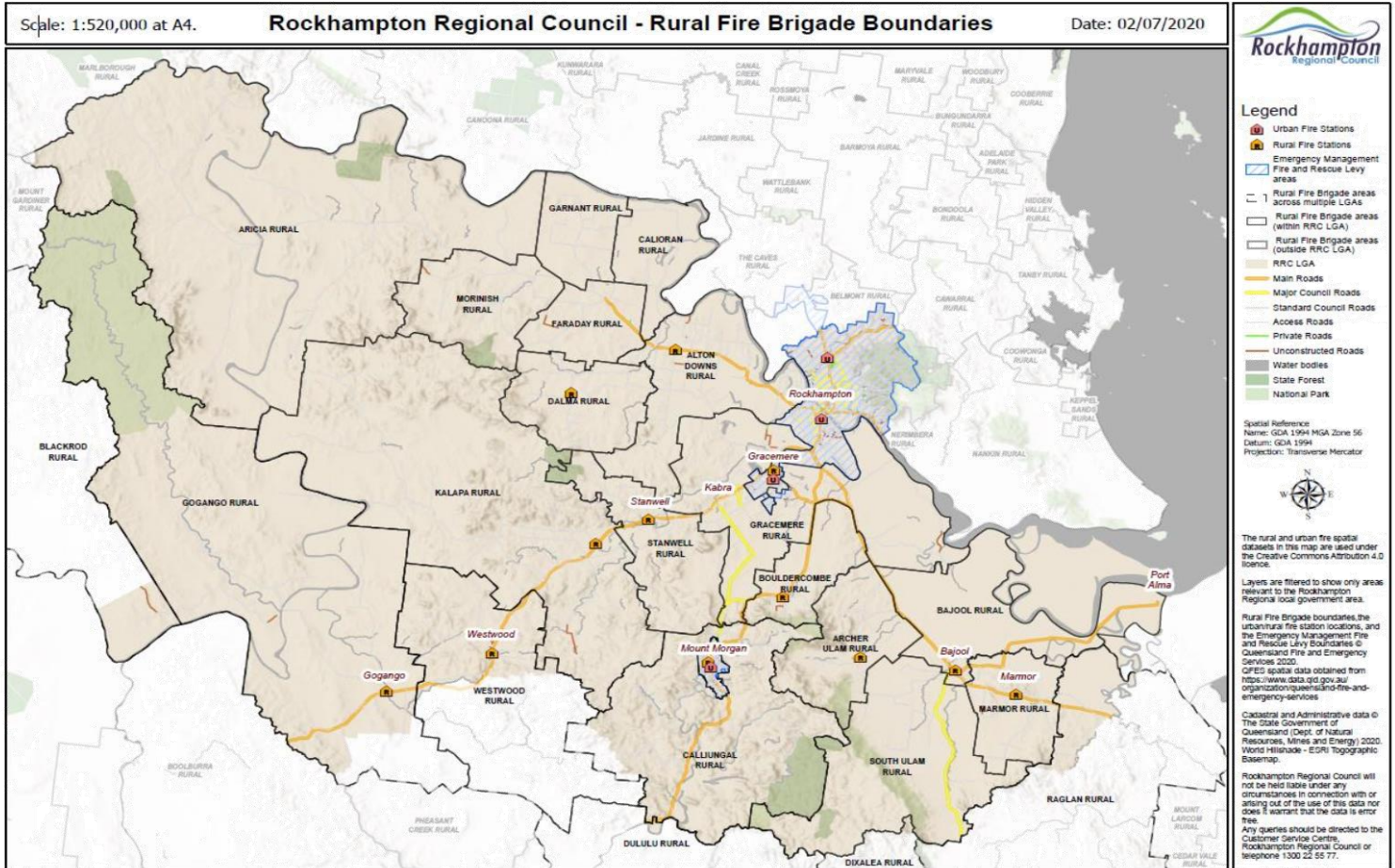
Rockhampton Regional Council

Revenue Statement 2023/2024

ROCKHAMPTON REGIONAL COUNCIL Primary Land Use Codes 2023/24		
Code	Description	Definition
82	Vineyard	Grapes.
83	Small Crops and Fodder Irrigation	All vegetable and small crop items including strawberries (also includes legumes and other improved pasture, used for fodder or stock breeding purposes, grown under irrigation).
84	Small Crops and Fodder Non Irrigation	As per Land Use Code 83 without irrigation.
85	Pigs	The breeding and/or growing and/or fattening of pigs in open range or feed lot environment.
86	Horses	The breeding and/or growing of horses including for stud purposes, including predominantly stables.
87	Poultry	Includes breeding, plus the growing for meat and/or egg production either in a controlled environment or by open runs.
88	Forestry and Logs	Growing for the purposes of harvesting areas of natural and/or plantation hardwood or softwood owned either privately or by the Crown.
89	Animals Special	Any animal not listed above e.g. deer farms, crocodile farms etc. (includes dog kennels, cattery, permanent pounds, quarantine stations, cattle dips).
90	Power Generation	Production/generation and/or storage of electricity.
91	Transformer	Transformer and substation, television/radio, transmission towers, telecommunication towers.
92	Defence Force Establishment	Defence Force Establishment.
93	Peanuts	Growing of peanuts as a predominant use.
94	Rural Land Vacant	Vacant rural land being put to no or minimal rural use in a rural area and generally more than 10 hectares.
95	Reservoir, Dam, Bore, Pipeline, Pump Station	Reservoir, dam, bore, pipeline - includes permanent pump site/station.
96	Public Hospital	Public hospital.
97A	Welfare Home/Institution	Child/adult welfare institution.
97B	Residential Care Dwelling	Purpose built residential dwelling for long term or transient living, for a number of unrelated people, providing care to persons with a disability with a Class 3 Building Classification
99	Community Protection Centre	Ambulance Centre, Fire Station, State Emergency Service and Headquarters, Air Sea Rescue Station, Coast Guard.

Please Note: The Council has delegated to the Chief Executive Officer the power, pursuant to sections 81(4) and 81(5) of *Local Government Regulation 2012*, to identify the rating category to which each parcel of rateable land belongs.

SCHEDULE 1 – ROCKHAMPTON REGIONAL COUNCIL – RURAL FIRE BRIGADE BOUNDARIES



2023/2024 REVISED BUDGET

Debt (Borrowings) Policy 2023/2024

Meeting Date: 11 December 2023

Attachment No: 4

DEBT (BORROWINGS) POLICY

STATUTORY POLICY



1 Scope

This policy applies to the use of loan borrowings to fund Rockhampton Regional Council infrastructure and other important capital works projects.

2 Purpose

The purpose of this policy is to provide Council with a contemporary Debt (Borrowings) Policy for responsible financial management on the loan funding of infrastructure and capital works projects by ensuring the level of Council indebtedness is within acceptable limits to Council, its ratepayers and interested external parties.

3 Related Documents

3.1 Primary

Local Government Act 2009

Local Government Regulation 2012

3.2 Secondary

Statutory Bodies Financial Arrangements Act 1982

4 Definitions

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
QTC	Queensland Treasury Corporation
Ratepayers	As defined in the <i>Local Government Regulation 2012</i> , a person who is liable to pay rates or charges.

5 Policy Statement

As a general principle, Council recognises that loan borrowings for capital works projects are an important funding source for local government and that the full cost of infrastructure should not be borne entirely by present-day ratepayers, but be contributed to by future ratepayers who will also benefit. Whilst recognising the importance of loan borrowings, Council should not place undue reliance upon loans as a source of funding.

Council restricts all long term borrowings to expenditure on identified capital works projects that are considered by Council to be of the highest priority and which cannot be funded from revenue, as identified by the adopted budget.

Council does not use long term debt to finance operating activities or recurrent expenditure. A working capital facility or overdraft may be utilised to help fund short term cash flow requirements that may arise from time to time.

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The basis for determination of the utilisation of loan funds is as follows:

- (a) Where a capital works project for a service that is funded by utility or user charges, for example water, sewer, waste, is determined to be funded by way of loans, the user charge should reflect the cost of providing the service including the loan servicing costs.
- (b) Other specific capital works projects, not funded by user charges, should only be considered for loan funding where the project is considered by Council to be of long term benefit to the majority of ratepayers.
- (c) The term of any loan should not exceed the expected life of the asset being funded.

5.1 10 Year Loan Programme Forecast

Council utilises loan borrowings to fund capital and infrastructure works when required. Repayments are usually spread over a period of 15 to 20 years or shorter depending on the life of the asset being created. The Debt (Borrowings) Policy includes the following information:

- (a) New borrowings for the current and the next nine financial years; and
- (b) Repayment schedule for new and existing borrowings.

The following 10 year program is proposed by Council, although allocations are revised on an annual basis in conjunction with the review of its short and long term budgets:

Table 1
10 Year Borrowing and Repayment Schedule

Financial Year	New Borrowing Amount (\$)	Loan Redemption Amount (\$)	Repayment Period (years)
Existing Loans	N/A	N/A	1-14
2023/24	24,000,000	9,926,558	15-20
2024/25	72,000,000	10,410,418	15-20
2025/26	63,000,000	14,514,915	15-20
2026/27	43,000,000	18,223,181	15-20
2027/28	31,000,000	20,956,746	15-20
2028/29	9,000,000	23,263,775	15-20
2029/30	20,000,000	24,399,294	15-20
2030/31	9,000,000	26,305,627	15-20
2031/32	-	26,524,521	15-20
2032/33	-	26,809,547	15-20

5.2 Repayment Schedule

The loan portfolio of Council is raised solely with QTC primarily utilising QTC's fixed rate loan product. A fixed rate loan is a loan where the interest rate does not fluctuate for the term of the fixed period. A fixed rate loan provides rate certainty; however, an early repayment adjustment applies for any unscheduled repayments.

The amount required to extinguish a fixed rate loan at any point in time is the market value of the loan. The market value reflects the remaining cash flows required to repay the debt, valued at the current market rates of interest. An early repayment adjustment reflects the difference between the loan balance and the market value of a fixed rate loan. The adjustment can be a loss or a gain depending on whether market rates for the remaining term are lower or higher than the original fixed rate.

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Council intends maintaining principal and interest repayment schedules consistent with the fixed rate terms of individual loans so exposures to early repayment adjustment losses are minimised. However, in circumstances where the early repayment adjustment results in a gain to Council, consideration is given to early repayment of the relevant loan facilities, subject to evaluation of Council's financial position at the time.

The budgeted loan portfolio of Council for 2023/24 is as follows:

Table 2
Budget Interest and Redemption by Fund/Function for the Year to 30 June 2024

	A	B	C	D	E (A - C + D = E)
Function Description	Book Debt Balance 01/07/2023	QTC Admin and Interest	QTC Redemption	New Advances	EST Book Debt Balance 30/06/2024
Water and Sewerage	2,951,362	107,870	852,750	19,000,000	21,098,612
Waste and Recycling	7,014,357	155,740	569,240	-	6,445,117
Airport	14,834,284	286,970	1,065,740	-	13,768,544
Other/ General Functions	104,141,428	2,925,790	7,438,830	5,000,000	101,702,598
TOTAL ALL FUNDS	128,941,431	3,476,370	9,926,560	24,000,000	143,014,871

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) As required by legislation – no later than 30 June 2024 in conjunction with the budget;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Legal and Governance



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2023/2024 REVISED BUDGET

2023/2024 Estimated Activity Statement for Business Activities

Meeting Date: 11 December 2023

Attachment No: 5

SUMMARY OF INCOME, EXPENDITURE AND COMMUNITY SERVICE OBLIGATIONS

Rockhampton Regional Council
Statement of Significant Business Activities to Which the Code of Competitive Conduct Applies
2023-2024 Financial Year

Budget Report	Airport \$	Water & Sewerage \$	Refuse Collection \$
Revenues for services provided to the Council	\$0	\$0	\$415,000
Revenues for services provided to external clients	\$21,941,823	\$92,074,575	\$28,710,828
Community Service Obligations	\$344,156	\$700,355	\$1,535,870
Total Revenue	\$22,285,979	\$92,774,930	\$30,661,698
Less: Expenditure	-\$19,060,382	-\$63,185,597	-\$24,287,566
Less: Return on Equity	-\$3,225,597	-\$9,062,713	-\$617,257
Surplus/(Deficit)	\$0	\$20,526,620	\$5,756,874
List of Community Service Obligations (CSO)			
Royal Flying Doctors Service & Capricorn Rescue Helicopter Service	\$277,012		
Patient Transfer Parking	\$67,144		
Combined Lines and Manholes (Operational and Capital Portions)		\$382,442	
Remissions to Community & Sporting Bodies		\$207,913	
Undetected Leak Rebates		\$110,000	
Old Landfill Maintenance Works			\$119,492
Regulated Waste Disposal			\$245,199
Regional Waste Transfer Stations			\$726,276
Green Waste			\$94,673
Waste Education			\$55,000
Assisted Services			\$295,230
Total	\$344,156	\$700,355	\$1,535,870

The CSO value is determined by Council and represents an activity's costs which would not be incurred if the activity's primary objective was to make a profit. The Council provides funding from general revenue to the business activity to cover the cost of providing non-commercial community services or costs deemed to be CSO's by the Council.

SUMMARY OF INCOME, EXPENDITURE AND COMMUNITY SERVICE OBLIGATIONS

**Rockhampton Regional Council
Statement of Other Business Activities to Which the Code of Competitive Conduct Applies
2023-2024 Financial Year**

Budget Report	Building Certification \$
Revenues for services provided to the Council	\$550
Revenues for services provided to external clients	\$245,295
Community Service Obligations	\$0
Total Revenue	\$245,845
Less: Expenditure	-\$192,719
Less: Return on Equity	\$0
Surplus/(Deficit)	\$53,126
<u>List of Community Service Obligations (CSO)</u>	
To assist the business offer services at an affordable price for the customer where a Private Certifiers do not accommodate the market on the basis that any external revenue in this area assists Council to offset its compliance costs that would be greater if the Private Certification services was not offered	\$0
Total	\$0

The CSO value is determined by Council and represents an activity's costs which would not be incurred if the activity's primary objective was to make a profit. The Council provides funding from general revenue to the business activity to cover the cost of providing non-commercial community services or costs deemed to be CSO's by the Council.

2023/2024 REVISED BUDGET

2023/2024 One Page Budget Summary

Meeting Date: 11 December 2023

Attachment No: 6

Rockhampton Regional Council

**One Page Budget Summary for
2023/2024 October Revised Budget**

Based on JB CHART

	Total Adopted Budget	Total October Revised Budget	Resourcing October Revised Budget	Office of CEO October Revised Budget	Advance Rockhampton October Revised Budget	Community Services October Revised Budget	October Revised Budget	Corporate Services		Regional Services				
								Regional Services October Revised Budget	Airport October Revised Budget	Other Corporate Services October Revised Budget	Fitzroy River Water October Revised Budget	Waste and Recycling Services October Revised Budget	Other Regional Services October Revised Budget	
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
OPERATIONS														
Operating Revenue														
Rates and Utility Charges	(204,921,460)	(204,921,460)	(98,842,794)	0	0	0	0	(106,078,666)	0	0	(85,408,129)	(20,670,537)	0	
Less Rebates and Discounts	17,875,809	17,875,809	9,520,975	0	0	0	0	8,354,833	0	0	6,270,491	2,084,342	0	
Fees and Charges	(37,940,957)	(38,414,409)	0	0	(1,696,150)	(9,335,799)	(16,581,573)	(10,800,887)	(16,260,400)	(321,173)	(1,509,444)	(9,263,223)	(28,220)	
Interest Received	(3,842,750)	(3,842,750)	(2,040,750)	0	0	0	(406,000)	(1,396,000)	(406,000)	0	(1,180,000)	(216,000)	0	
Grants Subsidies and Contributions	(11,738,257)	(13,747,208)	(1,797,736)	0	(172,370)	(4,090,821)	(1,201,699)	(6,484,582)	(477,458)	(724,242)	(4,902,190)	(122,797)	(1,459,596)	
Other Revenue	(9,242,518)	(9,849,707)	(10,675)	(30,915)	(802,551)	(1,153,993)	(6,618,064)	(1,233,509)	(5,609,327)	(1,008,738)	(370,254)	(859,674)	(3,581)	
Sales Contract and Recoverable Works	(6,357,439)	(7,256,661)	0	0	0	0	0	(7,256,661)	0	0	(4,960,336)	(20,871)	(2,275,454)	
Total Operating Revenue	(256,167,572)	(260,156,386)	(93,170,980)	(30,915)	(2,671,070)	(14,580,612)	(24,807,337)	(124,895,472)	(22,753,185)	(2,054,152)	(92,059,863)	(29,068,759)	(3,766,850)	
Operating Expense														
Finance Costs	3,777,460	3,777,460	2,926,730	0	0	2,000	606,950	241,780	286,950	320,000	86,080	155,700	0	
Depreciation	67,171,870	67,171,870	0	29,742	7,500	10,860,376	11,632,302	44,641,952	5,535,802	6,096,500	15,360,264	1,943,969	27,337,719	
Employee Costs	99,783,767	99,720,261	(14,610)	2,437,991	4,065,074	37,917,642	25,661,636	29,652,528	3,014,244	22,647,392	9,291,974	4,212,636	16,147,918	
Materials and Services	94,380,643	97,724,875	(165,000)	1,092,650	7,716,271	28,037,404	27,007,475	34,036,075	7,460,787	19,546,688	15,488,029	10,506,400	8,041,646	
Internal Transfers	(4,133,780)	(4,089,954)	0	188,704	4,330	4,264,928	(16,606,638)	8,058,722	238,901	(16,845,539)	1,234,647	2,609,161	4,214,914	
Code of Competitive Conduct Adjustments	0	0	(31,932,618)	0	0	0	4,996,389	26,936,229	4,996,389	0	25,014,751	1,921,478	0	
Corporate Overheads	(3,340,862)	(3,251,074)	(8,123,053)	0	0	(170,484)	1,220,113	3,822,350	1,220,113	0	5,740,854	1,660,812	(3,579,317)	
Total Operating Expense	257,639,098	261,053,438	(37,308,551)	3,749,087	11,793,175	80,911,866	54,518,226	147,389,635	22,753,185	31,765,041	72,216,599	23,010,156	52,162,881	
Net Operating (Surplus)/Deficit	1,471,526	897,052	(130,479,530)	3,718,171	9,122,104	66,331,254	29,710,889	22,494,163	1	29,710,889	(19,843,264)	(6,058,603)	48,396,031	
CAPITAL														
Capital Funding														
Existing or Operational Funds (Used) / Banked	(8,551,706)	20,737,358	(3,035,882)	29,742	(67,500)	(6,407,157)	(3,916,129)	34,134,285	1,458,551	(5,374,680)	25,732,240	(7,853,406)	16,255,451	
Grants, Subsidies and Sales/Disposals	(55,043,604)	(79,523,973)	(300,000)	0	0	(6,533,066)	(70,000)	(72,620,907)	0	(70,000)	(54,245,075)	0	(18,375,832)	
Developer Contributions	(7,273,428)	(7,273,428)	0	0	0	(140,000)	0	(7,133,428)	0	0	(2,785,428)	0	(4,348,000)	
Depreciation	(67,171,870)	(67,171,870)	0	(29,742)	(7,500)	(10,860,376)	(11,632,302)	(44,641,952)	(5,535,802)	(6,096,500)	(15,360,264)	(1,943,969)	(27,337,719)	
Unfunded Depreciation	1,471,526	897,052	897,052	0	0	0	0	0	0	0	0	0	0	
Funded Depreciation	(65,700,345)	(66,274,819)	897,052	(29,742)	(7,500)	(10,860,376)	(11,632,302)	(44,641,952)	(5,535,802)	(6,096,500)	(15,360,264)	(1,943,969)	(27,337,719)	
New Loans 2023-2024	(24,000,000)	(24,000,000)	(5,000,000)	0	0	0	0	(19,000,000)	0	0	(19,000,000)	0	0	
Total Capital Funding	(160,569,083)	(156,334,862)	(7,438,830)	0	(75,000)	(23,940,599)	(15,618,431)	(109,262,002)	(4,077,251)	(11,541,180)	(65,658,527)	(9,797,375)	(33,806,100)	
Capital Expenditure														
Capital Expenditure	150,637,323	146,408,302	0	0	75,000	23,940,599	14,552,691	107,840,012	3,011,511	11,541,180	64,805,777	9,228,135	33,806,100	
Debt Redemption	9,931,760	9,926,560	7,438,830	0	0	0	1,065,740	1,421,990	1,065,740	0	852,750	569,240	0	
Total Capital Expenditure	160,569,083	156,334,862	7,438,830	0	75,000	23,940,599	15,618,431	109,262,002	4,077,251	11,541,180	65,658,527	9,797,375	33,806,100	
Net Decrease/(Increase) of Accumulated Budget Funding	8,551,706	(20,737,358)	(128,340,700)	3,688,430	9,189,604	72,738,411	33,627,018	(11,640,121)	(1,458,550)	35,085,569	(45,575,504)	1,794,803	32,140,580	
DEBT														
Opening Balance (1/7/2023)	128,935,780	128,941,432	104,141,428	0	0	0	14,834,284	9,965,719	14,834,284	0	2,951,362	7,014,357	0	
New Loans	24,000,000	24,000,000	5,000,000	0	0	0	0	19,000,000	0	0	19,000,000	0	0	
Payments	(9,931,760)	(9,926,560)	(7,438,830)	0	0	0	(1,065,740)	(1,421,990)	(1,065,740)	0	(852,750)	(569,240)	0	
Closing Balance	143,004,020	143,014,872	101,702,598	0	0	0	13,768,544	27,543,729	13,768,544	0	21,098,612	6,445,117	0	

2023/2024 REVISED BUDGET

2023/2024 Revised Capital Budget Summary

Meeting Date: 11 December 2023

Attachment No: 7

CAPITAL BUDGET SUBMISSION SUMMARY 2023-24 to 2025-26

		Net Expenditure		88,044,915		58,486,971		146,500,703		135,163,896		340,151,570		
		Expense		150,637,323		143,914,802		195,107,964		156,489,724		495,512,490		
		Revenue		-62,317,032		-71,207,633		-48,607,261		-21,325,828		-155,360,920		
Line	Category	Description	Adopted Budget 2023-24		Carryover Budget 2023-24		Current Year 2023-24		Year 1 2024-25		Year 2 2025-26		Current Year + 2 Year Total	
			Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue
1	Advance Rockhampton	Rockynats	0	0	0	0	75,000	0	0	0	0	0	75,000	0
2		Signage	75,000	0	75,000	0	0	0	100,000	0	100,000	0	200,000	0
3	Advance Rockhampton Total		75,000	0	75,000	0	75,000	0	100,000	0	100,000	0	275,000	0
4	Airport	Airport Facilities	1,712,100	0	2,648,396	0	2,648,396	0	1,916,550	0	0	0	4,564,946	0
5		Airport Airside	0	0	19,000	0	0	0	317,000	0	5,134,800	0	5,470,800	0
6	Airport Total		1,712,100	0	2,667,396	0	2,667,396	0	2,233,550	0	5,134,800	0	10,035,746	0
7	Corporate	Communications & Information Technology	1,150,800	0	1,663,370	0	1,563,370	0	927,579	0	1,115,206	0	3,606,155	0
8		Fleet	9,300,000	0	9,671,310	0	9,916,310	0	6,343,000	0	5,009,000	0	21,268,310	0
9		Land	21,500	0	41,500	-70,000	41,500	-70,000	21,500	-6,500,000	0	0	63,000	-6,570,000
10		Resourcing	0	0	0	0	0	0	0	-2,000,000	0	-2,000,000	0	-4,000,000
11		Smart Regional Centre	40,000	0	20,000	0	20,000	0	0	0	0	0	20,000	0
12		Works for QLD	0	0	0	0	0	0	1,000,000	-4,500,000	1,000,000	-4,500,000	2,000,000	-9,000,000
13	Corporate Total		10,512,300	0	11,396,180	-70,000	11,541,180	-70,000	8,292,079	-13,000,000	7,124,206	-6,500,000	26,957,465	-19,570,000
14	Communities	Access Roads	50,000	0	44,741	0	44,741	0	50,000	0	50,000	0	144,741	0
15		Art Gallery	45,000	0	62,056	0	62,056	0	95,000	-25,000	45,000	0	202,056	-25,000
16		Botanic Gardens	0	0	0	0	0	0	200,000	0	150,000	0	350,000	0
17		Cemetery	1,141,800	0	1,377,279	0	480,139	0	1,460,000	0	50,000	0	1,990,139	0
18		Child Care	80,000	0	80,000	0	80,000	0	0	0	0	0	80,000	0
19		Developer Contributions	0	-140,000	0	-140,000	0	-140,000	0	-140,000	0	-140,000	0	-420,000
20		Facilities	632,000	0	759,502	0	859,775	0	290,000	0	270,000	0	1,419,775	0
21		Facilities New	0	0	24,978	0	253,398	0	230,000	0	60,000	0	543,398	0
22		Facilities Renewal	3,100,600	0	4,637,519	-706,850	4,275,547	-706,850	4,653,357	0	3,207,100	0	12,136,004	-706,850
23		Facilities Upgrade	347,213	0	470,444	0	540,444	0	0	0	0	0	540,444	0
24		Fleet	0	0	10,575	0	360,575	0	0	0	0	0	360,575	0
25		Health & Environment	54,029	0	71,029	0	71,029	0	0	0	60,000	0	131,029	0
26		Kershaw Gardens	350,000	0	350,000	0	350,000	0	450,000	0	400,000	0	1,200,000	0
27		Libraries	186,000	0	195,128	0	195,128	0	30,000	0	20,000	0	245,128	0
28		Parks New	985,582	0	923,926	0	815,676	0	4,045,000	0	260,000	0	5,120,676	0
29		Parks Renewal	1,081,900	0	1,426,996	-50,000	1,356,150	0	1,448,713	0	1,013,000	0	3,817,863	0
30		Parks Upgrade	0	0	0	0	0	0	320,000	0	0	0	320,000	0
31		Pilbeam Theatre	0	0	19,665	0	19,665	0	0	0	139,400	0	159,065	0
32		Rockhampton Zoo	480,000	-280,000	974,645	-136,216	1,124,645	-136,216	300,000	0	0	0	1,424,645	-136,216
33		Showgrounds	81,800	0	81,800	0	81,800	0	0	0	1,250,000	0	1,331,800	0
34		Swimming Pools	470,000	0	537,566	0	578,420	0	525,000	0	0	0	1,103,420	0
35		Venues & Events	220,000	0	336,542	0	336,542	0	171,500	0	185,000	0	693,042	0
36		Local Laws	50,000	0	150,000	0	150,000	0	0	0	0	0	150,000	0
37	Communities Total		9,355,924	-420,000	12,534,391	-1,033,066	12,035,730	-983,066	14,268,570	-165,000	7,159,500	-140,000	33,463,800	-1,288,066
38	Regional Services	Contingency	1,000,000	0	1,159,339	0	864,339	0	1,000,000	0	1,000,000	0	2,864,339	0
39		Stormwater	0	0	0	0	0	0	450,000	0	0	0	450,000	0
40	Regional Services Total		1,000,000	0	1,159,339	0	864,339	0	1,450,000	0	1,000,000	0	3,314,339	0
41	Civil Infrastructure	Boat Ramps & Jetties	510,000	0	525,000	0	525,000	0	25,000	0	0	0	550,000	0
42		Carparks	50,000	0	50,000	-6,349	50,000	-6,349	0	0	0	0	50,000	-6,349
43		Developer Contributions	0	-4,348,000	0	-4,348,000	0	-4,348,000	0	-4,348,000	0	-4,348,000	0	-13,044,000
44		Disaster Management	540,000	0	563,831	0	753,831	-190,000	0	0	0	0	753,831	-190,000
45		Equipment	14,000	0	14,000	0	14,000	0	65,300	0	0	0	79,300	0
46		Footways	1,470,000	-1,022,000	1,470,000	-629,108	1,590,000	-670,000	2,400,000	0	2,400,000	0	6,390,000	-670,000
47		Footpaths	893,000	-1,297,448	891,670	-2,681,772	954,000	-3,105,397	2,112,500	-1,169,573	957,000	0	4,023,500	-4,274,970
48		Land	215,000	0	215,000	0	365,000	0	150,000	0	150,000	0	665,000	0
49		Road Reconstruction	6,523,500	0	6,270,236	0	4,350,000	0	11,348,500	0	7,473,500	0	23,172,000	0
50		Road Reseals	3,302,000	0	2,670,632	0	3,302,000	0	3,290,000	0	3,340,000	0	9,932,000	0
51		Rural Roads Gravel Resheet	2,200,000	0	1,950,000	0	1,950,000	0	2,450,000	0	2,500,000	0	6,900,000	0
52		Rural Roads Sealing	2,729,100	-2,375,300	2,729,100	-2,449,029	2,765,250	-2,449,029	2,525,300	-1,279,300	1,049,900	-71,800	6,340,450	-3,800,129
53		Stormwater	5,970,000	-750,000	5,739,525	-2,218,364	2,410,696	-385,215	595,000	0	370,000	0	3,375,696	-385,215
54		Traffic Facilities	1,069,500	-120,000	1,228,581	-120,000	1,992,396	-438,400	1,725,000	0	6,755,000	0	10,472,396	-438,400
55		Bridges	1,250,000	-944,000	1,250,000	-944,000	1,470,000	-944,000	320,000	0	1,520,000	0	3,310,000	-944,000
56		Road Rehabilitation	6,118,000	-9,118,981	6,196,816	-9,697,442	6,455,000	-7,872,762	2,620,000	-7,309,960	3,028,000	-2,780,600	12,103,000	-17,963,322
57	Civil Infrastructure Total		32,854,100	-19,975,729	31,764,391	-23,094,064	28,947,173	-20,409,152	29,626,600	-14,106,833	29,543,400	-7,200,400	88,117,173	-41,716,385
58	Civil Developer Contributions	Road Reconstruction	556,606	0	556,606	0	556,606	0	0	0	0	0	556,606	0
59		Stormwater	31,818	0	31,818	0	31,818	0	0	0	0	0	31,818	0
60		Traffic Facilities	0	0	0	0	0	0	2,500,000	0	0	0	2,500,000	0
61	Civil Developer Contributions Total		588,424	0	588,424	0	588,424	0	2,500,000	0	0	0	3,088,424	0

CAPITAL BUDGET SUBMISSION SUMMARY 2023-24 to 2025-26

		Net Expenditure		88,320,291		88,044,915		58,486,971		146,500,703		135,163,896		340,151,570	
		Expense		150,637,323		159,252,548		143,914,802		195,107,964		156,489,724		495,512,490	
		Revenue		-62,317,032		-71,207,633		-85,427,831		-48,607,261		-21,325,828		-155,360,920	
Line	Category	Description	Adopted Budget 2023-24		Carryover Budget 2023-24		Current Year 2023-24		Year 1 2024-25		Year 2 2025-26		Current Year + 2 Year Total		
			Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	
62	Fitzroy River Water	Developer Contributions		-2,785,428		-2,785,428		-2,785,428		-2,785,428		-2,785,428		-2,785,428	-8,356,284
63		Land	0		89,700		89,700		0		0		89,700		
64		Sewerage Network	3,020,000		1,920,000		3,020,000		1,100,000		1,193,500		5,313,500		
65		Water Network	4,367,500		4,336,280		4,396,280		8,820,000		11,287,600		24,503,880		
66		Water Treatment	5,115,300		4,972,438		4,838,538		7,790,200		4,865,900		17,494,638		
67		Sewerage Treatment	2,262,800	-435,875	1,790,800	-435,875	1,140,800	-435,875	4,589,100	0	3,772,800	0	9,502,700	-435,875	
68		Water General	1,200,000	0	1,451,900	0	1,536,900	-455,110	0	0	0	0	1,536,900	-455,110	
69	Fitzroy River Water Total		15,965,600	-3,221,303	14,561,118	-3,221,303	15,022,218	-3,676,413	22,299,300	-2,785,428	21,119,800	-2,785,428	58,441,318	-9,247,269	
70	Major Infrastructure Projects	CBD Works	0		29,230		0		0		0		0		
71		Facilities	0		900		900		0		0		900		
72		Facilities Renewal	350,000		407,344		354,046		3,300,000		2,500,000		6,154,046		
73		GWTP Electrical	7,848,885		10,276,796		7,000,000		18,276,796		20,000,000		45,276,796		
74		New Art Gallery	0		414,119		414,119		0		0		414,119		
75		North STP Augmentation	14,000,000	0	12,949,638	-2,046,000	12,949,638	-2,046,000	25,000,000	0	33,000,000	0	70,949,638	-2,046,000	
76		Rockhampton Zoo	4,000,000	0	5,116,715	-1,500,000	5,116,715	-1,500,000	3,000,000	0	1,661,160	0	9,777,875	-1,500,000	
77		South Rockhampton Flood Levee	25,000		516,317		516,317		25,000		0		541,317		
78		Swimming Pools	5,419,400	-3,000,000	6,018,208	-4,000,000	6,018,208	-4,000,000	0	0	0	0	6,018,208	-4,000,000	
79		Terminal Refurbishment	0		304,115		334,115		0		0		334,115		
80		Water Treatment	25,000,000	-35,000,000	28,681,206	-35,000,000	24,000,000	-51,500,000	44,681,206	-16,350,000	15,200,000	-2,500,000	83,881,206	-70,350,000	
81		Works for QLD	0	-300,000	0	-300,000	0	-300,000	0	0	0	0	0	-300,000	
82		Sewerage Treatment	500,000		500,000		500,000		0		0		500,000		
83		GWTP Solar	4,100,000		2,933,921		2,933,921		0		0		2,933,921		
84		Gracemere & South Rockhampton STP Augmentation	6,000,000	0	4,674,209	-263,200	2,100,000	-263,200	13,000,000	0	5,900,000	0	21,000,000	-263,200	
85		Airport Airside	0		0		10,000		0		0		10,000		
86		Water General	2,000,000		2,000,000		300,000		1,700,000		0		2,000,000		
87	Major Infrastructure Projects Total		69,243,285	-38,300,000	74,822,718	-43,109,200	62,547,979	-59,609,200	108,983,002	-16,350,000	78,261,160	-2,500,000	249,792,141	-78,459,200	
88	Waste & Recycling Services	Equipment	0		0		0		10,700		0		10,700		
89		Lakes Creek Landfill	8,496,870		9,035,523		8,485,026		4,094,163		5,341,027		17,920,216		
90		Waste Transfer Stations	0		2,000		265,675		0		0		265,675		
91		Waste General	333,720		248,840		477,434		500,000		955,831		1,933,265		
92	Waste & Recycling Services Total		8,830,590		9,286,363		9,228,135		4,604,863		6,296,858		20,129,856		
93	Civil Major Infrastructure Project	Rural Roads Sealing	500,000	-400,000	397,228	-680,000	397,228	-680,000	750,000	-2,200,000	750,000	-2,200,000	1,897,228	-5,080,000	
94		Bridges	0		0		0		0		0		0		
95	Civil Major Infrastructure Projects Total		500,000	-400,000	397,228	-680,000	397,228	-680,000	750,000	-2,200,000	750,000	-2,200,000	1,897,228	-5,080,000	
96	Grand Total		150,637,323	-62,317,032	159,252,548	-71,207,633	143,914,802	-85,427,831	195,107,964	-48,607,261	156,489,724	-21,325,828	495,512,490	-155,360,920	

11.3 PROPOSED NRMA ELECTRIC VEHICLE FAST CHARGING STATION ON COUNCIL LAND - 180-186 ALMA STREET (CARPARK)

File No: 374, 15742
Attachments: 1. [Map](#)
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on a request to enter into a Licence Agreement with NRMA Electric Highways Pty Ltd to install Electric Vehicle Fast Charging Stations on Council owned freehold land located at 180-186 Alma Street, Rockhampton City.

OFFICER'S RECOMMENDATION

THAT Council authorises:

1. The Chief Executive Officer (Coordinator Property & Insurance) to issue a Licence Agreement to NRMA Electric Highways Pty Ltd over part of 180-186 Alma Street, Rockhampton City, for the construction and operation of an Electric Vehicle Fast Charging Station, for a period of 5 years (+ 5 year option) for a set annual fee of \$1,000 (ex GST); and
2. The Coordinator Property & Insurance to negotiate the terms and conditions of the Licence Agreement in preparation for execution by the delegated Officer.

COMMENTARY

NRMA Electric Highways Pty Ltd (NRMA) have been working with Council Officers to find a suitable location to install a new 4 bay Electric Vehicle Charging Station (EV Station) in Rockhampton.

After reviewing many Council sites, NRMA have determined the most suitable location for the installation of an EV Station is at a Council owned car park site located at 180-186 Alma Street which is opposite of the back of City Hall. The map is shown in Attachment 1.

The location of this EV Station would require the removal of approximately 6-7 car parks which currently occupy the site. There is also another EV Station located within the City Hall and Library car park approximately 60 metres from the proposed site.

Under the *Local Government Regulation 2012* requirements, a Licence Agreement of this nature must not be greater than 10 years and cannot have a total Licence Fee which exceeds \$10,000 for the total term. NRMA have requested a Licence for a term of 5 years with an option to extend for a further 5 years, with a nominal Licence fee of \$1.

Whilst the existing EV Charging Station located in the City Hall and Library car park is under a Licence agreement for a nominal fee of \$1, the site that NRMA has chosen has significant commercial value, particularly given it is on Council owned freehold land. It is therefore recommended that Council consider a set Licence fee of \$1,000 per annum. If Council wishes to achieve a higher return, then the site must go to tender, as per the legislative requirements.

It is anticipated that the new 4 bay EV Station has the potential to:

- Improve the reliability of Rockhampton-based EV charging options by complementing and supporting the existing EV Station at the back of City Hall;
- Attract additional visitors into the Rockhampton CBD;

- Support the charging of both Council Fleet and Queensland Government Fleet; and
- Support local residents who don't have home charging capabilities (such as those living in apartments).

BACKGROUND

An internal stakeholder consultation process was undertaken, and while some Officers were concerned about the utilisation of Council owned freehold land, there were no objection on technical grounds to the proposal.

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

Nil

LEGISLATIVE CONTEXT

Under the *Local Government Regulation 2012* requirements, a Licence Agreement of this nature must not be great than 10 years and cannot have a total Licence Fee which exceeds \$10,000. If the proposed terms exceeds these limitations, then tenders must be called for the site.

LEGAL IMPLICATIONS

The appropriate Licence Agreement will be entered into for this arrangement if approved by Council.

STAFFING IMPLICATIONS

Staffing resources within the Property & Insurance unit can adequately manage the proposed Licence.

RISK ASSESSMENT

By entering into this Licence Agreement with NRMA, Council will be granting tenure over part of its freehold land for up to 10 years. This will therefore impact any future use or development of this site, other than a car park.

OPERATIONAL PLAN

Goal 4.2 – We pursue innovative and sustainable practices

This initiative supports key actions under Council's Sustainability Strategy (Towards 2030):

- 1.1. Support local residents to adopt sustainable behaviours that help them to save money and reduce household emissions.
- 1.4. Link individuals with sustainable transport and active recreation opportunities that connect with key local destinations and open spaces.
- 3.2. Actively pursue opportunities associated with sustainable industries and infrastructure that deliver local social, environmental and economic benefits for the Region.
- 3.4. Grow local visitation and tourism opportunities that celebrate our natural assets and contribute to the liveability of the Region.

CONCLUSION

It is recommended that Council approve a Licence to NRMA over part of 180-186 Alma Street, for the construction and operation of an EV Station. The Licence is for a term of 5 + 5 years with a set annual fee of \$1,000 (ex GST).

**PROPOSED NRMA ELECTRIC
VEHICLE FAST CHARGING STATION
ON COUNCIL LAND –
180-186 ALMA STREET (CARPARK)**

Map

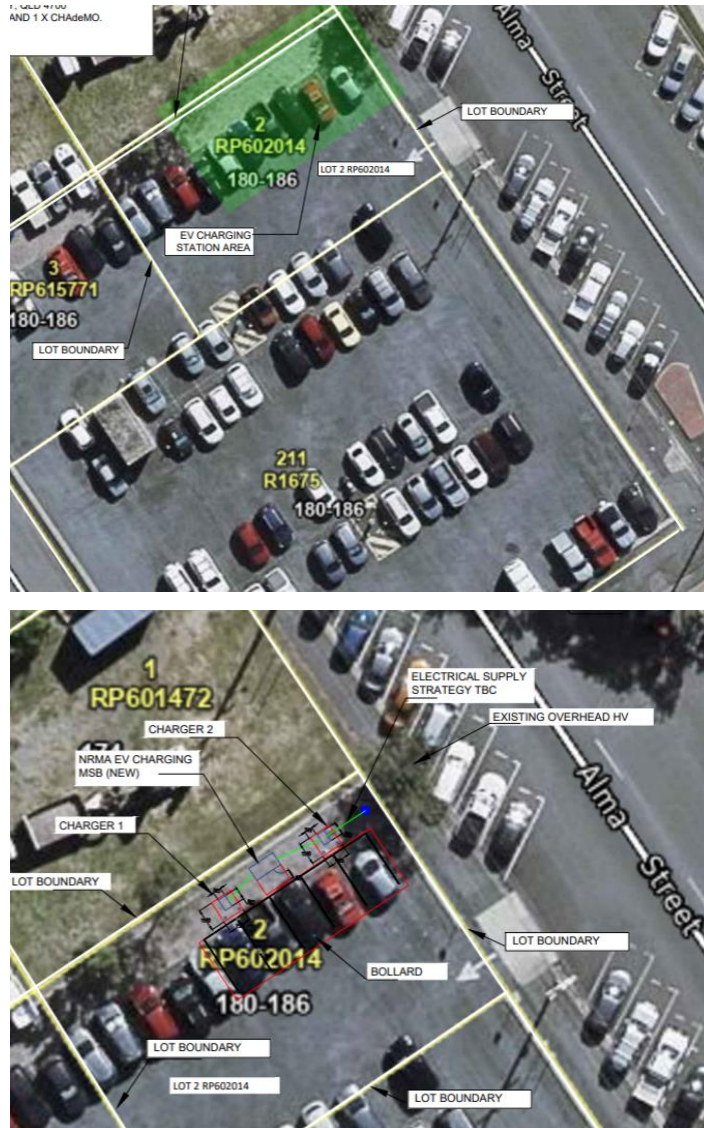
Meeting Date: 11 December 2023

Attachment No: 1



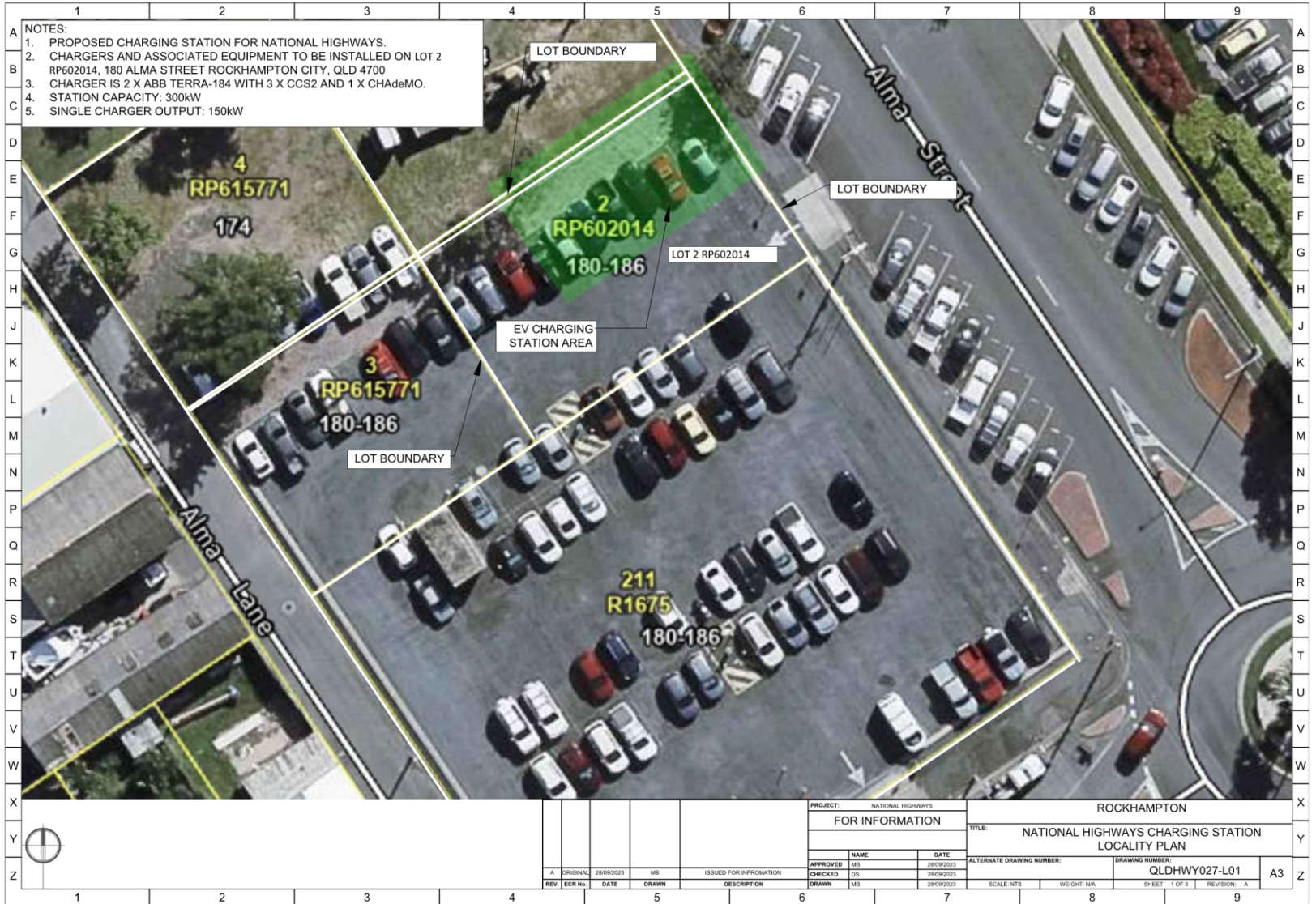
Site Map: Proposed NRMA EV Fast Charging Location
Address: 180-186 Alma Street, Rockhampton, QLD 4700
Lot 2 RP602014
-23.382756187403437, 150.51316353676046

The below site map shows the area under investigation with the footprint of the specific area highlighted in green forming the area of initial review.



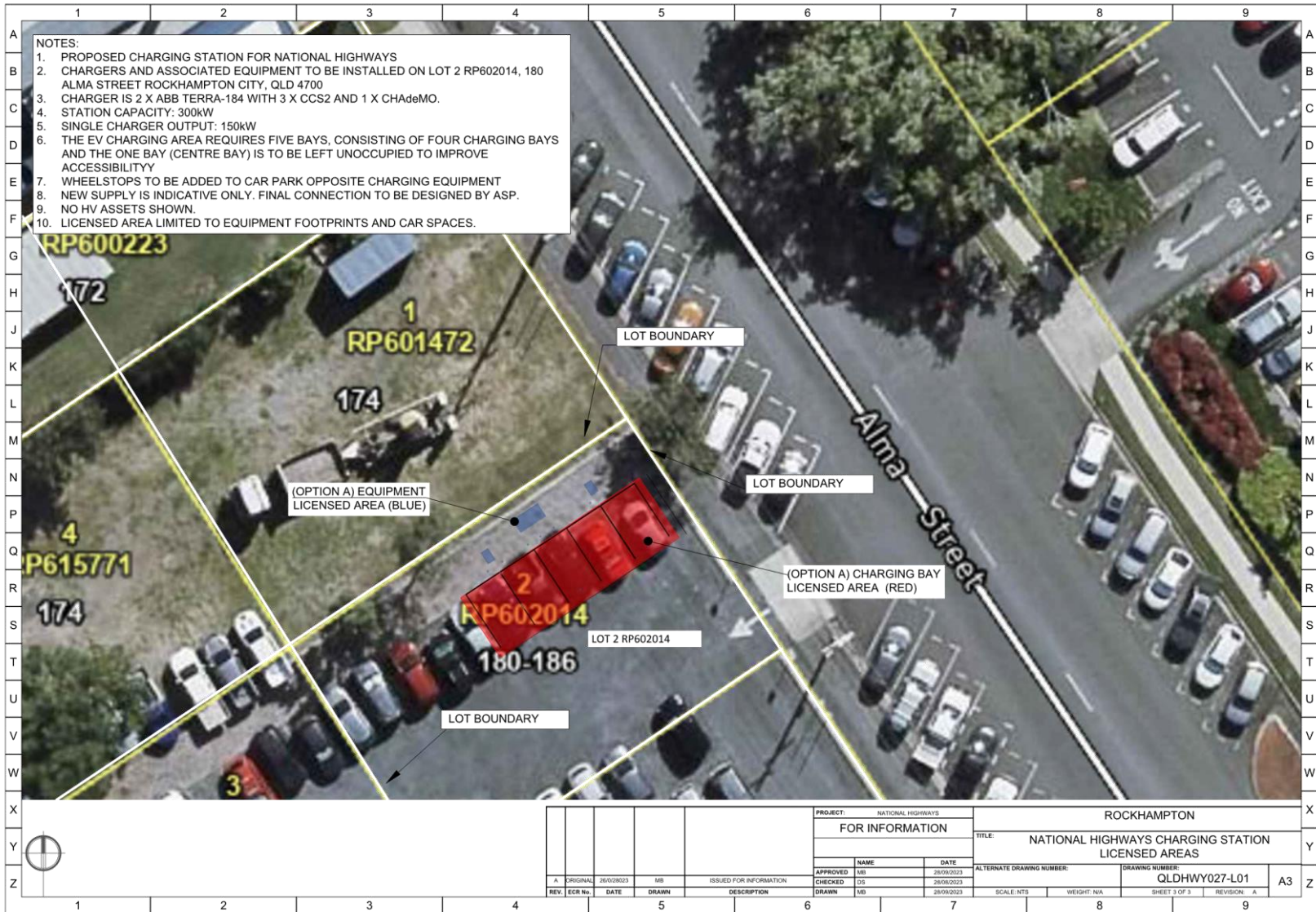
National Roads and Motorists' Association Limited ABN 77 000 010 506
PO Box 1026 Strathfield NSW 2135 Call 02 8741 6000 or visit mynrma.com.au

Classified as Internal



NOTES:
 1. PROPOSED CHARGING STATION FOR NATIONAL HIGHWAYS.
 2. CHARGERS AND ASSOCIATED EQUIPMENT TO BE INSTALLED ON LOT 2 RP602014, 180 ALMA STREET ROCKHAMPTON CITY, QLD 4700
 3. CHARGER IS 2 X ABB TERRA-184 WITH 3 X CCS2 AND 1 X CHAdcMO.
 4. STATION CAPACITY: 300kW
 5. SINGLE CHARGER OUTPUT: 150kW

PROJECT: NATIONAL HIGHWAYS		ROCKHAMPTON	
FOR INFORMATION		TITLE: NATIONAL HIGHWAYS CHARGING STATION LOCALITY PLAN	
APPROVED	MB	DATE	28/09/2023
CHECKED	DS	DATE	28/09/2023
DRAWN	MB	DATE	28/09/2023
ALTERNATE DRAWING NUMBER:		DRAWING NUMBER:	
		QLDHWY027-L01	
SCALE: NTS	WEIGHT: N/A	SHEET: 1 OF 3	REVISION: A
			A3



- NOTES:**
1. PROPOSED CHARGING STATION FOR NATIONAL HIGHWAYS
 2. CHARGERS AND ASSOCIATED EQUIPMENT TO BE INSTALLED ON LOT 2 RP602014, 180 ALMA STREET ROCKHAMPTON CITY, QLD 4700
 3. CHARGER IS 2 X ABB TERRA-184 WITH 3 X CCS2 AND 1 X CHAdcMO.
 4. STATION CAPACITY: 300kW
 5. SINGLE CHARGER OUTPUT: 150kW
 6. THE EV CHARGING AREA REQUIRES FIVE BAYS, CONSISTING OF FOUR CHARGING BAYS AND THE ONE BAY (CENTRE BAY) IS TO BE LEFT UNOCCUPIED TO IMPROVE ACCESSIBILITY
 7. WHEELSTOPS TO BE ADDED TO CAR PARK OPPOSITE CHARGING EQUIPMENT
 8. NEW SUPPLY IS INDICATIVE ONLY. FINAL CONNECTION TO BE DESIGNED BY ASP.
 9. NO HV ASSETS SHOWN.
 10. LICENSED AREA LIMITED TO EQUIPMENT FOOTPRINTS AND CAR SPACES.

				PROJECT: NATIONAL HIGHWAYS		ROCKHAMPTON	
				FOR INFORMATION		TITLE: NATIONAL HIGHWAYS CHARGING STATION LICENSED AREAS	
				NAME		DATE	
				APPROVED MB		28/09/2023	
				CHECKED DS		28/08/2023	
				DRAWN MB		28/09/2023	
REV. ECR No. DATE DRAWN DESCRIPTION				ALTERNATE DRAWING NUMBER:		DRAWING NUMBER:	
A ORIGINAL 28/09/23 MB ISSUED FOR INFORMATION						QLDHWY027-L01	
				SCALE: NTS		SHEET 3 OF 3	
				WEIGHT: N/A		REVISION: A	
						A3	

11.4 CONVERSION OF PART OF COUNCIL OWNED LAND TO ROAD FOR ELECTRICITY SUPPLY PURPOSES - 174 ALMA STREET, ROCKHAMPTON CITY

File No: 3974, 1680
Attachments: 1. [Aerial Map](#)
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on request from Ergon Energy to relocate its transformer infrastructure from Council owned land situated 180-186 Alma Street and move it to adjoining Council owned land situated 174 Alma Street and convert the site to road reserve.

OFFICER'S RECOMMENDATION

THAT pursuant to section 236(1)(b)(i) of the *Local Government Regulation 2012*, Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to dispose of part of 174 Alma Street, Rockhampton City described as Lot 1 on RP601472 (approximately 8.5m² in size) to be dedicated as road, for the relocation of the transformer from 180-186 Alma Street, by Ergon Energy Limited.

COMMENTARY

Council received a request from Ergon Energy Limited (Ergon) to open part of Council owned land situated at 174 Alma Street (approximately 8.5m²) as road. Ergon propose to install their infrastructure on the site, which will allow the relocation of the existing transformer structure from the middle of the adjoining Council owned land at 180-186 Alma Street (car park).

The attached plan shows the proposed removal of the existing transformer and building from within Council's land at 180-186 Alma Street, and the new installation area in 174 Alma Street which is to be opened as road.

Ergon's request has detailed their agreement to be responsible for all costs associated with the road opening including survey, document preparation, duty, search and lodgement fees etc.

The removal of the existing Ergon Transformer from within 180-186 Alma Street at no cost to Council is a great benefit, should there be future development plans of the property.

BACKGROUND

An internal stakeholder consultation process was undertaken, and there were no objections on technical grounds to the proposal, noting the proposed relocation of the transformer to 174 Alma Street was a more practical location of the infrastructure.

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

Nil

LEGISLATIVE CONTEXT

Section 236 of the *Local Government Regulation 2012* details a series of exceptions when disposing of a valuable non-current asset (land). Section 236(1)(b)(i) describes the process for disposal of land to a government agency. As the proposal is to dispose of Council owned land to road reserve, is technically a disposal to a government agency.

Section 236 Exceptions for valuable non-current asset contracts

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

(b) the valuable non-current asset is disposed of to—

(i) a government agency

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

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

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

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Existing resources with Property and Insurance can adequately manage the conversion of this portion of land to road.

RISK ASSESSMENT

Road reserve is considered the most appropriate tenure of land for the location of electricity infrastructure of this nature.

CORPORATE PLAN

GOAL 5.1 - Our Region has infrastructure that meets current and future needs

CONCLUSION

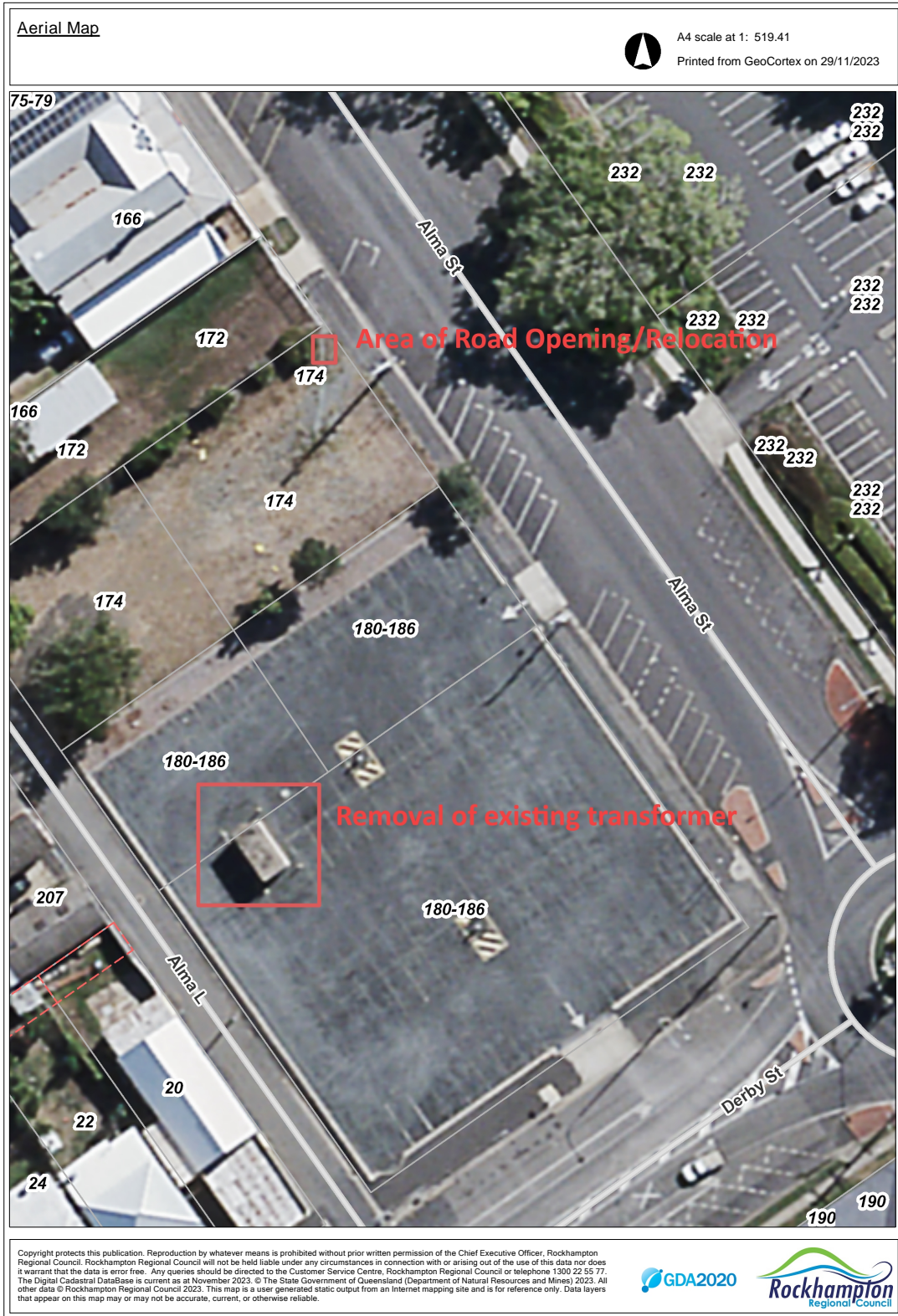
Given the benefits of this proposal to Council, it is recommended that approximately 8.5m² of 174 Alma Street be disposed of and converted to road, for the use and occupation by Ergon to relocate their existing transformer infrastructure from 180-186 Alma Street.

**CONVERSION OF PART OF COUNCIL
OWNED LAND TO ROAD FOR
ELECTRICITY SUPPLY PURPOSES -
174 ALMA STREET, ROCKHAMPTON
CITY**

Aerial Map

Meeting Date: 11 December 2023

Attachment No: 1



11.5 CONVERSION OF COUNCIL OWNED LAND (ACCESS RESTRICTION STRIP) TO ROAD - 3A WERRIBEE STREET, KAWANA

File No: 3974, 1680
Attachments: 1. 3A Werribee Street, Kawana [↓](#)
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on request from Ergon to locate Electricity Supply infrastructure on Council Owned land at 3A Werribee Street, Kawana. The most appropriate tenure for this infrastructure is road reserve.

OFFICER'S RECOMMENDATION

THAT pursuant to section 236(1)(b)(i) of the *Local Government Regulation 2012*, Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to dispose of part of 3A Werribee Street, Kawana described as Lot 102 on RP900393 (4m² in size) to be dedicated as road, to enable Ergon Energy Limited to install electricity supply infrastructure across the site.

COMMENTARY

Council received a request from Ergon Energy Limited (Ergon) to occupy Council owned freehold land situated at 3A Werribee Street, Kawana, for the purpose of electricity supply infrastructure. Ergon need to install transformer cables across the Council land. Ergon is agreeable to an easement or, if Council prefers, for Council to dedicate the land as road reserve.

3A Werribee Street, Kawana is a very narrow piece of land that is 10cm wide and a total of 4m² in size. The reason for Council ownership is for the purpose of an Access Restriction Strip, which was a town planning instrument used under the former Local Government (Planning and Environment) Act 1990 (repealed). Access restriction strips are no longer utilised or required.

The attached map shows the location of the Council owned land. It is noted that there is already a driveway constructed over part of the access restriction strip.

If Council approves the dedication of the freehold land to road reserve, Ergon will be responsible for all associated costs.

BACKGROUND

An internal stakeholder consultation process was undertaken, and there were no objections on technical grounds to the proposal, noting the preferred option is to convert 3A Werribee Street to road reserve. Due to the size and nature of the freehold land, it has no commercial value or practical use to Council.

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

Nil

LEGISLATIVE CONTEXT

Section 236 of the Local Government Regulation 2012 details a series of exceptions when disposing of a valuable non-current asset (land). Section 236(1)(b)(i) describes the process for disposal of land to a government agency. As the proposal is to dispose of Council owned land to road reserve, is technically a disposal to a government agency.

Section 236 Exceptions for valuable non-current asset contracts

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

(b) the valuable non-current asset is disposed of to—

(i) a government agency

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

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

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

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Existing resources with Property and Insurance can adequately manage the conversion of this freehold land to road reserve.

RISK ASSESSMENT

Road reserve is considered the most appropriate tenure of land for the location of electricity supply infrastructure. Whilst an easement would be sufficient, it is not practical given the very small size of the freehold land and it otherwise has no purpose or practical use to Council as freehold land.

CORPORATE/OPERATIONAL PLAN

GOAL 5.1 - Our Region has infrastructure that meets current and future needs.

CONCLUSION

It is recommended that 3A Werribee Street, Kawana be disposed of and converted to road, to enable Ergon to install their electricity supply infrastructure across the site.

**CONVERSION OF COUNCIL OWNED
LAND (ACCESS RESTRICTION STRIP)
TO ROAD - 3A WERRIBEE STREET,
KAWANA**

3A Werribee Street, Kawana

Meeting Date: 11 December 2023

Attachment No: 1

3A Werribee Street, Kawana



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11.6 PROPOSED SALE OF 888-896 YAAMBA ROAD, PARKHURST TO THE STATE OF QUEENSLAND (DEPT. HOUSING)

File No: 1680
Attachments: 1. [Aerial Map](#)
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Coordinator Property & Insurance reporting on request from The State of Queensland (Department of Housing) to purchase Council land situated at 888-896 Yaamba Road, Parkhurst for social housing development.

OFFICER'S RECOMMENDATION

THAT:

1. Pursuant to section 236(1)(b)(i) of the *Local Government Regulation 2012*, Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to sell 888-896 Yaamba Road, Parkhurst (Lot 1 on RP609294) to The State of Queensland (represented by the Department of Housing), for a sale price to be determined by an independent market valuation report.
2. Council authorises the Chief Executive Officer (Coordinator Property & Insurance) to negotiate the terms and conditions of the Contract of Sale in preparation for execution by the delegated Officer.

COMMENTARY

Council owns freehold land situated at 888-896 Yaamba Road, Parkhurst. The land is currently zoned as Low Density Residential and has not been utilised for over 10 years. The property is 5,516m² in size.

This site was included in the land assessment list Council provided to the Department of Housing for consideration for social housing. The Department of Housing has now undertaken their initial due diligence investigations and have requested to purchase the land from Council at market value. The proposal to purchase did not include proposed development plans.

If Council approves the sale, the contract will provide an allowance of time for the Department of Housing to conduct further due diligence enquiries prior to the contract becoming unconditional.

BACKGROUND

An internal consultation process has been undertaken with relevant Council Officers, with no objections to the sale received.

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

The revenue from the sale of the land is currently not captured in the Capital Budget. Conveyancing expenses will be offset against the sale proceeds.

LEGISLATIVE CONTEXT

Section 236 of the *Local Government Regulation 2012* details a series of exceptions when disposing of a valuable non-current asset (land). Section 236(1)(b)(i) describes the process for disposal of land to a government agency.

Section 236 Exceptions for valuable non-current asset contracts

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

(b) the valuable non-current asset is disposed of to—

(i) a government agency

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

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

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

(5) For subsection (3), a written report about the market value of land or an interest in land from a valuer registered under the Valuers Registration Act 1992 who is not an employee of the local government is evidence of the market value of the land or the interest in land.

LEGAL IMPLICATIONS

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

STAFFING IMPLICATIONS

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

RISK ASSESSMENT

This land has not been identified as being required by Council for future strategic purposes.

CORPORATE PLAN

GOAL 1.1 We are fiscally responsible

CONCLUSION

It is recommended that Council sells 888-896 Yaamba Road, Parkhurst to The State of Queensland (represented by the Department of Housing) for an amount determined by an independent market valuation report.

**PROPOSED SALE OF 888-896
YAAMBA ROAD, PARKHURST TO THE
STATE OF QUEENSLAND
(DEPT. HOUSING)**

Aerial Map

Meeting Date: 11 December 2023

Attachment No: 1



11.7 PLANNING ACT 2016 TEMPORARY DELEGATION OVER CHRISTMAS / NEW YEAR PERIOD

File No:	12660
Attachments:	Nil
Authorising Officer:	Damon Morrison - Manager Workforce and Governance Ross Cheesman - Deputy Chief Executive Officer
Author:	Allysa Brennan - Coordinator Legal and Governance

SUMMARY

The purpose of this report is to obtain a temporary delegation for the Chief Executive Officer to facilitate the statutory requirements of the Planning Act 2016 to accommodate the Council meeting recess over the December 2023 to January 2024 period.

OFFICER'S RECOMMENDATION

THAT:

(1) Council resolves as per Section 257 of the *Local Government Act 2009* to delegate its powers as 'Assessment Manager' under the *Planning Act 2016* to the Chief Executive Officer for the period 13 December 2023 until 22 January 2024, both dates inclusive, subject to the following limitation:

- (a) The exercise of this delegation will only occur following consultation with, and written concurrence from, two elected members with one drawn from each of the below nominated groupings:
- i. Mayor or Acting Mayor, and
 - ii. The Planning and Regulation Portfolio Councillor or the Planning and Regulation Assistant Portfolio Councillor.

BACKGROUND

Council's role under the *Planning Act 2016* is both specific and time constrained as evidenced by the following sections of the *Planning Act 2016* and the *Development Assessment Rules*:

1. *Planning Act 2016* s48(1) - Who is the assessment manager:

The assessment manager for a development application is the person prescribed by regulation as the assessment manager for the application and is responsible for the following:

- (a) administering and deciding a properly made development application; and
- (b) assessing all or part of a properly made development application.

2. Development Assessment Rules 22.1 - The assessment manager must:

Assess and decide the application within 35 days (decision period) in accordance with section 60 and 61 of the *Planning Act 2016* or a further period agreed between the assessment manager and the applicant, from the end of the last relevant part in section 21.

Consequently, to ensure legislative compliance during this period, Council must consider the delegation of its powers as Assessment Manager.

This delegation can be achieved under sections 257(1), (3) and (4) of *Local Government Act 2009 (the Act)* which read as follows:

Delegation of local government powers

- (1) *A local government may, by resolution, delegate a power under this Act or another Act to:*
- (a) *the Mayor; or*
 - (b) *the Chief Executive Officer; or*
 - (c) *a standing committee, or joint standing committee, of the local government; or*
 - (d) *the chairperson of a standing committee, or joint standing committee, of the local government; or*
 - (e) *another local government, for the purposes of a joint government activity.*
- (3) *Also, a local government must not delegate a power that an Act states must be exercised by resolution.*
- (4) *A joint standing committee, of the local government, is a committee consisting of councillors of 1 or more other local governments.*

Delegations available to Council exist under section 257(1)(a) and (b) of the Act only as the provisions within section 257(1)(c), (d) and (e) of the Act do not apply.

In formulating a response to this need, consideration has been given to the following items:

- elected member availability;
- transparency of decision making;
- accountability of decision making;
- efficiency of decision making; and
- the following table developed to illustrate the interaction of various personnel groupings:

Delegation Interaction Table		
Delegation Group	Consultation Group 1	Consultation Group 2
Chief Executive Officer	Mayor	Planning and Regulation Portfolio Councillor
Acting Chief Executive Officer As appointed for periods of absence	Acting Mayor Initially the Deputy Mayor or another Councillor appointed for periods of absence of both the Mayor and Deputy Mayor.	Planning and Regulation Assistant Portfolio Councillor

The recommendation as proposed is considered to provide the greatest flexibility to Council in meeting its statutory requirements over this period whilst maintaining the integrity, transparency and accountability of the administration of planning process.

PREVIOUS DECISIONS

Nil applicable

BUDGET IMPLICATIONS

Nil applicable

LEGISLATIVE CONTEXT

The *Planning Act 2016* identifies Council as the Assessment Manager for certain types of development. This Act, including through the Development Assessment Rules prescribes the process and timeframes by which Council must discharge its obligations as an Assessment Manager.

Local Government Act 2009 provides the mechanism by which the Council may delegate its powers as Assessment Manager pursuant to the *Planning Act 2016*.

STAFFING IMPLICATIONS

Nil applicable

RISK ASSESSMENT

Failure to meet the statutory requirements of the *Planning Act 2016* is considered to be high in the absence of mitigating action. The action as proposed alleviates the risk.

CORPORATE/OPERATIONAL PLAN

Corporate Plan Goal 1.1 We are fiscally responsible.

CONCLUSION

Consequently, there is a period of approximately six weeks where some development applications may not be able to be processed in accordance with the requirements of the *Planning Act 2016*.

It is considered appropriate to provide a temporary delegation to the Chief Executive Officer, subject to the limitations identified in the recommendation, to facilitate the statutory requirements of the *Planning Act 2016*.

11.8 ANNUAL GOODS AND SERVICES SPEND ANALYSIS

File No:	5883
Attachments:	Nil
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer
Author:	Megan Younger - Manager Corporate and Technology Services

SUMMARY

Annual goods and services spend analysis for the period 1 November 2022 to 31 October 2023.

OFFICER'S RECOMMENDATION

THAT Council receives the annual goods and services spend analysis for the period 1 November 2022 to 31 October 2023.

COMMENTARY

Council's *Local Preference Policy* has been established to provide clear direction to buy local and support the local economy. The criteria within the Policy which supports the use of local businesses includes:

- 12% local preference weighting (reducing to 5% for projects greater than \$1M); and
- 10% Tenderer local content weighting for projects greater than \$150K in value. The full weighted score is awarded when the Tenderer nominates local suppliers and sub-contractors for goods and services for use in the project to a minimum value of 50% of the tendered sum.

The spend analysis detailed in this report is based on Council's expenditure on goods and services for the twelve-month period from 1 November 2022 to 31 October 2023.

Goods and Services Spend Analysis

Council's local spend on goods and services in this reporting period was heavily impacted by the number of significant capital water and wastewater infrastructure projects including:

- Upgrade of the North Rockhampton Sewage Treatment Plant;
- Glenmore Water Treatment Plant Upgrade;
- Glenmore Water Treatment Plant Solar Generation Facilities; and
- Supply of Pipes, Fittings and Values for the Mt Morgan Supply Trunk Mains

During the reporting period, Council spent \$179.8M on goods and services. Of that amount, \$104.8M has been spent within the RRC boundaries. The above-mentioned capital projects include the use of local suppliers and subsequent local expenditure, however due to the nature of the work a large portion of the work includes the purchase of specialist equipment as well as work carried out by the Head Contractors personnel. If the above Contracts were excluded from this reporting period, the local expenditure results would be **73%**.

If included the amount would be 58%.

Plant Hire, Trade Services and Roadmaking Materials

Further analysis of Council's goods and services expenditure in the areas of Hire of Plant and Equipment, Trade Services and Roadmaking Materials shows that we have spent a total of \$21.4M, with **\$20.9M (97%)** spent on local businesses and locally supplied materials. These businesses represent the majority of our contracted small business operators.

Comparison with Previous Periods

Analysis Period	Total Goods / Services	Total Local Spend	% Local	CQ Spend	Plant Hire, etc. Total	Plant Hire, etc. Local	Plant Hire, etc. CQ
Nov 15 – Oct 16	\$77.3M	\$59.6M	77%	\$2M	\$24.6M	\$23.7M (96%)	\$900K
Nov 16 – Oct 17	\$94.6M	\$71.8M	76%	\$2.9M	\$24.3M	\$23.3 (96%)	\$901K
Nov 17 – Oct 18	\$101M	\$74.7M	74%	\$1.4M	\$22.5M	\$21.6M (96%)	\$856K
Nov 18 – Oct 19	\$124M	\$96.4M	78%	\$5.9M	\$29.6M	\$27.1M (92%)	\$2.5M
Nov 19 – Oct 20	\$141.4M	\$113.3M	80%	\$4.5M	\$22.5M	\$21.8M (97%)	\$783K
Nov 20 – Oct 21	\$145.4M	\$116.4M	80%	\$2.3M	\$19.7M	\$18.4M (94%)	\$1.3M
Nov 21 – Oct 22	\$165.5M	\$122.8M	74%	\$3M	\$19M	\$18.2M (96%)	\$700K
Nov 22 – Oct 23	\$179.8M \$140M (excluding significant projects)	\$104.8M \$102M (excluding significant projects)	58% 73%	\$3.2M	\$21.4M	\$20.9M (97%)	\$487K

Breakdown and Analysis of Total Spend

Summary breakdown of the total good and services spend:

- Local (Rockhampton Region): \$104,788,913
- CQ: \$3,152,661
- Rest of QLD: \$32,266,647
- Interstate & Overseas: \$39,549,239
- **Total Spend: \$179,757,460**

Some of the other goods/services within the Rest of QLD and Interstate spend includes:

- Consultancy services to support the water and wastewater infrastructure upgrades;
- Bulk supply of water treatment chemicals;
- Slurry seal works; and
- Dewatering of sludge lagoons.

PREVIOUS DECISIONS

Nil applicable

BUDGET IMPLICATIONS

Nil applicable

LEGISLATIVE CONTEXT

Nil applicable

LEGAL IMPLICATIONS

Nil applicable

STAFFING IMPLICATIONS

Nil applicable

RISK ASSESSMENT

Nil applicable

CORPORATE/OPERATIONAL PLAN

Corporate Plan Goal 3.4 – We support our Region’s economy through our projects and activities.

CONCLUSION

That Council receives the annual goods and services spend analysis for the period 1 November 2022 to 31 October 2023.

11.9 ADVOCACY PRIORITIES 2023-25

File No:	12534
Attachments:	Nil
Authorising Officer:	Evan Pardon - Chief Executive Officer
Author:	Justin Kann - Manager Office of the Mayor

SUMMARY

This report provides a draft Advocacy Priorities list ahead of the next State and Federal elections.

OFFICER'S RECOMMENDATION

THAT Council:

1. Affirms its commitment to advocating for local projects and policy changes ahead of the next State and Federal elections;
2. Endorse the draft Advocacy Priorities 2023-25; and
3. Endorse Council's engagement with government, opposition, local candidates and others to secure election commitments which benefit the Rockhampton Region.

COMMENTARY

State and Federal elections provide an opportunity for Council to advocate on behalf of the local community for funding commitments towards key projects and policy changes.

To support this advocacy, a draft priorities list has been developed. The list includes projects and policy initiatives that are either council or State or Federal Government led and which support greater economic development and livability across the Rockhampton Region.

It is anticipated that this list of advocacy priorities will drive Council's advocacy in the lead up to both the State and Federal elections however will be updated as needed to reflect funding commitments made and changes in policy and circumstances.

Council will engage government, opposition, local candidates and others to secure commitments on these projects with briefing material, collateral and other communication developed over the coming months.

Council will also work with local candidates and others to support investment in smaller-scale projects and initiatives to ensure election commitments best meet community needs and expectations.

Draft Advocacy Priorities 2023-25

Project	Description
A new home for Rockhampton Netball	Construction of outdoor hard courts, 3-court indoor facility and regional play space
Future Jobs Precinct	Establishment of a Future Jobs Precinct in partnership with State and Federal Government
Bay 7 (Rockhampton Airport)	Construction of apron and associated road and connection works
Regional Enabling Infrastructure Program	Establishment of an enabling/growth infrastructure program in regional Queensland to support housing and industrial land development

Rockhampton Showgrounds Masterplan	Funding to progress outcomes of the Rockhampton Showgrounds masterplan
Eden Bann Weir	Business case for the raising of Eden Bann Weir
Defence	Funding to complete the Central Queensland GWEO investment attraction strategy
Works for Queensland	Continuation of Works for Queensland as a permanent ongoing program with agreed funding allocations
South Yaamba Irrigation Project	Funding for a business case to progress the project to shovel-ready status
Gracemere Saleyards	Construction of a roof and upgrades at Gracemere Saleyards
Essential infrastructure working group	Establishment of a Queensland Government led working group to quantify costs and delivery of future water and wastewater infrastructure projects across the Queensland local government sector and recommendations around future funding arrangements

BACKGROUND

The next Queensland and Australian elections are due in 2024 and 2025, respectively.

There are a number of State and Federal electorates which overlap with the Rockhampton Region, including:

Australian Parliament	Queensland Parliament
Capricornia	Rockhampton
Flynn	Keppel
	Mirani

PREVIOUS DECISIONS

Council endorsed a Federal Election Advocacy Priorities list on 23 November 2021 to guide its advocacy in the lead up to the 2022 Federal Election.

That list included priorities for both the Capricornia and Flynn electorates, securing a number of significant commitments such as funding for the Mount Morgan Water Supply Pipeline, Bay 7 and Glenroy Crossing.

BUDGET IMPLICATIONS

Collateral and other associated costs of advocacy will be met through existing Budget allocations in 2023-24.

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Resource and staffing requirements to implement Council's advocacy activities will be met through existing allocations in the Office of the Mayor with support from other Council departments.

RISK ASSESSMENT

An endorsed advocacy priorities list allows Council to influence commitments made at State and Federal elections and maximize funding secured for the Rockhampton Region. Council's advocacy also ensures that funding commitments best reflect community need and expectation through engagement with government, opposition and local candidates.

CORPORATE/OPERATIONAL PLAN

This report delivers on Operational Plan actions 1.1.4 and 3.2.3 which relate to advocating for projects and policy initiatives with other levels of government.

CONCLUSION

Council's advocacy around the State and Federal elections is expected to increase from early next year up until the elections.

Securing funding commitments and policy changes requires significant effort and engagement. This advocacy activity will be guided by Council's priorities list.

If endorsed, briefing materials and collateral will be developed to help communicate key information, community benefit and funding requests relating to specific projects and policies.

11.10 MINOR CHANGE TO DEVELOPMENT PERMIT D/74-2023 FOR A MATERIAL CHANGE OF USE FOR NON-RESIDENT WORKFORCE ACCOMMODATION (TEMPORARY 136 PERSON) AND WAREHOUSE

File No: D/74-2023

Attachments:

1. [Locality Plan](#)
2. [Site Plan Main Area](#)

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Angela Arnold - Acting Manager Planning and Regulatory Services
Aaron Pont - Acting General Manager Community Services

Author: Kathy McDonald - Senior Planning Officer

SUMMARY

Development Application Number: D/74-2023

Applicant: B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV)

Real Property Address: Lot 51 on SP273020

Common Property Address: Lot 51 Enterprise Drive, Gracemere

Area of Site: 11.59 hectares

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

Planning Scheme Zone: Low Impact Industry Zone; and
Medium Impact Industry Zone

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

Existing Development: Warehouse (Pipe Laydown Area)

Approval Sought: Change (minor) to a Development Permit for a Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse

Referral Agency: Nil

Affected Entity: Nil

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Minor Change to D/74-2023 for Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse, made by B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV), located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	
Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse	
Reasons for Decision	
<p>a) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates 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 Impact Industry Zone Code; • Medium Impact Industry Zone Code; • Flood Hazard Overlay Code; • Steep Land Overlay Code; • Access, Parking and Transport Code; • Landscape Code; • Stormwater Management Code; • Waste Management Code; and • Water and Sewer 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 Impact Industry Zone Code; and Medium Impact Industry Zone Code	<p>PO4 and PO14</p> <p>The proposal does not comply with Acceptable Outcome (AO) 4.1 and Performance Outcome (PO) 14(b) of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code. Both outcomes require a separate pedestrian entry to the site from any vehicular entry points and manoeuvring areas.</p> <p>Due to the nature of the use and interaction with heavy vehicle movements, a separate pedestrian entry visible from the street and corresponding design elements is impractical.</p> <p>Despite this, and in relation to compliance with PO4, the absence of a direct pedestrian entry that is visible from the street that provides overhangs or awnings is not considered to negatively impact on the character or streetscape of the area because:</p>

	<ul style="list-style-type: none"> • The proposed development is setback approximately 125 metres from the Enterprise Drive road boundary, and the visibility of any such pedestrian entrance is reduced by distance. • Providing a separate pedestrian entrance to the site presents safety concerns given the nature of the proposed development and associated vehicle movements and types. • The proposed development is temporary in nature and consequently any perceived negative impacts on the character of the streetscape or area would be limited to the duration of the activity (two years). <p>In relation to compliance with PO14, the absence of a separate pedestrian entry will not compromise the security of people or property. By the nature of the use, the site will be frequented by non-resident workers and warehouse staff, reducing the opportunity for crime.</p>
	<p>PO7</p> <p>The proposal does not comply with AO7.1 of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code as no landscaping will be provided.</p> <p>Based on the temporary nature of the development (two (2) years) and considering the site will be returned to the pre-developed condition, a duration of two (2) years is not adequate time to establish mature landscaping over the site for its intended purpose of visual amenity.</p> <p>Therefore, while the proposed development does not comply with the Performance Outcome, it is considered to be appropriately justified and represents a low level conflict with the assessment benchmark. To the extent of any conflict, regard to relevant matters is considered to outweigh the conflict.</p>
	<p>PO11</p> <p>The proposal does not comply with AO11.3 of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code because the proposed hours of operation are 06:30 to 18:30 Monday to Sunday, for the Warehouse use which is outside the hours prescribed by the Acceptable Outcome, being 07:00 to 19:00 Monday to Saturday when adjoining a sensitive land use not located within an industrial zone.</p> <p>Extended operational hours for the related land use (Warehouse – Pipe Laydown Area) were approved as part of Development Permit D/70-2023. To ensure consistency across the site and to facilitate the efficient progress of a significant infrastructure project, Council has replicated the same hours of operation.</p> <p>Despite this non-compliance, the impacts to adjoining dwelling houses can be mitigated, having regard to noise, dust and odour:</p> <ul style="list-style-type: none"> • A condition of approval has been imposed requiring a 1.8 metre high screen fence along the common boundary with the lots containing the sensitive land uses;

	<ul style="list-style-type: none"> • A condition of approval has been applied requiring water trucks to be kept on site to reduce dust emissions; • Nuisance monitoring conditions have been imposed requiring the development to not cause environmental nuisance and, in the instance of a complaint, undertake monitoring to mitigate any impacts; • A condition of approval has been imposed limiting the period for increased hours of operation to two (2) years from the date the approval takes effect. <p>Further, the Applicant has directly engaged with the landowners to establish lines of communication in the event of any noise nuisance.</p> <p>On this basis the proposed development is taken to comply with Performance Outcome (PO) 11 of the zone codes.</p>
	<p>PO16</p> <p>The proposal does not comply with PO16 and overall outcome (f)(iv) of the Low Impact Industry and Medium Impact Industry zone codes because Non-Resident Workforce Accommodation is only contemplated in those zones when it is associated with an industrial use on the same site and located on an urban sub-arterial road or higher order road.</p> <p>The proposed Non-Resident Workforce Accommodation on Enterprise Drive is connected to a higher order road (industrial collector), however the industrial use (Warehouse (Pipe Laydown Area)) approved over the subject site under development approval D/70-2023 and subsequent Warehouse use (Storage) proposed as part of this application are not considered to be industrial uses associated with the accommodation. While all development on the site is associated with the Fitzroy to Gladstone Water Pipeline project, the accommodation is not proposed to support the industrial activity on the site but rather a construction activity off-site.</p> <p>Despite this, the non-compliance is considered to be a low-level conflict given:</p> <ul style="list-style-type: none"> • The land use is temporary with a maximum operational duration of two (2) year from the date the development approval takes effect and therefore industry zoned land will not be permanently affected. • Conditions of approval have been imposed that seek to ensure the development does not compromise existing industrial activities in the surrounding area or prejudice future activities from occurring. • The accommodation activity is logically and practically collocated with other industry activities associated with the Fitzroy to Gladstone Water Pipeline project. <p>To the extent any conflicts are identified, regard to relevant matters is considered to outweigh those conflicts.</p>

<p>Landscape Code</p>	<p>PO1</p> <p>The proposed development does not comply with AO1.1 because landscaping is not proposed or conditioned to comply with the requirements in the relevant zone codes.</p> <p>A response to the relevant provisions of the zone codes relating to landscaping is provided above.</p> <hr/> <p>PO11</p> <p>The proposed development does not comply with AO11.1 because shade tree planting is not provided within car parking areas in accordance with the rates set out in the Acceptable Outcome.</p> <p>Despite this, the proposed development is temporary in nature and conditions of approval have been included requiring the development to cease two (2) years from the date the development approval takes effect and the site returned to the pre-developed condition. It is impractical to establish shade tree planting within this period and is unreasonable to require it given a condition of approval requires the land to be returned to the pre-developed scenario at the cessation of the use.</p> <p>Non-compliance with AO11.1 is therefore considered to be a low-level conflict with the assessment benchmark.</p>
<p>Strategic Framework:</p> <ul style="list-style-type: none"> • Settlement pattern; • Natural environment and hazards; • Community identity and diversity; • Access and mobility; • Infrastructure services; and • Natural resources and economic development. <p>The proposal has demonstrated the use (Non-Resident Workforce Accommodation and Warehouse) does not present any significant conflicts with the elements of the Strategic Framework. To the extent any conflicts are identified, regard to relevant matters are considered to outweigh those conflicts.</p>	
<p>Relevant Matters</p>	
<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> • The proposed development will accommodate the workforce associated with the construction of the ‘Fitzroy to Gladstone Water Pipeline’, which is an approximate \$983 million project (Gladstone Area Water Board 2022). Specifically, the project will: <ul style="list-style-type: none"> ○ Provide water security and reliability within the wider region; ○ Contribute toward the growth of the Queensland economy; ○ Create more than 400 jobs at the peak of construction; and ○ Support the growth of Queensland’s renewable sector. ○ The project will be economically beneficial for the Rockhampton region throughout the duration of the project. Specifically: 	

- The likely impacts of the development have been satisfactorily addressed such that the development will not compromise the viability of future industry uses on the subject site or existing uses within the Gracemere Industrial area. A condition of approval has been imposed restricting the life of the Non-Resident Workforce Accommodation to two (2) years from the date of the development approval taking effect.
- The proposed development will help ensure current housing pressures in Rockhampton are not exacerbated by accommodating up to 136 non-resident workers in a temporary and dedicated facility, outside the already saturated rental / short-term accommodation market.
- The co-location of the Non-Resident Workforce Accommodation activity with Warehouse activities associated with the same project on the same site is logical and provides natural synergies and efficiencies for the project.
- The site's location is significant in providing safe access to a key transport corridor (Gracemere Industrial Access Road onto Capricorn Highway) to allow for the bulk transportation of the materials (Pipes) to facilitate the construction of the 'Fitzroy to Gladstone Water Pipeline' project.
- The site's area, 11.59 hectares provides an appropriate size to house the Non-Resident Workforce Accommodation use, Warehouse Use (Pipe Laydown Area) and associated Warehouse use (Storage) to allow for a consolidation of activities for the project.

Matters raised in submissions

The proposal was the subject of public notification between 29 June and 19 July 2023, in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules, and one (1) properly made submission was received.

Issue	How matter was dealt with
Inconsistent with the Low Impact Industry Zone purpose	A Non-Resident Workforce Accommodation use is contemplated within the Low and Medium Impact Industry zones when it is associated with an industrial use on the same site and located on an urban sub-arterial road or higher order road.
Inconsistent with the Medium Impact Industry Zone purpose	Council acknowledges that whilst the development on Enterprise Drive is connected to a higher order road (industrial collector), the proposed industrial uses on site are not considered to be associated with the accommodation. However, as outlined in the response above to the purpose of the Low and Medium Impact Industry zone codes, the development does comply on balance with the remaining outcomes of the zones purpose, and to the extent any conflicts are identified, regard to relevant matters is considered to outweigh those conflicts.
Amenity (visual impacts and dust) to surrounding sensitive land uses	The submitter raised concerns with the visual impacts of the development on the surrounding sensitive land uses due to the lack of landscaping, lack of detail on screening and potential dust emissions. As outlined in this Statement of Reasons, formal landscaping has not been proposed as part of the development nor imposed by Council as part of the recommendations for approval.

	<p>Notwithstanding this, the development has implemented measures to minimise adverse impacts on adjoining non-industrial zoned land to the south including a 1.8-metre-high solid screen along the boundary. Council has further imposed a condition to extend this screen along the western boundary to minimise the visual impacts to the existing dwelling house located to the west of the subject site.</p> <p>The development has implemented mitigation measures to ensure impacts on the adjoining sensitive land uses will be minimised. These include dust suppression over the site via the use of water trucks on all un-treated areas. All manoeuvring areas will be treated with compacted gravel to minimise airborne dust. Conditions of approval have also been included relating to dust management, nuisance monitoring and mitigation.</p>
<p>Safety and security concerns of the accommodation activity on the surrounding sensitive land uses</p>	<p>Security lighting will be in place for the camp and there is sufficient opportunity for casual surveillance internal to the site through design and arrangement of buildings. A 1.8 metre high screen fence will be constructed along the east, south and west boundaries with sensitive land uses and negligible risk that staff staying at the camp will pose a security risk to adjoining land.</p>
<p>Matters prescribed by regulation</p>	
<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. 	

RECOMMENDATION B

THAT in relation to the application for a Minor Change to D/74-2023 for Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse, made by B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV), located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020, Council resolves to issue an Amended Decision Notice subject to the following conditions:

1.0 **ADMINISTRATION**

- 1.1 The owner, the owner's successors in title, and any occupier of the premises 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 compliance with conditions notice 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) Stormwater Works;
 - (iii) Site Works;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 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 All development conditions contained in this development approval about infrastructure under Chapter 4 of the *Planning Act 2016* should be read as being non-trunk infrastructure conditioned under section 145 of the *Planning Act 2016*, 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>
Site Area Plan	QCV	22 November 2023	14-1061H-WD-02-6	6
Site Plan Main Area	QCV	22 November 2023	14-1061H-WD-03-6	6
Overall Site Ground Floor	QCV	22 November 2023	14-1061H-WD-04-6	6
Ground Finish Surfaces	Premise	7 July 2023	MIS-1080 / C005	D
Waste Management Report	McDonnell Dowell Constructors and B.M.D	26 June 2023	1151	A
A-double Vehicle Swept Paths	Premise	-	-	-
Traffic Impact Assessment	Premise	8 June 2023	MIS-1080/R01	A
Hume Ceptor System Technical Manual	Humes	-	-	-

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- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 The site layout as provided in the approved 'Site Over All Plan', 'Site Plan Main Area' and 'Overall Site Ground Floor' prevail over site layout in the approved 'Ground Finish Surfaces' plan to the extent of any inconsistency, except for the plant laydown area in the north-eastern corner of the site.
- 3.0 ROAD WORKS
- 3.1 A dilapidation report must be submitted with the Operational Works (Access and Parking Works) application for Enterprise Drive. This report is required to ensure that Council's road network is returned to an acceptable standard at the cessation of the use. The report must identify the standard of Enterprise Drive pre-construction in order to assess what works are required post construction (i.e., cessation of use) to return it to an acceptable standard.
- 3.2 A temporary road access permits for heavy vehicle must be obtained from the National Heavy Vehicle Regulator (NHVR) and Council for the use of Enterprise Drive.
- 4.0 ACCESS AND PARKING WORKS
- 4.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.
- 4.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.3 Access (access area from the end of Enterprise Drive up to the main car park) and parking (main car park) areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 4.4 All vehicles must ingress and egress the development in a forward gear.
- 4.5 A minimum of 66 parking spaces must be provided on-site.
- 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 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"*.
- 4.9 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
- 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 The gravel access and vehicle manoeuvring areas must be constructed, operated and maintained in a manner that no significant impact on the amenity of adjoining premises or the surrounding area is caused due to the emission of dust or results in sediment laden water.
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5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 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.
- 5.2 The development must be connected to Council's reticulated sewerage and water networks.
- 5.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 5.4 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.
- 5.5 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.
- 5.6 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 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
 - 6.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1) subject to ensuring compliance and any alterations required by the *Environmental Protection Act 1992, Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
 - 6.3 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 to other infrastructure.
 - 6.4 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.
 - 6.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by an updated Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland that as a minimum includes:
 - 6.5.1 an assessment of the peak discharges for all rainfall events up to and including a one per cent (1%) Annual exceedance probability storm event, for the pre-development and post-development scenarios;
 - 6.5.2 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*;
 - 6.5.3 culvert / cross drainage design details like design flow, velocity, afflux, flood and stream gradient, tailwater levels etc.
 - 6.5.4 the detail design of the diversion channel; and
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- 6.5.5 the detail design of the Sedimentation Basin at a minimum includes:
- 6.5.5.1 design flow;
 - 6.5.5.2 size of treatment;
 - 6.5.5.3 type of basin;
 - 6.5.5.4 size and dimension of basin;
 - 6.5.5.5 design inflow and outflow (low /high flow) systems;
 - 6.5.5.6 vegetation specification;
 - 6.5.5.7 maintenance access and plan;
 - 6.5.5.8 sediment disposal method;
 - 6.5.5.9 rehabilitation process for the basin area;
 - 6.5.5.10 basin's operational procedures; and
 - 6.5.5.11 the demonstration of how the flow (major and minor) characteristics from sedimentation basin will be similar to pre-development scenarios for all rainfall events up to and including a one per cent (1%) Annual exceedance probability storm event.
- 6.6 The culvert / crossing drainage structure under the proposed access must have immunity (and appropriate freeboard) during a one per cent (1%) Annual Exceedance Probability defined storm event. Alternatively, overtopping of the culvert is acceptable if it complies with condition 6.7.
- Note:** Access immunity to minor storm event and trafficable at major storm event satisfying the Depth Velocity criteria is acceptable.
- 6.7 The proposed culverts / cross drainage structure must be designed and constructed considering appropriate blockage factor and allowable velocity depth product(s) to ensure safety in accordance with *Queensland Urban Drainage Manual* requirements.
- 6.8 No washing of plant equipment and vehicles is permitted on the development site unless an approved washdown bay is built to prevent contamination of land and the stormwater system.
- 6.9 The wash down bay must be drained to the approved Interceptor (refer to Condition 2.1). Contaminants within the Interceptor device must be removed and disposed of as regulated waste. Water that has passed through the treatment device may be used as dust suppression.
- 6.10 The approved Interceptor must be maintained to the manufacturer's instruction as per the approved plans and documents (refer to Condition 2.1).
- 6.11 A Manufacturers Maintenance Instruction Manual must be located on site at all times for inspection by Council officers.
- 7.0 **ROOF AND ALLOTMENT DRAINAGE WORKS**
- 7.1 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*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 7.2 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.
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8.0 SITE WORKS

- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 8.2.1 the location of cut and/or fill;
 - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 8.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 8.2.5 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.
- 8.3 All earthworks must be undertaken in accordance with Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments".
- 8.4 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.

9.0 BUILDING WORKS

- 9.1 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"*.
- 9.2 Impervious paved waste storage areas must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2019* and must be:
- 9.2.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 9.2.2 aesthetically screened from any road frontage or adjoining property;
 - 9.2.3 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;
 - 9.2.4 setback a minimum of two (2) metres from any road frontage or adjoining property; and
 - 9.2.5 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*.
- Note:** 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.
- 9.3 A fence with a minimum height of 1.8 metres must be established for the full length of the common boundary of the site (Lot 51 on SP273020) with lots 10 and 11 on RP618976, Lot 2 on SP259555 and Lot 2 on RP612154.

10.0 ELECTRICITY

- 10.1 Underground electricity services must be provided in accordance with the standards and requirements of the relevant service provider.

11.0 TELECOMMUNICATIONS

- 11.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.

12.0 ASSET MANAGEMENT

- 12.1 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.
- 12.2 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.

13.0 ENVIRONMENTAL

- 13.1 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:

13.1.1 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

13.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.

14.0 ENVIRONMENTAL HEALTH

- 14.1 Odour and visible contaminants, including but not limited to dust, fume, smoke, aerosols, overspray or particulates, must not be released to the environment in a manner that will or may cause environmental nuisance or harm unless such release is authorised by Council.
- 14.2 All chemicals and/or environmentally hazardous liquids must be contained within a covered, bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five percent (25%) of the total storage capacity.
- 14.3 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:
- 14.3.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
- 14.3.2 a broom, shovel, face shield, chemically resistant boots and gloves; and
- 14.3.3 waste bags and ties.
- 14.4 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 14.5 Regulated waste and any other waste must not be released to the environment, stored, transferred or disposed of in such a manner that it will or may cause environmental harm or nuisance. This includes any waste being burnt or incinerated at the premises.
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- 14.6 All traceable regulated waste must be removed from the premises by a licensed regulated waste transporter.
- 14.7 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:
- 14.7.1 the date, quantity and type of waste removed;
 - 14.7.2 a copy of any licensed waste transport vehicle docket;
 - 14.7.3 the name of the licensed regulated waste removalist and/or disposal operator; and
 - 14.7.4 the intended treatment and/or disposal destination of the waste.
- These records must be available for inspection by Council when requested.
- 14.8 The workshop must be undercover and have an impervious floor that is adequately sealed and bunded to prevent release of environmentally hazardous liquids to land.
- 14.9 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be either:
- 14.9.1 appropriately bunded and drained to the reticulated sewerage network in accordance with a trade waste permit; or
 - 14.9.2 appropriately bunded and drained to a holding tank for collection by a licensed contractor.
- 14.10 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance as determined by Council caused by noise, light, odour or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.
- 15.0 OPERATING PROCEDURES
- 15.1 Operations on the development site must have no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 15.2 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 Enterprise Drive.
- 15.3 The hours of operations for the development site must be limited to:
- (i) 0630 hours to 1830 hours on Monday to Sunday.
- with no operations on Public Holidays.
- Note:** The Non-Resident Workforce Accommodation component of the approved development is permitted to operate 24 hours, seven (7) days per week.
- 15.4 This development approval is limited to a period of two (2) years from the date the approval takes effect. The approved development (Non-resident Workforce Accommodation (136 Person) and Warehouse must cease after this period and the land rehabilitated to the pre-developed scenario.
- 15.5 Prior to cessation of the uses, a Rehabilitation and Decommission Plan must be submitted for endorsement by Council.
- 15.6 Water trucks for dust suppression must be kept on site at all times for use as required.
- 15.7 The gravel access and vehicle manoeuvring areas must be constructed, operated and maintained in a manner that no significant impact on the amenity of adjoining premises or the surrounding area is caused due to the emission of dust or results in
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sediment laden water.

- 15.8 Where un-sealed surface treatments are utilised in access, parking and vehicle manoeuvring areas, contaminants such as oils or chemicals must not be released onto the surface treatment.
- 15.9 All waste storage areas must be:
- 15.9.1 kept in a clean and tidy condition; and
 - 15.9.2 maintained in accordance with *Environmental Protection Regulation 2019*.
- 15.10 Cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
- 16.0 STAGED DEVELOPMENT
- 16.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:
- 16.1.1 Stage One – 104 rooms including all camp facilities; and
 - 16.1.2 Stage Two – remaining 32 rooms.
- in accordance with the approved plans (refer to condition 2.1).
- Stage One (1) must be completed prior to Stage Two (2).
- 16.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

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 Seniors, Disability Services and 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.

NOTE 4. Building Works

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.

NOTE 5. Infrastructure Charges Notice

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

RECOMMENDATION C

THAT in relation to the application for a Minor Change to D/74-2023 for Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse, made by B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV), located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020, Council resolves to issue an Amended Infrastructure Charges Notice for the amount of \$3,283,922.41.

SITE AND LOCALITY

The site is located within the Gracemere industrial area with the site being dual zoned as Low Impact Industry Zone and Medium Impact Industry Zone under the *Rockhampton Region Planning Scheme 2015*. The site is a large vacant lot with an approximate area of 11.59 hectares. The site is partially affected by the Flood Hazard Overlay and Steep Land Overlay, however neither of these overlays will affect the development. Three (3) easements exist over the site, Easement B on SP260358 is located to the front of the site and is dedicated over the overland flood hazard area for the purpose of Drainage, Easement V on SP270249 is located along the rear boundary for the purpose of infrastructure and Easement S on SP270249 is located at the entry point for the purpose of access (truck turn around area).

North of the subject site along Enterprise Drive are several industrial lots. Directly adjoining the subject site within the Medium Impact Industry Zone is an existing industrial use on the east of Enterprise Drive and medium vacant sized lots on the west. Further North are lots located in the High Impact Industry Zone closer to Somerset Road. These lots are partially developed to the east with industrial uses of varying intensities whilst the remaining on the west are all vacant.

East and South of the subject site is land zoned as Rural with established sensitive land uses (dwelling houses), the closest being 20 metres from the sites rear boundary. West of the site is also a sensitive land use located within all three (3) industry zones, approximately 200 metres from the western boundary on the subject site.

The site gains access from Enterprise Drive which connects to Somerset Road and Somerset Connection Road onto the Gracemere Industrial Access Road for simple access to the Capricorn Highway (State Controlled Road).

BACKGROUND

Council at its meeting on 22 August 2023, approved a Development Permit for Non-resident Workforce Accommodation (Temporary 200 Person) and Warehouse located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020.

The development involves construction of a non-resident workforce accommodation site and a warehouse in support of the Queensland Governments approved Fitzroy to Gladstone Pipeline project (FGP).

Other associated development applications:

- D/70-2023 for a Warehouse (Pipe Laydown Area) has been approved and the use commenced; and
- D/90-2023 for related Operational Works for Road work, Stormwater, Water infrastructure, Drainage work, Earthworks, Sewage infrastructure has been approved and civil works commenced.

PROPOSAL

In accordance with section 78 of the *Planning Act 2016*, the applicant has applied for a ‘Minor Change’ to the development approval. The applicant has proposed to make the following changes to the development:

- Capacity of the non-resident workforce accommodation is proposed to be reduced from 200 persons to up to 136 persons. Facilities for the camp will be amended from 50 accommodation buildings comprising of four (4) person self-contained suites (including ensuites) to 34 accommodation buildings comprising of four (4) person self-contained suites (including ensuites);
 - As a result of the reduced capacity, an amended site area plan has been submitted for approval to reflect the reduced buildings; and
- Staging is proposed to be introduced with construction planned to occur over two (2) discrete stages as follows:
 - Stage One – 104 rooms including all camp facilities; and
 - Stage Two – remaining 32 rooms.
- As a result, a Site Plan Main Area and Overall Site Ground Floor Plan have been included for approval to reflect the stages.

There are no proposed changes to the Warehouse (plant laydown) use area of this Development Permit. This component is under construction and in use.

The changes are required as the project sequencing for the Fitzroy to Gladstone Pipeline (FGP) has resulted in the majority of the pipeline construction crew working along the southern portion of the project from January 2024. This change has resulted in the workers now utilising the Gladstone accommodation facilities and has reduced the overall demand for the capacity of the camp in Rockhampton.

The Rockhampton camp will now be limited to providing accommodation for the Fitzroy River Intake and Pump Station crews and the Alton Downs Water Treatment Plant facility construction crews.

The consequential changes to conditions of approval are detailed herein.

Table 1 includes the conditions that are to be amended. All conditions to be amended have been requested to or agreed to by the applicant:

TABLE 1 – PROPOSED CHANGES

Requested By Applicant	
Changes	Council Officer’s Response:
<p>Development Approval description is to be amended:</p> <p>From:</p> <p>Development Permit for Material Change of Use for Non-resident Workforce Accommodation (Temporary 200 Person) and Warehouse</p> <p>To:</p> <p>Development Permit for Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse</p>	<p>The description of the Development Permit is to be amended to reflect the reduced number of persons approved on site.</p>
<p>Item 6 and Condition 2.0 is to be amended:</p> <p><u>The following plans are to be included in the Approved Plans Table:</u></p>	<p>The amendment to Item 6 and Condition 2.0 is required to reflect the changes to the proposed layout and include staging plans of the</p>

<p>Site Area Plan, prepared by QCV with reference number 14-1061H-WD-02-6, version 6, dated 22 November 2023</p> <p>Site Plan Main Area, prepared by QCV with reference number 14-1061H-WD-03-6, version 6, dated 22 November 2023</p> <p>Overall Site Ground Floor, prepared by QCV with reference number 14-1061H-WD-04-6, version 6, dated 22 November 2023</p> <p><u>The following plans are to be removed from the Approved Plans Table:</u></p> <p>Site Over All Plan, prepared by QCV with reference number 14-1061H-DA-01, version D, dated 19 July 2023</p> <p>Site Plan Main Area, prepared by QCV with reference number 14-1061H-DA-02, version D, dated 19 July 2023</p> <p>Overall Site Ground Floor, prepared by QCV with reference number 14-1061H-DA-03, version D, dated 19 July 2023</p>	<p>development.</p>
<p>Required By Council</p>	
<p>Changes</p>	<p>Council Officer's Response:</p>
<p>Condition 15.4 is to be amended:</p> <p>From:</p> <p>15.4 This development approval is limited to a period of two (2) years from the date the approval takes effect. The approved development (Non-resident Workforce Accommodation (200 Person) and Warehouse must cease after this period and the land rehabilitated to the pre-developed scenario.</p> <p>To:</p> <p>15.4 This development approval is limited to a period of two (2) years from the date the approval takes effect. The approved development (Non-resident Workforce Accommodation (136 Person) and Warehouse must cease after this period and the land rehabilitated to the pre-developed scenario.</p>	<p>The amendment to the condition is required to reflect the reduced number of persons approved on site.</p>
<p>Condition 16.0, 16.1 and 16.2 are to be included:</p> <p>16.0 <u>STAGED DEVELOPMENT</u></p> <p>16.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:</p> <p>16.1.1 Stage One – 104 rooms including</p>	<p>As a result of including the proposed stages Conditions 16.0, 16.1 and 16.2 are required to be added to the development approval.</p>

<p>all camp facilities; and</p> <p>16.1.2 Stage Two – remaining 32 rooms. in accordance with the approved plans (refer to condition 2.1). Stage One (1) must be completed prior to Stage Two (2).</p> <p>16.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.</p>	
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PLANNING ASSESSMENT

The change application has been assessed in accordance with section 81 of the Planning Act. Relevantly in assessing the change application, Council as responsible entity has considered:

- The information the applicant included with the application
- Any properly made submissions about the development application or other change application that was approved
- Any pre-request response notice or response notice given in relation to the change application
- All matters Council, as responsible entity, would or may assess against or have regard to, if the change application were a development application

The proposed changes wholly comply with the applicable assessment benchmarks contained in the *Rockhampton Region Planning Scheme 2015* (version 2.2) and no further assessment is required.

Refer to the Statement of Reasons contained in **Recommendation A**.

INFRASTRUCTURE CHARGES

For a change application (minor), Council must recalculate the levied charges in accordance with the version of the Charges Resolution in effect when the Infrastructure Charges Notice (ICN) was issued.

Charges Resolution (No. 1) of 2022 (the Charges Resolution) for non-residential development applies to the application. The non-resident workforce accommodation component falls within the ambit of the "Other Uses" category under the Charges Resolution, for which Council has discretion to decide the applicable infrastructure charges at the time of assessment.

Based on an assessment of the use and the infrastructure demand it is likely to generate, officers have determined that a charge of 'Rooming Accommodation' should be applied.

The Infrastructure Charges are as follows:

- A charge of \$3,176,170.04 for x 136 suites with 2 or less bedrooms (Non-Resident Workforce Accommodation);
- A charge of \$58,550.04 for Gross Floor Area being 1,002.48 square metres. Warehouse - shipping containers (28.27 square metres x 24 containers) and ancillary office (324 square metres);
- A charge of \$49,202.33 for Impervious Area being 4,216 square metres (roof area and hardstand areas associated with the Warehouse); and
- No credit is applicable for the development (lot credit applied as part of development permit D/70-2023)

In accordance with section 3.1 of Charges Resolution (No.1) of 2022, the base charge has been automatically increased using the Producer Price Index (PPI), adjusted according to the three (3) yearly PPI average quarterly percentage change between financial quarters.

The calculations are reflected in the below table:

Column 1 Use Schedule	Column 1A Use	Column 2 Adopted Infrastructure Charge for residential development (\$)			Column 3 Unit	Column 4 Calculated Charge
		(a) 2 or less b'room	(b) 3 or more b'room	(c) Not part of suite		
Other Uses	Non-resident Workforce Accommodation	Decided by <i>Local Government</i> at time of assessment: Rooming Accommodation				
Accommo- dation (Long Term)	Rooming Accommodation	21,912.60	30,677.65	21,912.60	Per b'room or suite	\$3,176,170.04
Column 1 Use Schedule	Column 1A Use	Column 2 Adopted Infrastructure Charge for non- residential development (\$)		Column 3 Calculated Charge		
		(a) per m ² of Gross Floor Area (GFA)	(b) per m ² Impervious to Stormwater			
Other Industry	Warehouse	54.80	10.95	\$107,752.37		
Total Base Charge					\$3,283,922.41	
Total Credit					Nil	
TOTAL CHARGE					\$3,283,922.41	

Therefore, a total charge of \$3,283,922.41 is payable for the development and will be reflected in an amended Infrastructure Charges Notice.

CONCLUSION

The Applicant's change application is considered reasonable and recommended for approval.

**MINOR CHANGE TO DEVELOPMENT
PERMIT D/74-2023 FOR A MATERIAL
CHANGE OF USE FOR NON-RESIDENT
WORKFORCE ACCOMMODATION
(TEMPORARY 136 PERSON) AND
WAREHOUSE**

Locality Plan

Meeting Date: 11 December 2023

Attachment No: 1

D/74-2023 - Locality Plan



A4 Page scale at 1: 6,180.03

Printed from GeoCortex on 10/08/2023



Legend

- Elements
- Private Parcels (Main)
- Roads
 - Main Roads
 - Major Council Road
 - Standard Council Rts
 - Access Roads
 - Private Roads
 - Unsubstituted
- Open
- Rivers
- DCDP Parks
 - National Park
 - Reserve
 - State Forest

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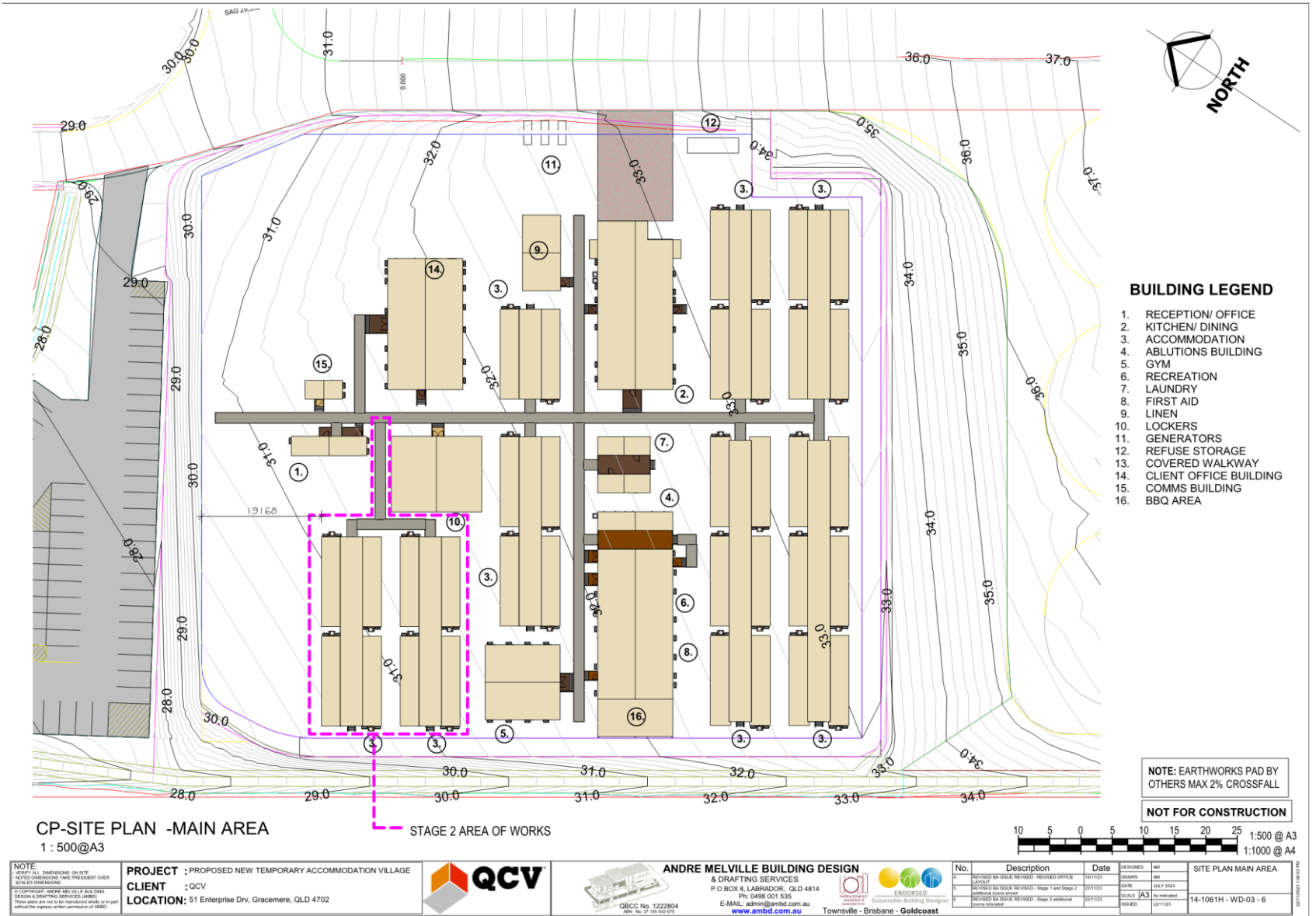


**MINOR CHANGE TO DEVELOPMENT
PERMIT D/74-2023 FOR A MATERIAL
CHANGE OF USE FOR NON-RESIDENT
WORKFORCE ACCOMMODATION
(TEMPORARY 136 PERSON) AND
WAREHOUSE**

Site Plan Main Area

Meeting Date: 11 December 2023

Attachment No: 2

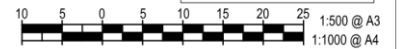


BUILDING LEGEND

- 1. RECEPTION/ OFFICE
- 2. KITCHEN/ DINING
- 3. ACCOMMODATION
- 4. ABLUTIONS BUILDING
- 5. GYM
- 6. RECREATION
- 7. LAUNDRY
- 8. FIRST AID
- 9. LINEN
- 10. LOCKERS
- 11. GENERATORS
- 12. REFUSE STORAGE
- 13. COVERED WALKWAY
- 14. CLIENT OFFICE BUILDING
- 15. COMMS BUILDING
- 16. BBQ AREA

NOTE: EARTHWORKS PAD BY OTHERS MAX 2% CROSSFALL

NOT FOR CONSTRUCTION



CP-SITE PLAN -MAIN AREA
1 : 500@A3

STAGE 2 AREA OF WORKS

NOTE:
1. ALL DIMENSIONS ON SITE
2. NOTED DIMENSIONS TAKE PRECEDENCE OVER
3. SCALED DIMENSIONS
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DESIGN & DRAFTING SERVICES (AMBDD)
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PROJECT : PROPOSED NEW TEMPORARY ACCOMMODATION VILLAGE
CLIENT : OCV
LOCATION: 51 Enterprise Drv, Gracemere, QLD 4702



ANDRE MELVILLE BUILDING DESIGN
& DRAFTING SERVICES
P.O BOX 8 LABRADOR, QLD 4814
Ph: 0498 001 535
E-MAIL: admin@ambdd.com.au
www.ambdd.com.au



No.	Description	Date	DESIGNED	CHK	SITE PLAN MAIN AREA
1	ISSUED FOR BIDDING REVIEWED - REVISIONS OFFICE	18/11/23	ambdd	amb	
2	ISSUED FOR BIDDING REVIEWED - STAGE 1 AND STAGE 2	20/11/23			
3	ADDITIONAL SCOPES SHOWN	20/11/23			
4	REVISIONS BY BIDDING REVIEWED - STAGE 1 ADDITIONAL	20/11/23			
5	REVISIONS BY BIDDING REVIEWED - STAGE 2 ADDITIONAL	20/11/23			

SCALE	A3 (As indicated)
PROJECT	14-1061H - WD-03 - 6
REVISED	20/11/23

11.11 REQUEST FOR NEGOTIATED INFRASTRUCTURE CHARGES FOR DEVELOPMENT PERMIT D/74-2023 FOR A MATERIAL CHANGE OF USE FOR NON-RESIDENT WORKFORCE ACCOMMODATION (TEMPORARY 136 PERSON) AND WAREHOUSE AND D/70-2023 FOR A MATERIAL CHANGE OF USE FOR A WAREHOUSE (PIPE LAYDOWN AREA)

File No: D/70-2023 and D/74-2023

Attachments: 1. [Locality Plan](#)

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Angela Arnold - Acting Manager Planning and Regulatory Services
Aaron Pont - Manager Parks

Author: Kathy McDonald - Senior Planning Officer

SUMMARY

Development Application Number: D/70-2023 and D/74-2023

Applicant: B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV)

Real Property Address: Lot 51 on SP273020

Common Property Address: Lot 51 Enterprise Drive, Gracemere

Area of Site: 11.59 hectares

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

Planning Scheme Zone: Low Impact Industry Zone; and Medium Impact Industry Zone.

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

Approval Sought: Negotiated Infrastructure Charges for Development Permit D/74-2023 for Material Change of Use for Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse and D/70-2023 for a Material Change of Use for a Warehouse (Pipe Laydown Area)

Referral Agency(s): Nil

OFFICER'S RECOMMENDATION

THAT in relation to the infrastructure charges associated with Development Permit D/74-2023 for Material Change of Use for a Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse and Development Permit D/70-2023 for a Warehouse (Pipe Laydown Area), made by B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV) located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020, Council resolves to enter into an Infrastructure Agreement for the amount of \$135,228.16, which will be subject to increases in accordance with section 3.6 (b)(ii) of the *Charges Resolution No.1 of 2022*.

BACKGROUND

Council, under delegation, approved on 12 June 2023, a Development Permit for Material Change of Use for Warehouse (Pipe Laydown Area); and

Council at its meeting on 22 August 2023, approved a Development Permit for Material Change of Use for a Non-resident Workforce Accommodation (Temporary 200 Person) and Warehouse. A Minor Change to this development permit will be presented at this Council meeting on 12 December 2023 to amend the Non-resident Workforce Accommodation from 200 person to 136 person.

Both applications are located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020 and are required to support the Queensland Governments approved Fitzroy to Gladstone Water Pipeline project.

As part of the approvals, Council levied the following charges and issued an Infrastructure Charges Notice for both approvals based on the current Charges Resolution No. 1 of 2022, and in accordance with section 120 of the *Planning Act 2016*:

D/70-2023 - Warehouse (Pipe Laydown Area) for the amount of \$93,984.36 - indexed to current charge of \$96,781.65; and

D/74-2023 - Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse for the amount of \$3,283,922.41.

PROPOSAL

The applicant has made representations in accordance with section 125 of the *Planning Act 2016* and has requested the infrastructure charges be reconsidered in recognition of the temporary nature of the proposed development.

- The applicant has requested that Council enter into an Infrastructure Agreement under section 150 of the *Planning Act 2016* to override the Infrastructure Charges Notices issued for Development Approvals D/70-2023 and D/74-2023.
- The applicant has proposed a reduced charge based on a pro-rata charge for two (2) years out of a 50 year standard facility life. In lieu of the Adopted Charges, the Levied Charges will be payable for the proposed developments, calculated in accordance with the following formula:

$$LC = (AC \div 50 \times 2) + AI$$

Where:

LC = the Levied Charges.

AC = Adopted Charges.

AI = the automatic indexation sum, calculated in accordance with section 114 of the Act.

In accordance with section 3.1 of Charges Resolution (No.1) of 2022, the base charge will be automatically increased using the Producer Price Index (PPI), adjusted according to the three (3) yearly PPI average quarterly percentage change between financial quarters. As at the date of this report, the base charges when subject to PPI increases are:

\$3,871.26 – D/70-2023 - Warehouse (Pipe Laydown Area)

\$131,356.90 – D/74-2023 - Non-resident Workforce Accommodation (Temporary 136 Person) and Warehouse.

PLANNING ASSESSMENT

Council officers agree with the calculation method proposed and that a reduced charge is reasonable given the life of the proposed land use and development permits are temporary (two (2) years).

The proposed reduction will not result in Council being left exposed to a financial liability, and more appropriately reflect the cost involved with the development on Council's infrastructure networks for the life of the project.

CONCLUSION

The applicant's representations in regard to entering into an Infrastructure Agreement for a reduced infrastructure charge are considered reasonable and recommended for approval.

**REQUEST FOR NEGOTIATED
INFRASTRUCTURE CHARGES FOR
DEVELOPMENT PERMIT D/74-2023
FOR A MATERIAL CHANGE OF USE
FOR NON-RESIDENT WORKFORCE
ACCOMMODATION (TEMPORARY 136
PERSON) AND WAREHOUSE AND
D/70-2023 FOR A MATERIAL CHANGE
OF USE FOR A WAREHOUSE (PIPE
LAYDOWN AREA)**

Locality Plan

Meeting Date: 11 December 2023

Attachment No: 1

D/74-2023 - Locality Plan



A4 Page scale at 1: 6,180.03
Printed from GeoCortex on 10/08/2023



Legend

- Elements
- Private Parcels (Main)
- Roads
 - Main Roads
 - Major Council Road
 - Standard Council Rts
 - Access Roads
 - Private Roads
 - Unsubstituted
- Open
- Rivers
- DCDP Parks
 - National Park
 - Reserve
 - State Forest

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11.12 D/123-2023 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A TELECOMMUNICATIONS FACILITY

File No: D/123-2023

Attachments:

1. [Locality Plan](#)
2. [Site Access Plan](#)
3. [Elevation Plan](#)

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Angela Arnold - Acting Manager Planning and Regulatory Services
Aaron Pont - Acting General Manager Community Services

Author: Kathy McDonald - Senior Planning Officer

SUMMARY

Development Application Number: D/123-2023

Applicant: Amplitel Pty Ltd

Real Property Address: Lot 8 on RP801164

Common Property Address: 45-49 George Street, Rockhampton City

Area of Site: 1012 square metres

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

Planning Scheme Zone: Specialised Centre Zone

Planning Scheme Precinct: Gladstone Road and George Street Precinct

Planning Scheme Sub-Precinct: Residential and Food Services Sub-Precinct

Planning Scheme Overlays: Acid Sulfate Soils Overlay; and Airport Environs Overlay.

Existing Development: Nil

Approval Sought: Development Permit for Material Change of Use for Telecommunications Facility

Category of Assessment: Assessable subject to Impact Assessment

Submissions: Nil

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

OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for Material Change of Use for Telecommunications Facility, made by Amplitel Pty Ltd, located at 45-49 George Street, Rockhampton City, described as Lot 8 on RP801164, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development

Material Change of Use for Telecommunications Facility
--

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 development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Local Government Infrastructure Plan; • Strategic Framework; • Specialised Centre Zone Code; • Telecommunications Facilities and Utilities Code; • Airport Environs Overlay 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
Specialised Centre Zone Code	<p>Performance Outcome (PO) 2</p> <p>The proposed development conflicts with Acceptable Outcome (AO) 2.1 as the proposed height of the telecommunications facility is 26.3 metres above ground level, which exceeds the maximum height limit of three (3) storeys and twelve (12) metres for the zone.</p> <p>Despite the height of the proposed development exceeding the height limit by 14.3 metres, it is unlikely to adversely impact on the urban form for the following reasons:</p> <ul style="list-style-type: none"> • The tower is not expected to cause significant overshadowing or overlooking of residential areas. The monopole design is relatively narrow (compared to a normal building typically contemplated in a centre zone) and any overshadowing at a single property is likely to be brief; • In the context of existing vertical infrastructure in the area (Browne Park Lights – approximately 32 metres above ground level) the tower is less than/or of a similar height and scale; and

	<ul style="list-style-type: none"> • Telecommunication towers are integral parts of a community's infrastructure network and are now a normal part of an urban landscape. <p>Notwithstanding, it is acknowledged the tower will be visually prominent and therefore conflicts with aspects of PO2. In the instance any conflicts are identified with PO2, regard to relevant matters relating to a planning need are considered to outweigh those conflicts.</p> <p>Performance Outcome (PO) 5</p> <p>The proposed development conflicts with Acceptable Outcome (AO) 5.1 because a 1.5 metre wide landscape strip along the site's full frontage cannot be achieved.</p> <p>The sites frontage is encumbered by a section of the Bruce Highway (State Controlled Road), a safety fence and two (2) pedestrian pathways that provide access from George Street to Albert Street.</p> <p>These encumbrances would generally be located within a road reserve., Approximately 100 square metres is to be used as a road reserve. Meaning by default no land use located on the subject site would be capable of achieving AO5.1.</p> <p>Despite this, the proposal will include a three (3) metre wide landscape strip surrounding the tower's entire compound lease area (excluding access) to soften the visual impacts of the proposed facility at ground level and to those walking or driving past.</p> <p>This outcome is considered to achieve the overarching Performance Outcome (PO) 5.</p> <p>Performance Outcome (PO) 26</p> <p>The proposed development conflicts with Performance Outcome (PO) 26 as no street trees are proposed along the street frontage and no acceptable outcome is nominated. Reference is made to the response to PO5, which identifies a portion of the site's frontage functions as road reserve.</p> <p>As the subject site is located on a corner lot, for road safety and sighting, no structures are to be located within a nine (9) metre x nine (9) metre truncation at the corner of the two (2) road frontages. This would also apply to street trees. Meaning by default no land use located on the subject site would be capable of achieving PO26.</p> <p>In the instance any conflicts are identified with PO26, regard to relevant matters relating to a planning need are considered to outweigh those conflicts.</p> <p>Performance Outcome (PO) 27</p> <p>The proposed development conflicts with Performance Outcome (PO) 27 as no landscaping is proposed on the street frontage and no acceptable outcome is nominated. Reference is made to the response to PO5.</p>
--	---

<p>Telecommunications Facilities and Utilities Code</p>	<p>Performance Outcome (PO) 2</p> <p>The proposed development conflicts with Acceptable Outcome (AO) 2.1 as the tower will be a freestanding structure (that is, not attached to a building) and the height will exceed the height limit prescribed by the Airport Environs Overlay, being 20 metres.</p> <p>The proposed development has been designed and sited to minimise its visual impact on the surrounding area as much as practical, while still being able to provide a suitable level of service. Specifically:</p> <ul style="list-style-type: none"> • The tower has been sited in a centre zone, within proximity to existing vertical infrastructure of a similar height and scale; and • Will be finished with neutral, low contrast colours. <p>Notwithstanding, it is acknowledged the tower will be visually prominent and therefore conflicts with aspects of PO2. In the instance any conflicts are identified with PO2, regard to relevant matters relating to a planning need are considered to outweigh those conflicts.</p>
	<p>Performance Outcome (PO) 4</p> <p>The proposed development conflicts with Acceptable Outcome (AO) 4.1 as the tower’s location on the subject site is unable to achieve the minimum property boundary setback of 15 metres where the height of the structure is between twenty (20) metres and thirty (30) metres.</p> <p>The width of the property is approximately 20 metres and therefore is not wide enough to achieve the setback requirements set out in AO4.1. The compound area for the tower is proposed to be located approximately 27 metres from George Street (front boundary), 12 metres from Campbell Lane (rear boundary), 11 metres from Albert Street (left side boundary/second front boundary) and 5.5 metres from the adjoining vacant lot (right side boundary).</p> <p>The proposed setbacks are considered a reasonable outcome to provide separation from the neighbouring property and road reserve frontages given the dimensions of the lot. The three (3) metre wide landscaping will ensure the development is less visually obtrusive at ground level and to those walking or driving past.</p> <p>Notwithstanding, given the height of the structure it will be prominent from neighbouring properties and road frontages. In the instance any conflicts are identified with PO4, regard to relevant matters relating to a planning need are considered to outweigh those conflicts.</p>
	<p>Performance Outcome (PO) 7</p> <p>The proposed development conflicts with Acceptable Outcome (AO) 7.1 as it does not achieve the minimum 150 metre setback from a dual occupancy, dwelling house or multiple dwelling. The nearest detached dwelling to the proposed facility is approximately 10 metres to the south fronting George Street and 50 metres to the east fronting</p>

	<p>Campbell Street.</p> <p>The telecommunications facility will be visible from existing residential premises and other sensitive receiving environments, as identified by non-compliance with other assessment benchmarks.</p> <p>Despite the above, the proposal is considered to comply with PO7. It is not anticipated to adversely impact on the health or safety of nearby residents. As part of the development application the Applicant submitted an Environmental EME Report, which provides a summary of levels of radiofrequency (RF) EME. RF EME levels were calculated using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The maximum EME level calculated for the proposed development at this location is 9.69% out of 100% of the public exposure limit that is deemed safe.</p> <p>Performance Outcome (PO) 11</p> <p>The proposed development conflicts with Acceptable Outcome (AO) 11.1 as a 2.4 metre high security fence is proposed around the compound rather than a 1.5 metre high fence along all boundaries of land identified for the telecommunication use.</p> <p>As identified in the response to PO5 and PO26 of the Specialised Centre Zone Code, the property’s frontage is used as road reserve. Therefore, the development is unable to achieve the requirement set out in AO11.1.</p> <p>Despite this, the proposed 2.4 metre high-security fence around the compound lease area will prevent unauthorised access to the facility. Access will be gained via a gate from Campbell Lane for ease of maintenance and landscaping around the perimeter of the fenced area will ensure the amenity and characteristics of the surrounding area is not adversely affected.</p> <p>Therefore, the development is considered to achieve the overarching Performance Outcome (PO) 11.</p>
<p>Airport Environs Overlay Code</p>	<p>Performance Outcome (PO) 1</p> <p>The proposed development does not comply with Acceptable Outcome (AO) 1.1 as the development involves a structure penetrating the airports operational airspace as identified on Airport Environs Overlay Mapping (20 metres).</p> <p>Civil Aviation Safety Authority (CASA) were contacted for comments and have provided the following advice in relation to the development: -</p> <p><i>The data shows the Obstacle Limitation Surface (OLS) known as the Inner Horizontal Surface at 53.5 metres Australian Height Datum (AHD) for the Rockhampton Airport. The proposed structures height of 26.3 metres AHD will not penetrate any obstacle limitation surface for the aerodrome. As such, CASA have no objection to the proposal.</i></p> <p>Therefore, there no obstruction of operational airspace and the development is considered to achieve the overarching</p>

	Performance Outcome (PO) 1.
Relevant Matters	
<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> • Telecommunication facilities are considered critical pieces of community infrastructure, similar to reticulated water and sewerage. • There is a growing demand and need for new telecommunications facilities as mobile usage continues to trend upward nationally. • Without new telecommunication facilities, similar to the one being proposed, users may experience difficulty connecting to the mobile network or experience call dropouts. • Improved coverage will benefit users within the area to access reliable telecommunications, which is critical in emergency situations such as extreme weather, bushfires, flooding or serious trauma incidents. 	
Matters raised in submissions	
<p>The proposal was the subject of public notification between 16 October and 6 November 2023, in accordance with the requirements of the <i>Planning Act 2016</i> and the Development Assessment Rules, and no submissions were received.</p>	
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. 	

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Material Change of Use for Telecommunications Facility, made by Amplitel Pty Ltd, located at 45-49 George Street, Rockhampton City, described as Lot 8 on RP801164, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises 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 must be undertaken, completed, and be accompanied by a certificate of compliance 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) Road Works;
 - (ii) Access Works.

1.5.2 Building Works

- 1.6 All Development Permits for Operational 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 All development conditions contained in this development approval about infrastructure under Chapter 4 of the *Planning Act 2016* should be read as being non-trunk infrastructure conditioned under section 145 of the *Planning Act 2016*, 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>
Site Access & Locality Plan	BMM Group	31 August 23	QLD006151-S1	2
Site Layout	BMM Group	31 August 23	QLD006151-S1-1	2
South East Elevation	BMM Group	31 August 23	QLD006151-S3	2

- 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 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.
- 3.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and *Austroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 3.3 Campbell Lane must be upgraded for the full frontage of the development site to match the existing construction to the north of the development site. Kerb and channel must be included.
- 3.4 A pre-construction dilapidation report regarding the condition of Campbell Lane from Cambridge Street to the end of the road, must be provided with any application for Operational Works for the subject development site. No works can commence on the development site until this report has been approved by Council.
- 3.5 Upon the completion of construction works, Council will undertake a post-construction dilapidation report regarding the condition of Campbell Lane. Any

damage requiring repairs or reinstatement works must be undertaken and completed at no cost to Council.

4.0 ACCESS WORKS

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

4.2 All access 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 works).

4.3 A new access to the development must be provided from Campbell Lane.

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 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".

6.3 A minimum 2.4-metre-high security fence must be erected around the compound lease area of the development.

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 A minimum three (3) metre wide landscaped buffer is provided around the compound lease area of the development (refer to condition 2.1).

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 Landscaping, or any part thereof, upon reaching full maturity, must not:

- 7.5.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
 - 7.5.2 adversely affect any road lighting or public space lighting; or
 - 7.5.3 adversely affect any Council infrastructure, or public utility plant.
- 7.6 The landscaped areas must be subject to:
- 7.6.1 a watering and maintenance plan during the establishment moment; and
 - 7.6.2 an ongoing maintenance and replanting programme.
- 8.0 ASSET MANAGEMENT
- 8.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 8.2 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.
- 9.0 ENVIRONMENTAL
- 9.1 An Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the Capricorn Municipal Design Guidelines, must be implemented, monitored and maintained for the duration of the 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.
- 10.0 OPERATING PROCEDURES
- 10.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Campbell Lane.
- 10.2 Operations on the development site must have no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area due to the emission of light, noise, odour or dust.
- 10.3 Where un-sealed surface treatments are utilised in access, parking and vehicle manoeuvring areas, contaminants such as oils or chemicals must not be released onto the surface treatment.
- 10.4 All surface treatments must be operated and maintained in a manner so that there is no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area being caused due to the emission of dust or resulting in sediment laden water.
- 10.5 The owner of the land must ensure that:
- 10.5.1 the area is kept in a clean and tidy condition;
 - 10.5.2 fences and screens are maintained;
 - 10.5.3 no waste material is stored external to the waste storage area/s;
 - 10.5.4 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 Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 1. General Environmental Duty

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

NOTE 2. General Safety Of Public During Construction

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

NOTE 2. Property Note (Access)

All vehicular access to and from the development must be via Campbell Lane only. Direct vehicular access to George Street is prohibited.

NOTE 3. Infrastructure Charges Notice

Council has resolved not to issue an Infrastructure Charges Notice for this development as the development is for a Minor Use and does not have access to Council's reticulated infrastructure services and will not result in an increased demand on Council's infrastructure networks.

NOTE 4. Rating Category

Please note, a Material Change of Use approval may result in an adjustment to a property's rating category. Please contact Council's Rates Department should you require further information.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for Material Change of Use for Telecommunications Facility, made by Amplitel Pty Ltd, located at 45-49 George Street, Rockhampton City, described as Lot 8 on RP801164, Council resolves not to issue an Infrastructure Charges Notice.

BACKGROUND

SITE AND LOCALITY

The site is located at 45-49 George Street, Rockhampton City, formally described as Lot 8 on RP801164, is a rectangular shaped lot and has a total site area of 1,012 square metres. The site is currently vacant with an existing sealed area that was the former foundations of a commercial shed.

The subject site is immediately bound by:

- North – two (2) road frontages, Campbell Lane is an urban access street and Albert Street is a major highway (Bruce Highway), further beyond is the Low-Medium

Residential Zone, which accommodates single dwelling houses, short-term accommodation, multiple dwellings and service stations along Albert Street.

- East – Campbell Lane continued (urban access street) in the Low-Medium Residential Zone with a Motel, single dwelling houses and a multiple dwelling development all with road frontages from Campbell Street.
- South – is the Specialised Centre Zone, Gladstone Road and George Street Precinct and Residential and Food Services Sub-Precinct. Directly adjoining the property is a vacant lot also owned by the Department of Transport and Main Roads.
- West – George Street is the site's third road frontage (Bruce Highway) with Browne Park a major sport facility within the region across the road, located in the Sport and Recreation Zone.

The wider area is characterised by a range of land use activities as the centre comprises recreational uses, food and drink outlets, shops, hotel/motels and residential uses both single dwellings and multiple dwellings.

PROPOSAL

Overview

The proposal is for Amplitel Pty Ltd, a subsidiary of Telstra that deploys telecommunications infrastructure to further support Telstra's network, to develop a new telecommunications facility at 45-49 George Street Rockhampton City.

The telecommunications facility is of a monopole design with triangular headframe. Nine (9) Telstra panel antennas mounted on the headframe with a maximum overall height of 26.3 metres are proposed. A 100 square metre lease area will be located approximately 27 metres from George Street (Bruce Highway, State-Controlled Road) and 12 metres from Campbell Lane. The monopole will be constructed on an unused sealed area within the subject site and screened by a 2.4 metre high security fence with three (3) metre wide landscaping surrounding the compound lease area. Access to the site will be via a new crossovers from Campbell Lane. Once operational, it is anticipated that access will only be required 2-4 times annually for routine maintenance.

The facility is not anticipated to generate any noise, beyond what would normally be expected for a residential air conditioning unit. The only part of the facility that generates noise is the cooling fans on the equipment shelter at ground level. The facility will not emit dust, heat, smoke, gaseous plumes or particulates. Electromagnetic EME emissions generated are separately regulated by the Australian Communications and Media Authority (ACMA).

The need for the proposal has arisen as a result of increased demand on the network in the Rockhampton City area due to the higher demand for wireless services by existing customers, and by the growing residential and commercial population in the immediate surrounding areas. The Applicant states that if new facilities are not deployed, users may have difficulty connecting to the mobile network or experience call drop outs. The proposed facility is to provide improved 4G and 5G coverage to business and residential customers in the surrounding Rockhampton City area.

A site selection methodology is detailed in the application material by the applicant who first sought to co-locate the facility with existing infrastructure in the area, (Browne Park) however were unable to reach an agreement with the landowner in a timely manner due to uncertainty surrounding the re-development plans for Browne Park.

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 **Specialised Centres** 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:

- Settlement pattern
- Natural environment and hazards
- Community identity and diversity
- Access and mobility
- Infrastructure services
- Natural resources and economic development

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

Specialised Centre Zone

The subject site is situated within the **Specialised Centre Zone** under the *Rockhampton Region Planning Scheme 2015*. The purpose of the Specialised Centre Zone identifies that: -

- (1) *The purpose of the specialised centre zone code provides for one (or more) specialised uses:*
 - (a) *enable the specialised centres to strengthen and maintain their role within the network of centres in the region, providing services and facilities appropriate to their respective function and catchment; and*
 - (b) *facilitate the development of specialised centres which are readily accessible, integrated and well designed, form vibrant focal points for the community, promote the efficient provision of services and contribute to the quality of life, character and identity of communities.*

- (2) *The purpose of the zone will be achieved through the following overall outcomes:*
- (a) *the specialised centres primarily accommodate retail functions being showrooms or outdoor sales with food and drink outlets that are either highway focussed or small-scale and serving visitors to the centre;*
 - (b) *specialised centres are not to accommodate department stores, discount department stores or large-scale shopping centres unless stated otherwise in a precinct or sub-precinct. Only a convenience level of shopping is provided, serving the immediate neighbourhood and local customers (convenience function being similar to a neighbourhood centre);*
 - (c) *development does not undermine the viability, role or function of other centres;*
 - (d) *stand-alone, purpose built office buildings which exceed a 200 square metre gross floor area threshold are not to be established. This includes large-scale offices of the government and the private sector;*
 - (e) *development is consolidated within the defined zone boundaries;*
 - (f) *development is designed for the local climate, and includes sustainable practices for maximising energy efficiency, water conservation and public/active transport use;*
 - (g) *development does not impact on the existing level of amenity of the surrounding residential areas and does not encourage additional traffic through nearby urban access streets and urban access places;*
 - (h) *the height and scale of buildings create an attractive, pedestrian-friendly environment at street level with awnings that are orientated towards the primary street frontage;*
 - (i) *building design includes a combination of materials, recesses and variations in horizontal and vertical planes to create visual interest;*
 - (j) *primary pedestrian areas are activated by shop fronts, doorways, awnings, interesting external wall treatments, street trees and kerbside activities;*
 - (k) *development is landscaped to assist with the greening of the city and the creation of shady, safe and well-connected pedestrian and public places;*
 - (l) *the provision of infrastructure services, car parking and access is commensurate with the type and scale of development;*
 - (m) *development includes uses that operate at different times of the day to ensure specialised centres have vitality and reduce the potential for crime through activation and passive surveillance;*
 - (n) *development involving a significant increase in gross floor area (greater than 3,000 square metres) is accompanied by a master plan that demonstrates how the expansion integrates with the balance of the centre and with the surrounding urban areas; and*
 - (o) *the establishment of three (3) precincts and four (4) sub-precincts within the zone where particular requirements are identified:*
 - (i) **Gladstone Road and George Street precinct;**
 - A. *outdoor sales and services sub-precinct; and*
 - B. residential and food services sub-precinct;**
 - (ii) *Musgrave Street precinct;*
 - A. *mixed use sub-precinct; and*
 - B. *outdoor sales and services sub-precinct; and*
 - (iii) *Yaamba Road precinct.*

Gladstone Road and George Street precinct

- (3) *The following overall outcomes of the Gladstone Road and George Street precinct are additional to those of the specialised centre zone and take precedence in the event of a conflict:*
- (a) *development consolidates retail and residential uses which have developed along the Bruce highway;*
 - (b) *office activities larger than 200 square metres in gross floor area will not occur;*
 - (c) *further spread of non-residential uses into surrounding residential areas will not occur;*
 - (d) *development in this precinct reflects the importance of the southern entrance to the city and maintains a high level of building design and layout, landscaping and signage; and*
 - (e) *development ensures the safe and efficient function of Gladstone Road and George Street as a state-controlled road. This includes ensuring car parking is provided on site to limit on-street parking and limiting vehicular access points.*

Residential and food services sub-precinct

- (5) *The following overall outcomes of the residential and food services sub-precinct are additional to those of the specialised centre zone and Gladstone Road and George Street precinct and take precedence in the event of a conflict:*
- (a) *development includes short-term accommodation, fast food outlets, restaurants and other facilities for travellers including visitor information facilities, service stations and parks;*
 - (b) *intensification of residential uses in this precinct is supported (including at ground level);*
 - (c) *only small-scale, convenience retail uses serving the local catchment and highway users locate in this sub-precinct. Retail uses (including shops, supermarkets, shopping centres and showrooms) larger than 300 square metres in gross floor area will not occur; and*
 - (d) *industrial uses are not supported due to the proximity to the adjoining residential area and the intent to allow further residential development within the sub-precinct.*

This application is consistent with the purpose of the Zone.

The proposed development advances and does not compromise the purpose of the Specialised Centre Zone, precinct or sub-precinct. Specifically, the development does not undermine the role and function of the zone and will assist in facilitating the growth of urban development where it is intended by providing essential infrastructure.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Specialised Centre Zone Code;
- Telecommunications Facilities and Utilities Code;
- Airport Environs Overlay 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 is contained in the Statement of Reasons in **Recommendation A** of this report.

INFRASTRUCTURE CHARGES

Charges Resolution (No. 1) of 2022 for non-residential development applies to the application. As the proposed development is for a Minor Use and does not have access to Council's reticulated infrastructure services and will not result in an increased demand on Council's infrastructure networks, no infrastructure charges are payable, and an Infrastructure Charges Notice is not required for the development.

CONSULTATION

The proposal was the subject of public notification between 16 October and 6 November 2023, in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules, and no properly made submissions were received.

REFERRALS

The application was referred to the Department of State Development Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department) as a Concurrence Application. The Department assessed the application and provided a referral agency response with conditions on 24 October 2023.

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/123-2023 - DEVELOPMENT
APPLICATION FOR MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Locality Plan

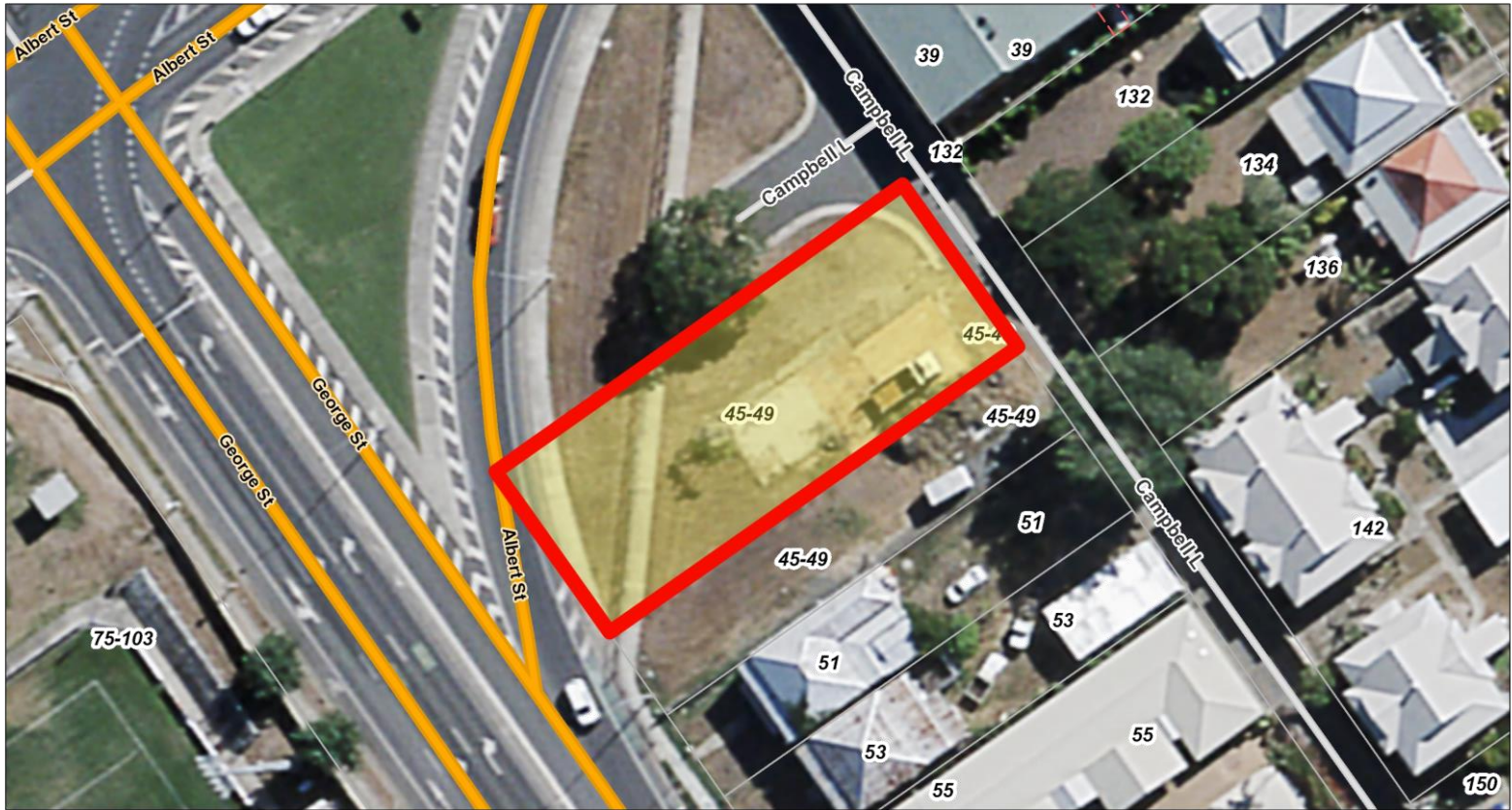
Meeting Date: 11 December 2023

Attachment No: 1

D/123-2023 - Locality Plan



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Printed from GeoCortex on 29/11/2023



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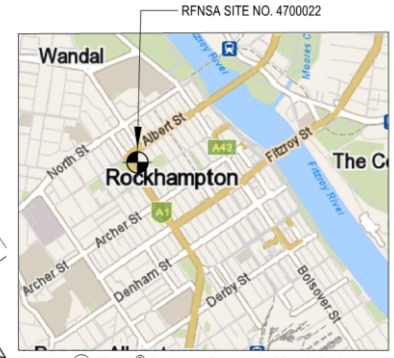
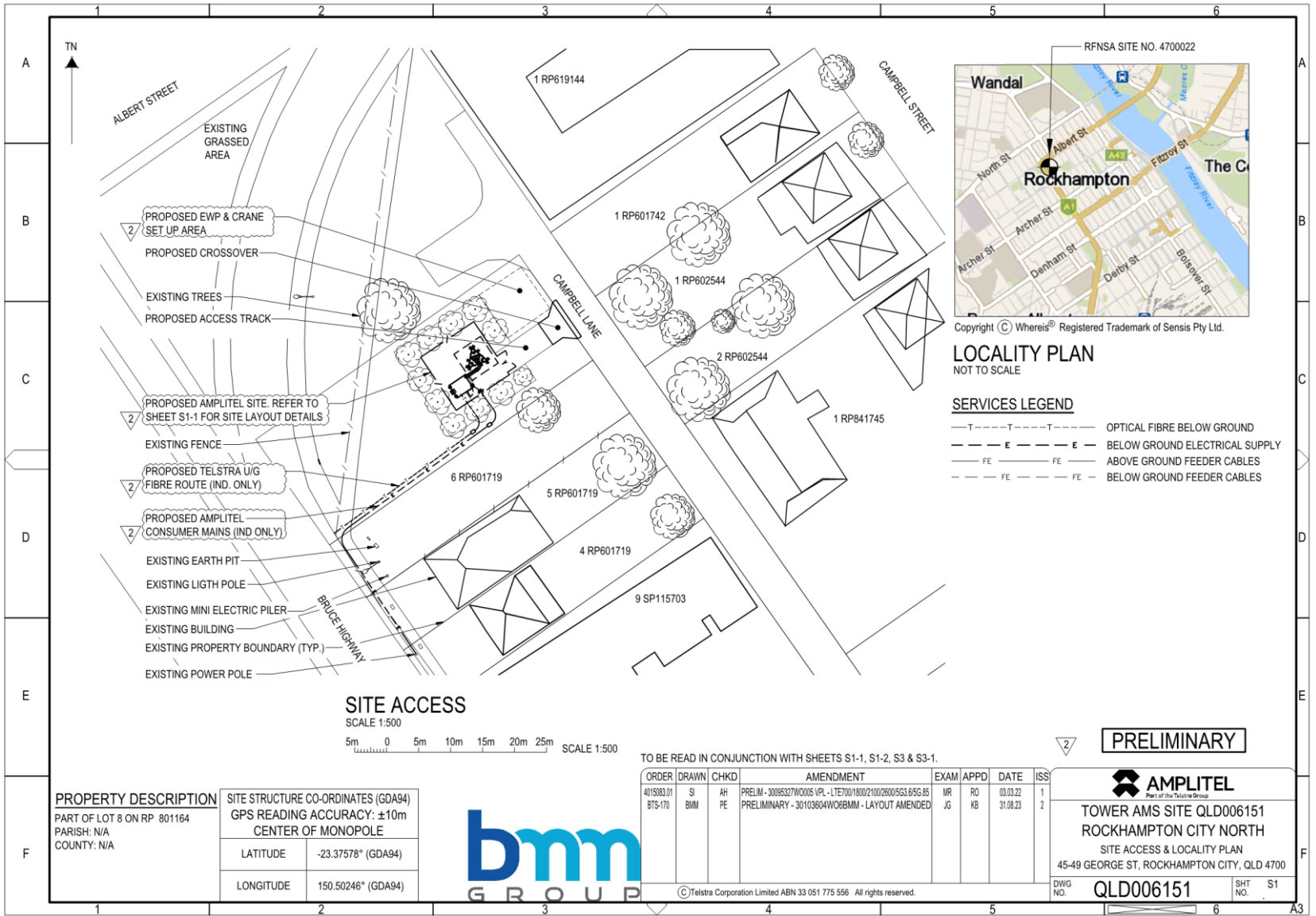


**D/123-2023 - DEVELOPMENT
APPLICATION FOR MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Site Access Plan

Meeting Date: 11 December 2023

Attachment No: 2



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LOCALITY PLAN
NOT TO SCALE

SERVICES LEGEND

---T---T---T---	OPTICAL FIBRE BELOW GROUND
---E---E---E---	BELOW GROUND ELECTRICAL SUPPLY
---FE---FE---	ABOVE GROUND FEEDER CABLES
---FE---FE---	BELOW GROUND FEEDER CABLES



PROPERTY DESCRIPTION PART OF LOT 8 ON RP 801164 PARISH: N/A COUNTY: N/A	SITE STRUCTURE CO-ORDINATES (GDA94) GPS READING ACCURACY: ±10m CENTER OF MONOPOLE
	LATITUDE -23.37578° (GDA94)
	LONGITUDE 150.50246° (GDA94)



TO BE READ IN CONJUNCTION WITH SHEETS S1-1, S1-2, S3 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4015083.01	SI	AH	PRELIM - 30095327W0005 VPL - LTE700180002100/2600/5G3.6/5G.85	MR	RO	03.03.22	1
BTS-170	BIM	PE	PRELIMINARY - 30103604W08BMM - LAYOUT AMENDED	JG	KB	31.08.23	2

PRELIMINARY

AMPLITEL
Part of the Telstra Group

TOWER AMS SITE QLD006151
ROCKHAMPTON CITY NORTH
SITE ACCESS & LOCALITY PLAN
45-49 GEORGE ST, ROCKHAMPTON CITY, QLD 4700

DWG NO. **QLD006151** SHT NO. **S1**

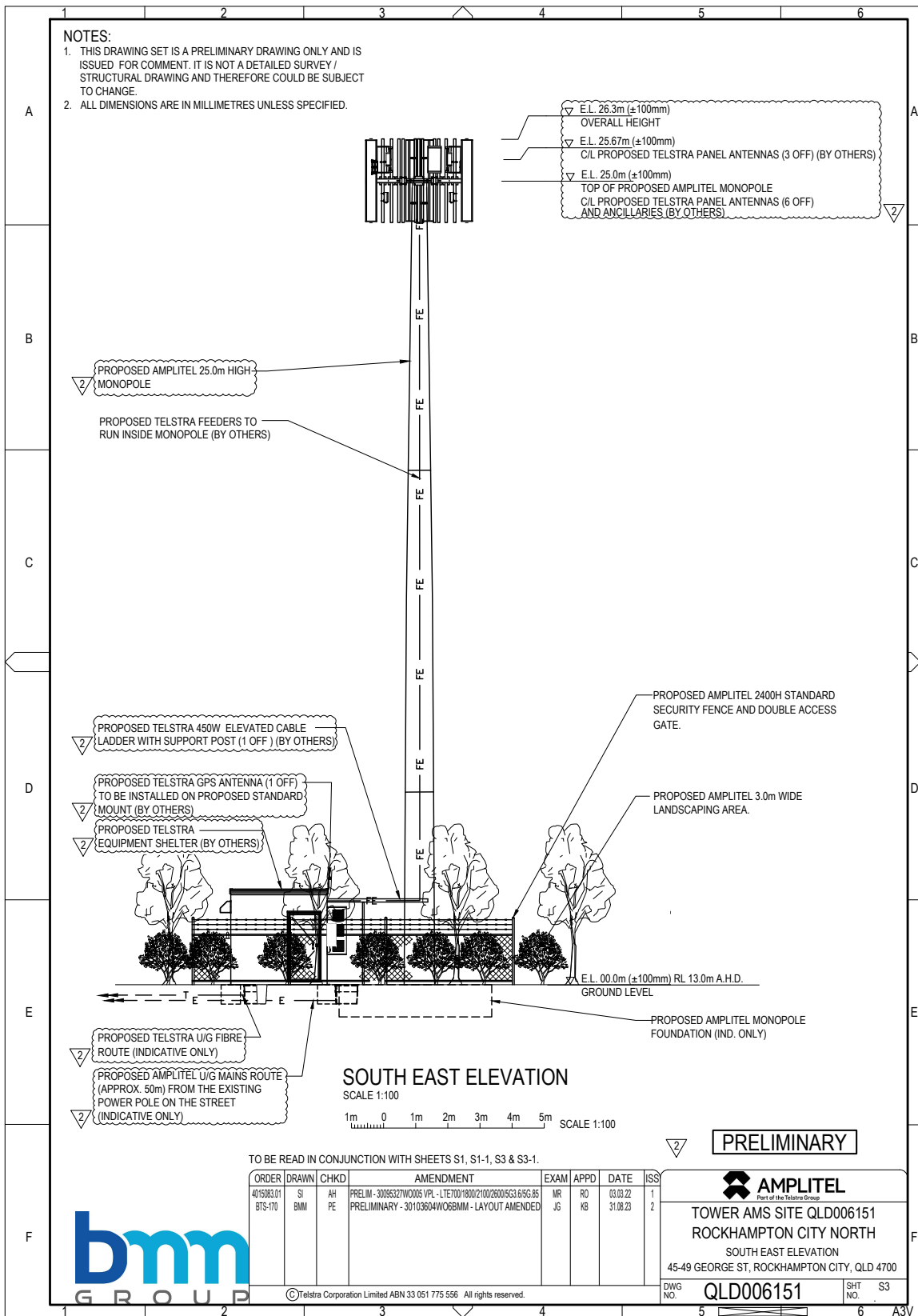
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**D/123-2023 - DEVELOPMENT
APPLICATION FOR MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Elevation Plan

Meeting Date: 11 December 2023

Attachment No: 3



TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1, S3 & S3-1.

ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
4015083.01	SI	AH	PRELIM - 30095327W0005 VPL - LTE700/1800/2100/2600/5G3.6/5G.85	MR	RO	03.03.22	1
BTS-170	BMM	PE	PRELIMINARY - 30103604W06BMM - LAYOUT AMENDED	JG	KB	31.08.23	2



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TOWER AMS SITE QLD006151
 ROCKHAMPTON CITY NORTH
 SOUTH EAST ELEVATION
 45-49 GEORGE ST, ROCKHAMPTON CITY, QLD 4700

DWG NO. **QLD006151** SHT NO. **S3**

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11.13 LOCAL LAW MAKING PROCESS

File No:	11698
Attachments:	<ol style="list-style-type: none">1. Animal Management (Amendment) Subordinate Local Law (No. 1) 2023↓2. Parking (Amendment) Subordinate Local Law (No. 1) 2023↓3. Subordinate Local Law 2 (Animal Management) 2011 (Consolidated)↓4. Subordinate Local Law 5 (Parking) 2011 (Consolidated)↓5. Public Consultation Version - Animal Management Amendment Subordinate Local Law No.1 2023↓6. Public Consultation Version - Parking Amendment Subordinate Local Law No.1 2023↓
Authorising Officer:	Angela Arnold - Acting Manager Planning and Regulatory Services Aaron Pont - Manager Parks
Author:	Jon Buckenham - Coordinator Local Laws

SUMMARY

In 2020 Council endorsed to commence the Local Law making process in relation to Local Law 2 (Animal Management) and Local Law 5 (Parking) and their subordinates. Public consultation has been undertaken in relation to the proposed amendments with 45 submissions being received. Officers have made minor amendments to align with the public consultation.

The Council's Subordinate Local Laws have now reached the final stage of the Local Law making process.

OFFICER'S RECOMMENDATION

THAT Council resolves :

- (a) to make each of the following subordinate local laws with amendments—
 - (i) *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023;* and
 - (ii) *Parking (Amendment) Subordinate Local Law (No. 1) 2023;* and
- (b) to adopt, pursuant to section 32 of the *Local Government Act 2009*, in the form attached to this report to Council, consolidated versions of the subordinate local laws of Council as follows—
 - (i) *Subordinate Local Law No. 2 (Animal Management) 2011;* and
 - (ii) *Subordinate Local Law No. 5 (Parking) 2011.*

COMMENTARY

Council has consulted with members of the public about the overall interest in each of the documents listed in the schedule below.

SCHEDULE

- *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023;*
 - *Parking (Amendment) Subordinate Local Law (No. 1) 2023.*
-

The public consultation documents are attached to this report although given the submissions, Officers are recommending that Council resolves to adopt an amended version.

Council received 45 submissions in relation to the amendments, with the majority relating to the deregulation of Native Bees. One submission was submitted in relation to the changes in parking penalty infringement amounts with the remaining in relation to barking dogs or other animal related issues.

Council officers reviewed and considered all of the submission and as a result, Officers have made minor amendments to the proposed Local Laws with the removal of restriction on the number of Native Bee hives that can be contained on a property and reduced the parking infringement penalty unit amount to .5 in alignment with Councils of similar size and location to Rockhampton including Gladstone Regional Council and Mackay Regional Council. Minor wording changes to offences were also made as a result of legal review.

Council is now in the final stages of the Local Law making and in line with the *Local Government Act 2009* Section 29(2) Officers are seeking a resolution to make *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023* and *Parking (Amendment) Subordinate Local Law (No. 1) 2023*. Officers also seeking a resolution in line with Section 32 to adopt the consolidated version of the subordinate Local Laws, *Subordinate Local Law No. 2 (Animal Management) 2011* and *Subordinate Local Law No. 5 (Parking) 2011*.

BACKGROUND

Council endorsed the Local Law making process in 2020 for Subordinate Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 5 (Parking) 2011. Council has undertaken the process including public consultation and now present the amended Local Law Amendments and Consolidated versions for adoption.

Attached is also the Local Law Amendments that were released for public consultation.

PREVIOUS DECISIONS

Amendments and information have been present to Council on:

1. 20 April 2021
2. 21 March 2023
3. 4 April 2023
4. 16 May 2023

Outcomes from these briefings have been considered and including in the amendments.

BUDGET IMPLICATIONS

There are no budget implications from adoption of these Local Laws.

LEGISLATIVE CONTEXT

The *Local Government Act 2009* and the *Local Government Regulation 2012* provide the legislative guidance for the making of Local and Subordinate Local Laws.

LEGAL IMPLICATIONS

Council is obligated to advertise the adoption of the Subordinate Local Laws in the Gazette as well as on our website. Both hard and digital copies must also be provided to the Minister.

STAFFING IMPLICATIONS

There are no staffing implications from adoption of these Local Laws.

RISK ASSESSMENT

The amendments have amended as a result of public consultation to further align with the community's expectations and there are no known risks to Council.

CORPORATE/OPERATIONAL PLAN

There are no specific tasks linking the Local Law Review to the Corporate and Operational Plan.

CONCLUSION

The schedule of proposed Local Laws is presented to Council for adoption to finalise the Local Laws making process.

LOCAL LAW MAKING PROCESS

Animal Management (Amendment) Subordinate Local Law (No. 1) 2023

Meeting Date: 11 December 2023

Attachment No: 1

**Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law
(No. 1) 2023**

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*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 2 (Animal Management) 2011*.

Part 2 Amendment of subordinate local law

3 Amendment of sch 1 (Prohibition on keeping animals)

(1) Schedule 1, items 1 to 14—

omit, insert—

1	Dog	<p>(a) More than 2 dogs over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the dogs on the premises—</p> <p style="margin-left: 20px;">(i) a multiple dog approval; or</p> <p style="margin-left: 20px;">(ii) a kennel approval; or</p> <p style="margin-left: 20px;">(iii) a pet shop approval.</p> <p>(b) However, the prohibition in paragraph (a) does not apply to the keeping of a working dog on premises if the premises are rural land or are in the rural zone in the planning scheme of the local government.</p> <p>(c) Any of the following breeds, and a cross breed of any of the following breeds, anywhere in the local government area—</p> <p style="margin-left: 20px;">(i) American pit bull terrier or pit bull terrier;</p> <p style="margin-left: 20px;">(ii) dogo Argentino;</p> <p style="margin-left: 20px;">(iii) fila Brasileiro;</p> <p style="margin-left: 20px;">(iv) Japanese tosa;</p> <p style="margin-left: 20px;">(v) Perro de Presa Canario or Presa Canario.</p>
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*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

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2	Cat	More than 2 cats over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the cats on the premises— (a) a multiple cat approval; or (b) a cattery approval; or (c) a pet shop approval.
3	Horse or donkey (other than a racehorse or a stallion)	A horse or donkey (other than a racehorse or a stallion) on premises with an area less than 2,000m ² .
4	Cow	A cow on premises with an area less than 2,000m ² .
5	Bull	A bull on premises with an area less than 10,000m ² .
6	Birds	(a) More than 20 birds of the same or different species on premises with an area less than 801m ² . (b) More than 40 birds of the same or different species on premises with an area between 801m ² and 2,500m ² .
7	Pig (including a miniature pig)	A pig (including a miniature pig) on premises with an area less than 8,000m ² .
8	Ostrich or emu	An ostrich or emu on premises with an area less than 4,000m ² .
9	Racing pigeons	1 or more racing pigeons on premises with an area less than 800m ² .
10	Bees (other than native bees)	A hive on premises with an area less than 800m ² ; (see Code of Practice for Urban Bee Keeping in Queensland 1998).
11	Racing greyhound (including a whippet)	More than 2 racing greyhounds over the age of 12 weeks on premises with an area less than 800m ² .
12	Racehorse	A racehorse on premises with an area less than 800m ² .
13	Stallion	(a) A stallion on premises with an area less than 40,000m ² . (b) More than 1 stallion on a premises with an area less than 60,000m ² .

*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

4

14	European rabbit	A European rabbit on premises in the local government area.
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- (2) Schedule 1, section 1(a)—

omit, insert—

‘(a) the animal or animals were kept on the premises before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*; and’

- (3) Schedule 1, section 1(b)—

omit, insert—

‘(b) the keeping of the animal or animals on the premises immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023* did not contravene any provision of the authorising local law.’

4 Amendment of sch 2 (Requirement for approval to keep animal)

- (1) Schedule 2, items 1 to 14—

omit, insert—

	Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval ¹
1	Dog	<p>(a) 3 or more dogs over the age of 12 weeks (other than a working dog or a racing greyhound) —</p> <p style="margin-left: 20px;">(i) are kept on premises; and</p> <p style="margin-left: 20px;">(ii) the keeping of the dogs on the premises satisfies the criteria for the grant of a multiple dog approval.</p> <p>(b) 1 or more dogs on non-residential premises.</p> <p>(c) A guard dog on any premises.</p> <p>(d) A dog kept on residential premises—</p> <p style="margin-left: 20px;">(i) temporarily; but</p> <p style="margin-left: 20px;">(ii) for longer than 1 month.</p>

¹ See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1.5 (Keeping of Animals) 2011* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

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		<p>(e) 1 or more dogs kept in circumstances which require the grant of a kennel approval.</p> <p>(f) 1 or more dogs kept in circumstances which require the grant of a pet shop approval.</p>
2	Cat	<p>(a) 3 or more cats over the age of 12 weeks —</p> <p style="padding-left: 20px;">(i) are kept on premises; and</p> <p style="padding-left: 20px;">(ii) the keeping of the cats on the premises satisfies the criteria for the grant of a multiple cat approval.</p> <p>(b) 1 or more cats kept in circumstances which require the grant of a cattery approval.</p> <p>(c) 1 or more cats kept in circumstances which require the grant of a pet shop approval.</p>
3	Horse or donkey (other than a racehorse or a stallion)	<p>(a) More than 1 animal to which this item 3 applies on premises with an area less than 20,000m².</p> <p>(b) Subject to paragraph (a), if the density of the animals to which this item 3 applies kept on the premises is greater than 1 animal per 2,000m².</p>
4	Cow	More than 1 cow on premises, but excluding premises within an urban area, unless the density of the cows kept on the premises is less than 1 cow per 2,000m ² .
5	Bull	More than 1 bull on premises with an area not less than 10,000m ² .
6	Birds (other than nuisance birds)	<p>(a) More than 10, but not more than 20, birds of the same or different species on premises with an area less than 801m².</p> <p>(b) More than 20, but not than 40, birds of the same or different species on premises with an area between 801m² and 2,500m².</p>
7	Nuisance bird	1 or more nuisance birds on premises with an area less than 20,000m ² .
8	Pig (including a miniature pig)	<p>(a) More than 1 pig on premises with an area less than 20,000m² unless—</p> <p style="padding-left: 20px;">(i) the keeping of the pigs on the premises is authorised by a development approval; or</p>

*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

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		<p>(ii) the premises are situated on rural land and the responsible person for the pigs is a primary producer.</p> <p>(b) Subject to paragraph (a), unless the density of the pigs kept on the premises is less than 1 pig per 4,000m².</p>
9	Sheep, goat, or camelid	<p>(a) More than 1 animal to which this item 9 applies on premises with an area less than 20,000m².</p> <p>(b) Subject to paragraph (a), if the density of the animals to which this item 9 applies kept on the premises is greater than 1 animal per 2,000m².</p>
10	Racing pigeons	1 or more racing pigeons on premises with an area of 800m ² or more.
11	Bees (other than native bees)	<p>(a) More than 2 hives on premises with an area between 800m² and 1,000m².</p> <p>(b) More than 5 hives on premises with an area between 1,001m² and 2,000m² (see Code of Practice for Urban Bee Keeping in Queensland 1998).</p>
12	Racing greyhound (including a whippet)	<p>(a) 3, 4 or 5 dogs to which this item 12 applies over the age of 12 weeks on premises with an area less than 10,000m².</p> <p>(b) 6, 7 or 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area between 10,000m² and 100,000m².</p> <p>(c) More than 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area of more than 100,000m².</p>
13	Racehorse	1 or more racehorses on premises in an urban area.
14	Stallion	More than 1 stallion on premises with an area not less than 60,000m ² .

5 Amendment of sch 3 (Requirement to desex animal)

Schedule 3, items 1 to 4—

omit, insert—

,

*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

7

1	Dog (other than a menacing dog).	Refer to the exemption in column 3.	<p>The requirement for desexing of dogs does not apply if—</p> <ul style="list-style-type: none"> (a) more than 2 dogs over the age of 12 weeks are kept on premises; and (b) the keeping of the dogs on the premises complies with the requirements of the authorising local law; and (c) the owner of the dogs is— <ul style="list-style-type: none"> (i) a recognised breeder; or (ii) a recognised animal carer; or (iii) a recognised show keeper.
2	Menacing dog.	The requirement for desexing applies once the menacing dog reaches 12 weeks of age.	No menacing dog is exempt from the requirement to be desexed.
3	Cat.	Refer to the exemption in column 3.	<p>The requirement for desexing of cats does not apply if—</p> <ul style="list-style-type: none"> (a) more than 2 cats over the age of 12 weeks are kept on premises; and (b) the keeping of the cats on the premises complies with the requirements of the authorising local law; and (c) the owner of the cats is— <ul style="list-style-type: none"> (i) a recognised breeder; or (ii) a recognised animal carer; or

Rockhampton Regional Council
 Animal Management (Amendment) Subordinate Local Law (No. 1) 2023

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			(iii) a recognised show keeper.
4	An animal of a species or breed, if the animal is declared to be a dangerous animal under the authorising local law, section 19.	The animal must be desexed by whichever is the later of— (a) the age of 12 weeks; and (b) within 1 month after the animal is declared as a dangerous animal.	The requirement for desexing of the animal does not apply if— (a) desexing is likely to be a serious risk to the health of the animal; and (b) the owner of the animal delivers to the local government, a signed veterinary surgeon’s certificate for the animal stating that desexing the animal is likely to be a serious risk to the health of the animal.

6 Amendment of sch 4 (Minimum standards for keeping animals generally)

(1) Schedule 4, Section 1(e) —

omit, insert

‘(e) Ensure the animal kept on the premises does not persistently make a noise or disturbance that, in the opinion of an authorised person, causes a nuisance to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience to occupiers of premises in the vicinity of the land on which the animal is ordinarily kept; and’

7 Amendment of sch 5 (Minimum standards for keeping particular animals)

Schedule 5, items 1 to 6—

omit, insert—

1	Racing greyhound (including a whippet)	Each owner of, and responsible person for, a racing greyhound must— (a) ensure that the racing greyhound is kept— (i) without nuisance; and (ii) if a code of practice for the keeping of racing greyhounds has been approved by the Greyhound Racing Authority of Queensland—in accordance with the requirements of the code of practice; and (b) not bring into, or permit the racing greyhound to be in, a public place unless the racing greyhound is muzzled so as to prevent the racing greyhound from biting.
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*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

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2	Horse, donkey, cow, bull, ox, deer and other domesticated animals of a similar size and sheep, goat, camel, pig and other animals of a similar size or type	<p>Each owner of, and responsible person for, an animal specified in column 1, item 2 which is kept on premises must ensure that any enclosure in which the animal is kept is not located within a radius of 10m of—</p> <ul style="list-style-type: none"> (a) a residence on adjoining premises; or (b) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or (c) a place used for the storage of food (other than food kept in hermetically sealed packages).
3	Budgerigar, canary cockatiel, galah and other birds of a similar size or type	<p>Each owner of, and responsible person for, a bird specified in column 1, item 3 must ensure that—</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; and (b) the bird is contained within an enclosed cage or aviary; and (c) the bird's food is kept in a properly sealed, vermin proof container; and (d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and (e) if a code of practice for the keeping of birds of a relevant species has been approved by the local government—the bird is kept in accordance with the requirements of the code of practice; and (f) the enclosure in which the bird is kept is not located less than 2m from the side and rear boundaries of the premises.
4	Racing pigeons	<p>Each owner of, and responsible person for, racing pigeons which are kept on premises must ensure that—</p> <ul style="list-style-type: none"> (a) the racing pigeons are kept without nuisance; and (b) the racing pigeons are contained within an enclosed cage or aviary; and (c) the racing pigeon's food is kept in a properly sealed, vermin proof container; and (d) the cage or aviary in which the racing pigeons are kept is— <ul style="list-style-type: none"> (i) thoroughly cleaned at least once each week; and (ii) located at the rear of, and behind, any residence situated on the premises; and (e) if a code of practice for the keeping of racing pigeons has been approved by the local government—the racing

*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

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		<p>pigeons are kept in accordance with the requirements of the code of practice; and</p> <p>(f) the enclosure in which the racing pigeons are kept is not located less than 2m from the side and rear boundaries of the premises.</p>
5	Bees, including native bees	<p>Each owner of, and responsible person for, bees which are kept on premises must ensure that—</p> <p>(a) the bees are kept without nuisance; and</p> <p>(b) any beehive constructed for the purpose of keeping the bees is not located within a radius of 10m of—</p> <p style="padding-left: 20px;">(i) a residence on adjoining premises; or</p> <p style="padding-left: 20px;">(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bees; or</p> <p style="padding-left: 20px;">(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</p> <p>(c) each beehive constructed for the purpose of keeping bees is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and</p> <p>(d) if a code of practice for the keeping of bees has been approved by the local government — the bees are kept in accordance with the requirements of the code of practice.</p>

*Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*

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6	Duck, drake, peahen, a nuisance bird, ostrich, emu, guinea fowl and poultry	<p>Each owner of, and responsible person for, a bird identified in column 1 item 6 which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; and (b) the bird is contained within an enclosure; and (c) the bird's food is stored in a properly sealed, vermin proof container; and (d) the enclosure in which the bird is kept is— <ul style="list-style-type: none"> (i) thoroughly cleaned at least once each week; and (ii) if the bird is a domestic chicken, duck, drake, goose or turkey and the bird is kept on premises with an area less than 2,000m²—located at the rear of, and behind, any residence situated on the premises; and (e) the enclosure in which the bird is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> (i) a residence on adjoining premises; or (ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bird; or (iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and (f) the enclosure in which the bird is kept is not located less than 2m from the side or rear boundaries of the premises.
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8 Amendment of sch 7 (Dog off-leash areas)

(2) Schedule 7, Section 11—

omit, insert

‘The areas shown in the local government’s ‘Dog Off-leash Area Register’, available for public inspection, and are designated pursuant to this subordinate local law as areas where animals are permitted in a dog off-leash area.’

9 Amendment of sch 13 (Dictionary)

(1) Schedule 13—

omit.

‘**registered breeder**, of dogs, has the meaning given in the Animal Management Act.’

insert—

Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law (No. 1) 2023

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'bees means a stinging winged insect which collects nectar and pollen, produces wax and honey, and lives in large communities, excluding native bees.

native bees means the two genera, Tetragonula and Ausroplebeia.'

recognised breeder, of dogs, means a person who—

- (a) breeds dogs; and
- (b) is an accredited breeder as defined under the Animal Management (Cats and Dogs) Act 2008; or
- (c) another association recognised by the local government for the purposes of this definition.

This and the preceding 11 pages bearing my initials is a certified copy of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of _____ 2023.

.....
Chief Executive Officer

632719_1

LOCAL LAW MAKING PROCESS

Parking (Amendment) Subordinate Local Law (No. 1) 2023

Meeting Date: 11 December 2023

Attachment No: 2

Rockhampton Regional Council Parking (Amendment) Subordinate Local Law (No. 1) 2023

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Parking (Amendment) Subordinate Local Law (No. 1) 2023*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 5 (Parking) 2011*.

Part 2 Amendment of subordinate local law

3 Amendment of s8 (Infringement notice penalty amounts—Authorising local law, s 9)

(1) Footnote 3—

omit—

‘

³ See section 5 of the *Penalties and Sentences Act 1992*. The value of a penalty unit is, for a local law, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law—the amount, not more than \$100.00, prescribed under a regulation. See section 2A of the *Penalties and Sentences Regulation 2005*. The value of the penalty unit for a local law made by a local government mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government mentioned in schedule 2 of the Regulation is \$75.00. The value of a penalty unit for a local law made by a local government not mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government not mentioned in schedule 2 of the Regulation, is \$100.00.’

insert—

‘

³ See section 5 of the *Penalties and Sentences Act 1992*.’

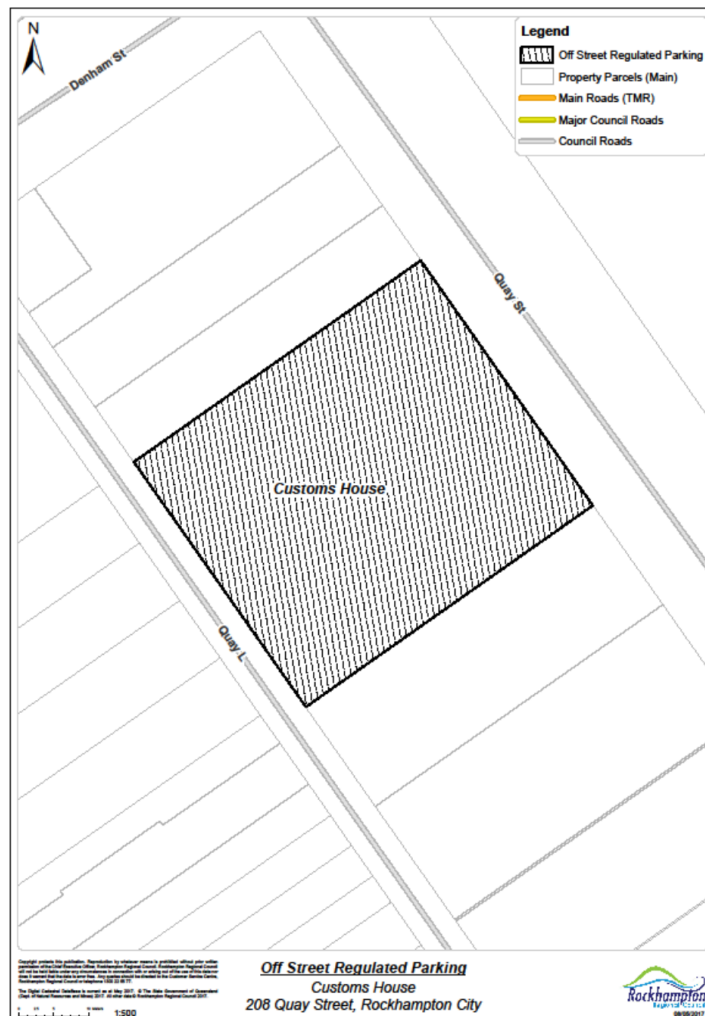
4 Amendment of Schedule 2 (Declaration of off-street regulated parking areas)

(2) Schedule 2—

omit, insert—

Facility Common Name	Street Address	Real Property Description	
		Lot	Plan
Rockhampton Airport Terminal Parking	Part of Lot 6, Canoona Road, West Rockhampton, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 6	CP906611
Pilbeam Theatre Car Park, Rockhampton	62 Victoria Parade, Rockhampton City (parking at 67 Bolsover Street, Rockhampton City), but limited to the area shown hatched in black on the map in this schedule 2.	Lot 68 Lot 3 Lot 1 Lot 2 Lot 3 Lot 4 Lot 1	SP268488 RP600027 RP601155 RP601155 RP601155 RP601155 RP600889
Riverside Car Park (North)	Victoria Parade, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 1	LN844289
Riverside Car Park (South)	215 Quay Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 7	SP289445
Rockhampton City Hall	232 Bolsover Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 11 Lot 3	SP254998 R2616
East St Post Office	150 East Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 4	RP892686
Heritage Village	296 Boundary Road, Parkhurst, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 220	LN2565
Corner Alma Street and Derby Street, Rockhampton	180-186 Alma Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 2 Lot 3 Lot 211	RP602014 RP615771 R1675
Schotia Place Car Park	37 and 45 Williams Street and 199 Bolsover Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 10 Lot 11 Lot 2	RP607888 RP607888 RP608796

(3) Schedule 2—
omit—



Rockhampton Regional Council
Parking (Amendment) Subordinate Local Law (No. 1) 2023

insert—



5 Amendment of sch 3 (Infringement notice penalty amounts for certain minor traffic offences)

Schedule 3, Section 8—

omit, insert—

Section 8

Column 1	Column 2
<i>Transport Operations (Road Use Management) Act 1995 provision</i>	Infringement notice penalty amount
106(1)(a)(i)	0.5 penalty units
106(1)(a)(ii)	0.5 penalty units
106(1)(b)	0.5 penalty units
106(1)(c)	0.5 penalty units
106(1)(d)	0.5 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
167	Stopping on a length of road or in an area to which a no stopping sign applies	1 penalty unit
168	Stopping on a length of road or in an area to which a no parking sign applies	0.5 penalty units
169	Stopping at the side of a road marked with a continuous yellow edge line	1 penalty unit
170(1)	Stopping in an intersection	1 penalty unit
170(2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign	0.5 penalty units
170(4)(a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign	0.5 penalty units
172(1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.5 penalty units
172(1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.5 penalty units
173	Stopping on a marked foot crossing that is not at an intersection, or on a road within 10m before the traffic lights pole nearest to the driver at the crossing and 3m after the crossing unless permitted by a sign	1 penalty unit
175	Stopping on a level crossing, or on a road within 20m before the nearest rail or track to the driver approaching the crossing and 20m after the nearest rail or track to the driver leaving the crossing unless permitted by a sign	1 penalty unit

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
176(1)	Stopping on a road contrary to a clearway sign	0.5 penalty units
179(1)	Stopping an unauthorised vehicle in a loading zone	0.5 penalty units
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	0.5 penalty units
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	0.5 penalty units
179(2A)(a)	Staying continuously for longer than 20 minutes in a loading zone to drop off or pick up goods	0.5 penalty units
179(2A)(b)	Staying continuously for longer than permitted by a sign in a loading zone to drop off or pick up goods	0.5 penalty units
181(1)	Unauthorised driver stopping in a works zone	0.5 penalty units
182(1)	Stopping an unauthorised vehicle in a taxi zone	0.5 penalty units
183(1)	Stopping an unauthorised vehicle in a bus zone	0.5 penalty units
183(1)	Stopping a bus in a bus zone contrary to a bus zone sign	0.5 penalty units
185(1)	Stopping an unauthorised vehicle in a permit zone	0.5 penalty units
186(1)	Stopping in a mail zone	0.5 penalty units
189(1)	Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road	0.5 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
191	Stopping on a road, near an obstruction, so as to obstruct traffic	0.5 penalty units
195(1)	Stopping within 20m before a bus stop unless permitted by a sign	0.5 penalty units
195(1)	Stopping within 10m after a bus stop unless permitted by a sign	0.5 penalty units
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign	0.5 penalty units
198(2)	Stopping on or across a driveway unless dropping off or picking up, passengers	0.5 penalty units
199	Stopping near a postbox	0.5 penalty units
200(1)	Stopping a heavy or long vehicle on a length of road that is not in a built-up area, except on the shoulder of the road	0.5 penalty units
200(2)	Stopping a heavy or long vehicle on a length of road in a built-up area for longer than 1 hour unless permitted	0.5 penalty units
202	Stopping contrary to a motorbike parking sign	0.5 penalty units
203(1)	Stopping contrary to a people with disabilities parking sign	4 penalty unit
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	0.5 penalty units
208(1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road	0.5 penalty units

Column 1		Column 2
Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision	Minor Traffic Offence	Infringement notice penalty amount
208(1)	Parking on a one way road other than to the far left or far right of the road unless permitted by a sign	0.5 penalty units
208(1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign.	0.5 penalty units
210(1)	Angle parking - failing to properly position the vehicle.	0.5 penalty units
211(2)	Parking otherwise than completely within the confines of a parking bay	0.5 penalty units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	0.5 penalty units

This and the preceding 9 pages bearing my initials is a certified copy of *Parking (Amendment) Subordinate Local Law (No. 1) 2023* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of 2023.

.....
Chief Executive Officer

663593_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law 2 (Animal Management) 2011 (Consolidated)

Meeting Date: 11 December 2023

Attachment No: 3

Subordinate Local Law No. 2 (Animal Management) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 2 (Animal Management) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 2 (Animal Management) 2011*, which provides for regulation of the keeping and control of animals within the local government's area.
- (2) The purpose is to be achieved by providing for—
 - (a) the circumstances in which the keeping of animals is prohibited or requires approval; and
 - (b) requirements for keeping animals, including minimum standards, mandatory desexing, proper enclosures, koala conservation and identification; and
 - (c) the control of animals in public places; and
 - (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and
 - (e) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and
 - (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 13 defines particular words used in this subordinate local law.

Part 2 Keeping of animals

5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1)

For section 5(1) of the authorising local law, keeping an animal or animals mentioned in column 1 of schedule 1 is prohibited in the circumstances described in column 2 of schedule 1.

6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in the circumstances described in column 2 of schedule 2.

7 Animals that must be desexed—Authorising local law, s 7

For section 7 of the authorising local law, an animal of the species or breed mentioned in column 1 of schedule 3 must be desexed once it reaches the age specified in column 2 of schedule 3 except in the circumstances described in column 3 of schedule 3.

8 Minimum standards for keeping animals—Authorising local law, s 8(1)

- (1) For section 8(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 4.
- (2) For section 8(1) of the authorising local law, column 2 of schedule 5 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 5.

9 Identification for cats and dogs in certain circumstances—Authorising local law, s 9

For section 9 of the authorising local law, the identification required for a cat or dog that is at a place other than the address stated in the registration notice for the cat or dog is the registration device mentioned in section 12(3) of the *Animal Management (Cats and Dogs) Act 2008*.

Part 3 Control of animals**10 Public places where animals are prohibited—Authorising local law, s 10(1)**

For section 10(1) of the authorising local law, the species or breeds of animals mentioned in column 2 of schedule 6 are prohibited in the public places described in column 1 of schedule 6.

11 Dog off-leash areas—Authorising local law, s 11(1)

For section 11(1) of the authorising local law, the areas described in schedule 7 are designated as dog off-leash areas.

12 Animal faeces in public places—Authorising local law, s 13

For section 13 of the authorising local law, no other species of animal is prescribed

as an animal whose faeces must be removed from a public place and disposed of in a sanitary way.

13 Requirements for proper enclosures for keeping animals—Authorising local law, s 14(2)

For section 14(2) of the authorising local law, column 2 of schedule 8 sets out the requirements for proper enclosures for an animal of the species or breed mentioned in column 1 of schedule 8.

14 Koala conservation—Authorising local law, s 15

- (1) For section 15(1) of the authorising local law, schedule 9 sets out the requirements for keeping a dog on land that is within a koala area.
- (2) For section 15(4) of the authorising local law, each area described in schedule 10 is designated as a koala area.

15 Criteria for declared dangerous animals—Authorising local law, s 19(1)

For section 19(1) of the authorising local law, the criteria for declaring an animal as a declared dangerous animal are set out in schedule 11.

Part 4 Seizure, impounding or destruction of animals

16 Place of care for impounded animals—Authorising local law, s 24

For section 24 of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government.

17 Animals that may be disposed of without auction or tender—Authorising local law, s 32(1)(b)

For section 32(1)(b) of the authorising local law, the species, breeds or classes of animal that may be sold by private agreement, destroyed or disposed of in some other way are the following—

- (a) dogs; and
- (b) cats; and
- (c) other domestic animals; and
- (d) stock.

18 Register of impounded animals—Authorising local law, s 33(3)

For section 33(3) of the authorising local law, the register of impounded animals will be kept at the local government's public office.

Part 5 Appeals against destruction orders

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 6 Miscellaneous**19 Conditions regarding sale of animals—Authorising local law, s 42(1)**

For the purposes of section 42(1) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 12 must comply with the conditions set out in column 2 of schedule 12.

20 Animals excluded from application of the local law—Authorising local law, schedule

For the purposes of the definition of “*animal*” in the schedule to the authorising local law, animals of the fish species are excluded from the application of the authorising local law.

21 Species that are declared dangerous animals—Authorising local law, schedule

For the purposes of the definition of “*declared dangerous animal*” in the schedule to the authorising local law, no species of animal is declared to be a declared dangerous animal.

22 Prescribed period for reclaiming animals—Authorising local law, schedule

For the purposes of the definition of “*prescribed period*” in the schedule to the authorising local law, the period within which an animal may be reclaimed is—

- (a) if the animal is a horse, cow, registered cat, registered dog or other identifiable animal—5 days; and
- (b) if the animal is an unregistered cat, unregistered dog or an animal which is not an identifiable animal—3 days.

Schedule 1 Prohibition on keeping animals

Section 5

	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
1	Dog	<p>(a) More than 2 dogs over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the dogs on the premises—</p> <p>(i) a multiple dog approval; or</p> <p>(ii) a kennel approval; or</p> <p>(iii) a pet shop approval.</p> <p>(b) However, the prohibition in paragraph (a) does not apply to the keeping of a working dog on premises if the premises are rural land or are in the rural zone in the planning scheme of the local government.</p> <p>(c) Any of the following breeds, and a cross breed of any of the following breeds, anywhere in the local government area—</p> <p>(i) American pit bull terrier or pit bull terrier;</p> <p>(ii) dogo Argentino;</p> <p>(iii) fila Brasileiro;</p> <p>(iv) Japanese tosa;</p> <p>(v) Perro de Presa Canario or Presa Canario.</p>
2	Cat	<p>More than 2 cats over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the cats on the premises—</p> <p>(a) a multiple cat approval; or</p> <p>(b) a cattery approval; or</p> <p>(c) a pet shop approval.</p>
3	Horse or donkey (other than a racehorse or a stallion)	A horse or donkey (other than a racehorse or a stallion) on premises with an area less than 2,000m ² .
4	Cow	A cow on premises with an area less than 2,000m ² .
5	Bull	A bull on premises with an area less than 10,000m ² .

6	Birds	(a) More than 20 birds of the same or different species on premises with an area less than 801m ² . (b) More than 40 birds of the same or different species on premises with an area between 801m ² and 2,500m ² .
7	Pig (including a miniature pig)	A pig (including a miniature pig) on premises with an area less than 8,000m ² .
8	Ostrich or emu	An ostrich or emu on premises with an area less than 4,000m ² .
9	Racing pigeons	1 or more racing pigeons on premises with an area less than 800m ² .
10	Bees (other than native bees)	A hive on premises with an area less than 800m ² ; (see Code of Practice for Urban Bee Keeping in Queensland 1998).
11	Racing greyhound (including a whippet)	More than 2 racing greyhounds over the age of 12 weeks on premises with an area less than 800m ² .
12	Racehorse	A racehorse on premises with an area less than 800m ² .
13	Stallion	(a) A stallion on premises with an area less than 40,000m ² . (b) More than 1 stallion on a premises with an area less than 60,000m ² .
14	European rabbit	A European rabbit on premises in the local government area.

- (1) A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals (each an *exempt animal*) on premises if—
- (a) the animal or animals were kept on the premises before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*; and
 - (b) the keeping of the animal or animals on the premises immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023* did not contravene any provision of the authorising local law.
- (2) For the avoidance of doubt, if an exempt animal dies or is permanently removed from the premises, subsection (1) does not exempt, from the prohibition prescribed in this schedule, the keeping of any animal which is a replacement for the exempt animal.

Schedule 2 Requirement for approval to keep animal

Section 6

	Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval¹
1	Dog	<p>(a) 3 or more dogs over the age of 12 weeks (other than a working dog or a racing greyhound) —</p> <p>(i) are kept on premises; and</p> <p>(ii) the keeping of the dogs on the premises satisfies the criteria for the grant of a multiple dog approval.</p> <p>(b) 1 or more dogs on non-residential premises.</p> <p>(c) A guard dog on any premises.</p> <p>(d) A dog kept on residential premises—</p> <p>(i) temporarily; but</p> <p>(ii) for longer than 1 month.</p> <p>(e) 1 or more dogs kept in circumstances which require the grant of a kennel approval.</p> <p>(f) 1 or more dogs kept in circumstances which require the grant of a pet shop approval.</p>
2	Cat	<p>(a) 3 or more cats over the age of 12 weeks —</p> <p>(i) are kept on premises; and</p> <p>(ii) the keeping of the cats on the premises satisfies the criteria for the grant of a multiple cat approval.</p> <p>(b) 1 or more cats kept in circumstances which require the grant of a cattery approval.</p> <p>(a) 1 or more cats kept in circumstances which require the grant of a pet shop approval.</p>
3	Horse or donkey (other than a racehorse or a stallion)	<p>(a) More than 1 animal to which this item 3 applies on premises with an area less than 20,000m².</p>

¹ See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1.5 (Keeping of Animals) 2011* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

		(b) Subject to paragraph (a), if the density of the animals to which this item 3 applies kept on the premises is greater than 1 animal per 2,000m ² .
4	Cow	More than 1 cow on premises, but excluding premises within an urban area, unless the density of the cows kept on the premises is less than 1 cow per 2,000m ² .
5	Bull	More than 1 bull on premises with an area not less than 10,000m ² .
6	Birds (other than nuisance birds)	(a) More than 10, but not more than 20, birds of the same or different species on premises with an area less than 801m ² . (b) More than 20, but not than 40, birds of the same or different species on premises with an area between 801m ² and 2,500m ² .
7	Nuisance bird	1 or more nuisance birds on premises with an area less than 20,000m ² .
8	Pig (including a miniature pig)	(a) More than 1 pig on premises with an area less than 20,000m ² unless— (i) the keeping of the pigs on the premises is authorised by a development approval; or (ii) the premises are situated on rural land and the responsible person for the pigs is a primary producer. (b) Subject to paragraph (a), unless the density of the pigs kept on the premises is less than 1 pig per 4,000m ² .
9	Sheep, goat, or camelid	(a) More than 1 animal to which this item 9 applies on premises with an area less than 20,000m ² . (b) Subject to paragraph (a), if the density of the animals to which this item 9 applies kept on the premises is greater than 1 animal per 2,000m ² .
10	Racing pigeons	1 or more racing pigeons on premises with an area of 800m ² or more.
11	Bees (other than native bees)	(a) More than 2 hives on premises with an area between 800m ² and 1,000m ² . (b) More than 5 hives on premises with an area between 1,001m ² and 2,000m ² (see Code of Practice for Urban Bee Keeping in Queensland 1998).
12	Racing greyhound (including a whippet)	(a) 3, 4 or 5 dogs to which this item 12 applies over the age of 12 weeks on premises with an area less than 10,000m ² .

		(b) 6,7 or 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area between 10,000m ² and 100,000m ² . (c) More than 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area of more than 100,000m ² .
13	Racehorse	1 or more racehorses on premises in an urban area.
14	Stallion	More than 1 stallion on premises with an area not less than 60,000m ² .

Schedule 3 Requirement to desex animal

Section 7

	Column 1 Species or breed of animal	Column 2 Age at which animal must be desexed	Column 3 Exemptions to the requirement for desexing
1	Dog (other than a menacing dog).	Refer to the exemption in column 3.	The requirement for desexing of dogs does not apply if— (a) more than 2 dogs over the age of 12 weeks are kept on premises; and (b) the keeping of the dogs on the premises complies with the requirements of the authorising local law; and (c) the owner of the dogs is— (i) a recognised breeder; or (ii) a recognised animal carer; or (iii) a recognised show keeper.
2	Menacing dog.	The requirement for desexing applies once the menacing dog reaches 12 weeks of age.	No menacing dog is exempt from the requirement to be desexed.
3	Cat.	Refer to exemption in column 3.	The requirement for desexing of cats does not apply if— (a) more than 2 cats over the age of 12 weeks are kept on premises; and (b) the keeping of the cats on the premises complies with the requirements of the authorising local law; and (c) the owner of the cats is— (i) a recognised breeder; or

			<ul style="list-style-type: none"> (ii) a recognised animal carer; or (iii) a recognised show keeper.
4	An animal of a species or breed, if the animal is declared to be a dangerous animal under the authorising local law, section 19.	<p>The animal must be desexed by whichever is the later of—</p> <ul style="list-style-type: none"> (a) the age of 12 weeks; and (b) within 1 month after the animal is declared as a dangerous animal. 	<p>The requirement for desexing of the animal does not apply if—</p> <ul style="list-style-type: none"> (a) desexing is likely to be a serious risk to the health of the animal; and (b) the owner of the animal delivers to the local government, a signed veterinary surgeon’s certificate for the animal stating that desexing the animal is likely to be a serious risk to the health of the animal.

Schedule 4 Minimum standards for keeping animals generally

Section 8(1)

- (1) A person who keeps an animal on premises must —
 - (a) ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and
 - (b) ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person; and
 - (c) ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected at least daily and, if not immediately removed from the premises, is kept in a waste container of a kind approved by an authorised person; and
 - (d) ensure that any enclosure in which the animal is kept is properly maintained in—
 - (i) a clean and sanitary condition; and
 - (ii) an aesthetically acceptable condition; and
 - (e) Ensure the animal kept on the premises does not persistently make a noise or disturbance that, in the opinion of an authorised person, causes a nuisance to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience to occupiers of premises in the vicinity of the land on which the animal is ordinarily kept; and
 - (f) ensure that the area available to the animal kept on the premises is appropriately sized so that the animal can be effectively and comfortably kept; and
 - (g) if the animal is a cat or a dog and the animal is required to be implanted with a PPID—ensure that the cat or dog is implanted with a PPID as required by section 14 of the Animal Management Act; and
 - (h) if the animal is a dog and the dog is required to be registered by the person in the local government area of the local government—comply with section 46 of the Animal Management Act to register the dog in the local government area as required by section 44 of the Animal Management Act; and
 - (i) if the animal is a dog and section 57 of the Animal Management Act applies to the person—comply with section 57(2) of the Animal Management Act to renew the registration for the dog.
- (2) A person who keeps a dog on premises must, if the dog is on heat, comply with the requirements for a proper enclosure for the dog mentioned in schedule 8, item 1, column 2.

Schedule 5 Minimum standards for keeping particular animals

Section 8(2)

	Column 1 Species or breed of animal	Column 2 Minimum standards for keeping animals
1	Racing greyhound (including a whippet)	Each owner of, and responsible person for, a racing greyhound must— <ul style="list-style-type: none"> (a) ensure that the racing greyhound is kept— <ul style="list-style-type: none"> (i) without nuisance; and (ii) if a code of practice for the keeping of racing greyhounds has been approved by the Greyhound Racing Authority of Queensland—in accordance with the requirements of the code of practice; and (b) not bring into, or permit the racing greyhound to be in, a public place unless the racing greyhound is muzzled so as to prevent the racing greyhound from biting.
2	Horse, donkey, cow, bull, ox, deer and other domesticated animals of a similar size and sheep, goat, camel, pig and other animals of a similar size or type	Each owner of, and responsible person for, an animal specified in column 1, item 2 which is kept on premises must ensure that any enclosure in which the animal is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> (a) a residence on adjoining premises; or (b) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or (c) a place used for the storage of food (other than food kept in hermetically sealed packages).
3	Budgerigar, canary cockatiel, galah and other birds of a similar size or type	Each owner of, and responsible person for, a bird specified in column 1, item 3 must ensure that— <ul style="list-style-type: none"> (a) the bird is kept without nuisance; and (b) the bird is contained within an enclosed cage or aviary; and (c) the bird's food is kept in a properly sealed, vermin proof container; and (d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and (e) if a code of practice for the keeping of birds of a relevant species has been approved by the local

		<p>government—the bird is kept in accordance with the requirements of the code of practice; and</p> <p>(f) the enclosure in which the bird is kept is not located less than 2m from the side and rear boundaries of the premises.</p>
4	Racing pigeons	<p>Each owner of, and responsible person for, racing pigeons which are kept on premises must ensure that—</p> <p>(a) the racing pigeons are kept without nuisance; and</p> <p>(b) the racing pigeons are contained within an enclosed cage or aviary; and</p> <p>(c) the racing pigeon's food is kept in a properly sealed, vermin proof container; and</p> <p>(d) the cage or aviary in which the racing pigeons are kept is—</p> <p>(i) thoroughly cleaned at least once each week; and</p> <p>(ii) located at the rear of, and behind, any residence situated on the premises; and</p> <p>(e) if a code of practice for the keeping of racing pigeons has been approved by the local government—the racing pigeons are kept in accordance with the requirements of the code of practice; and</p> <p>(f) the enclosure in which the racing pigeons are kept is not located less than 2m from the side and rear boundaries of the premises.</p>
5	Bees, including native bees	<p>Each owner of, and responsible person for, bees which are kept on premises must ensure that—</p> <p>(a) the bees are kept without nuisance; and</p> <p>(b) any beehive constructed for the purpose of keeping the bees is not located within a radius of 10m of—</p> <p>(i) a residence on adjoining premises; or</p> <p>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bees; or</p> <p>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</p> <p>(c) each beehive constructed for the purpose of keeping bees is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and</p>

		(d) if a code of practice for the keeping of bees has been approved by the local government — the bees are kept in accordance with the requirements of the code of practice.
6	Duck, drake, peahen, a nuisance bird, ostrich, emu, guinea fowl and poultry	<p>Each owner of, and responsible person for, a bird identified in column 1 item 6 which is kept on premises must ensure that—</p> <p>(a) the bird is kept without nuisance; and</p> <p>(b) the bird is contained within an enclosure; and</p> <p>(c) the bird's food is stored in a properly sealed, vermin proof container; and</p> <p>(d) the enclosure in which the bird is kept is—</p> <p>(i) thoroughly cleaned at least once each week; and</p> <p>(ii) if the bird is a domestic chicken, duck, drake, goose or turkey and the bird is kept on premises with an area less than 2,000m²—located at the rear of, and behind, any residence situated on the premises; and</p> <p>(e) the enclosure in which the bird is kept is not located within a radius of 10m of—</p> <p>(i) a residence on adjoining premises; or</p> <p>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bird; or</p> <p>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</p> <p>(f) the enclosure in which the bird is kept is not located less than 2m from the side or rear boundaries of the premises.</p>

Schedule 6 Prohibition of animals in public places

Section 10

	Column 1 Public place	Column 2 Species or breed of animals prohibited
1	Within 5m of— (a) any playground apparatus which is provided for the use of minors in a public place which is a local government controlled area; or (b) a designated playground area in a public place which is a local government controlled area; or (c) a barbecue or other cooking facility in a public place which is a local government controlled area; or (d) a public place which is a botanical garden or a zoo.	Dogs

Schedule 7 Dog off-leash areas

Section 11

The areas shown in the local government's 'Dog Off-leash Area Register', available for public inspection, and are designated pursuant to this subordinate local law as areas where animals are permitted in a dog off-leash area.

Schedule 8 Requirements for proper enclosures for animals

Section 13

	<p>Column 1 Species or breed of animal</p>	<p>Column 2 Requirements for proper enclosures</p>
<p>1</p>	<p>All animals regardless of species or breed</p>	<p>(1) A proper enclosure is an area of the land on which the animal is kept, appropriately sized so as to be capable of effectively and comfortably housing the animal.</p> <p>(2) The area must be suitably fenced—</p> <ul style="list-style-type: none"> (a) appropriate to the species and breed of the animal to be enclosed; and (b) so as to effectively enclose the animal on the land on which it is kept at all times; and (c) so as to effectively enclose the animal on the land so that the animal cannot reach over or through the fence to adjoining land or any public place. <p>(3) Subsection (2)(c) does not apply to the fence of a proper enclosure on land if—</p> <ul style="list-style-type: none"> (a) the fence abuts a road; and (b) the land is rural land; and (c) the animal is kept by a primary producer on the land for primary production purposes. <p>(4) For the purposes of this item 1 <i>suitably fenced</i> means enclosed by a fence —</p> <ul style="list-style-type: none"> (a) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and (b) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and (c) where the animal has the ability to dig — which includes a barrier installed directly below the fence to prevent the animal digging its way out; and (d) where the animal has the ability to climb — designed and constructed in such a way as to prevent the animal from climbing over the fence; and (e) of which all gates are kept closed and latched except when in immediate use by a person entering or leaving the land on which the animal is kept.

		<p>(5) For the purposes of this item 1, and the requirements for a proper enclosure for a dog (other than a dog which is the subject of a regulated dog declaration under the <i>Animal Management (Cats and Dogs) Act 2008</i>, section 89), suitably fenced includes an electric dog fence, but only if the electric dog fence—</p> <ul style="list-style-type: none"> (a) prevents the dog from escaping over, under or through, the electric dog fence; and (b) prevents the dog digging its way out of, or through, the electric dog fence; and (c) effectively encloses the dog on the land on which it is kept at all times; and (d) if a member of the public seeking access to the front entrance of a residence on the land is required to cross an area of the land (the frontage)— is situated so that the dog is prevented from accessing the frontage.
2	Horse	<p>(1) A proper enclosure for the keeping of a horse must, in addition to the requirements specified in item 1 —</p> <ul style="list-style-type: none"> (a) effectively enclose the horse so that the horse can not reach over or through the fence to adjoining land or any public place; and (b) where the animal is a stallion—the enclosure must be constructed within an additional or second suitable and adequate fence or enclosure that is provided at the land on which the stallion is kept to a standard approved by an authorised person.

**Schedule 9 Requirements for keeping a dog in a koala
area**

Section 14(1)

No requirements prescribed.

Schedule 10 Koala areas²

Section 14(2)

No area designated.

²“Koala areas” under section 15(4) of the authorising local law comprise the areas designated in this schedule plus “koala habitat areas” designated by a State planning instrument or a conservation plan made under the *Nature Conservation Act 1992*.

Schedule 11 Criteria for declared dangerous animals

Section 15

There is a high likelihood of the animal causing injury to a person or animal or damage to property, taking into account—

- (a) its prior history of attacking or causing fear to persons or animals or damaging property; and
- (b) the extent of injury or damage that could potentially be inflicted by an animal of its size and species or breed.

Schedule 12 Conditions for sale of animals

Section 19

	Column 1 Species or breed of animal	Column 2 Conditions that must be complied with when offering animal for sale
1	A dog or a cat	<p>(1) A person who offers an animal of a species specified in column 1 item 1 for sale must keep and maintain a written register detailing —</p> <p>(a) the particulars and description of each animal offered for sale including breed, name, date of birth, identifying tag and any other form of identification; and</p> <p>(b) a medical history for each animal listing vaccinations, inoculations and treatments that have been carried out; and</p> <p>(c) if the animal is sold or otherwise disposed of — the name and address of the new owner of the animal and the date of sale or disposal of the animal.</p> <p>(2) If section 44 of the Animal Management Act applies to an animal which is offered for sale by the person—the person must comply with the requirements of the section before the sale of the animal by the person.</p> <p>(3) If section 44 of the Animal Management Act does not apply to the animal offered for sale by the person—the person must supply a register to the local government, at least monthly, giving full details of —</p> <p>(a) all animals sold or otherwise disposed of including the name and address of the new owner of the animal; and</p> <p>(b) a full description of each animal sold or otherwise disposed of; and</p> <p>(c) the date of sale or disposal of each animal.</p> <p>(4) A person must not offer an animal of a species specified in column 1 item 1 for sale unless the animal has received all necessary vaccinations, inoculations and treatments which are appropriate according to the age of the animal.</p>

Schedule 13 Dictionary

Section 4

Animal Management Act see *Animal Management (Cats and Dogs) Act 2008*.

animal welfare agency means—

- (a) the Royal Society for the Prevention of Cruelty to Animals Queensland Incorporated; and
- (b) the Animal Welfare League of Queensland Incorporated.

bees means a stinging winged insect which collects nectar and pollen, produces wax and honey, and lives in large communities, excluding native bees.

building has the meaning given in the *Building Act 1975*.

cat—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a kitten regardless of age.

cattery—

- (a) means premises used for boarding, breeding or training cats; but
- (b) does not include the keeping of cats as domestic pets.

cattery approval means an approval required to operate a cattery on premises.

decommissioned greyhound has the meaning given in the Animal Management Act.

designated playground area means an area which is—

- (a) physically defined; and
- (b) constructed by the local government for recreational use by minors; and
- (c) provided with 1 or more items of playground apparatus.

Example—

A designated playground area may be an area which is—

- (a) enclosed by a fence or some other barrier; and
- (b) covered by bark chips or similar material; and
- (c) equipped with a swing, see-saw or similar playground apparatus.

destroy, an animal, includes causing it to be destroyed.

dog—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a puppy regardless of age.

domestic purposes means the purposes of—

- (a) human consumption; or
- (b) food preparation; or
- (c) washing; or
- (d) other normal domestic duties.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

exempt animal see schedule 1.

fence—

- (a) means a barrier enclosing an area, consisting of, for example, posts connected by wire or wood; but
- (b) if the animal to be enclosed in an area by a fence is a dog—does not include an electric fence, for example, a fence through which an electric current can be passed, giving an electric shock to any person or animal touching the fence.

guard dog—

- (a) means a dog which is released by a person on residential premises or non-residential premises in the area of the local government without a handler for the primary purpose of acting as a deterrent to intruders; and
- (b) includes a dog which has been released by a person on residential premises or non-residential premises in the area of the local government without a handler in circumstances where the dog has been trained to attack for the purpose of guarding either persons or property; and
- (c) in the absence of evidence in rebuttal thereof, if a person releases a dog on non-residential premises in the area of the local government without a handler, the person is presumed to have released the dog for the primary purpose of acting as a deterrent to intruders; but
- (d) does not include a police dog or a regulated dog.

horse includes a pony and a miniature horse.

identifiable animal means an animal—

- (a) wearing an identifying tag issued by the local government; or
- (b) otherwise identified so that the local government is able to ascertain the owner of the animal.

keep (an animal)—

- (a) includes board, breed and train; and
- (b) in the absence of evidence to the contrary, a person is presumed to keep an animal on land if the person —
 - (i) feeds and cares for the animal on the land; and
 - (ii) the animal is observed by an authorised person on the land on more than 1 occasion during a month.

kennel—

- (a) means premises used for boarding, breeding or training dogs; but
- (b) does not include the keeping of dogs as domestic pets.

kennel approval means an approval required to operate a kennel on premises.

land has the meaning given in the *Planning Act 2016*.

multiple cat approval, for the keeping of cats on premises, means an approval to keep 3 or more cats over the age of 12 weeks on the premises.

multiple dog approval, for the keeping of dogs on premises, means an approval to keep 3 or more dogs over the age of 12 weeks (other than a working dog or a racing greyhound) on the premises.

multi-residential premises means each of —

- (a) a residence which forms part of a group of 2 or more residences in circumstances where 2 or more of the residences of the group are directly adjacent to each other and share—
 - (i) a common wall; or
 - (ii) a ceiling in circumstances where 1 residence is directly under the floor of another residence; and
- (b) a residence situated on a lot which forms part of a community titles scheme as defined in the *Body Corporate and Community Management Act 1997*.

Examples of multi-residential premises —

Flats, boarding houses, tenement buildings, home units, townhouses and duplexes.

native bees means the two genera, *Tetragonula* and *Ausroplebeia*.

non-residential premises means premises other than residential premises.

nuisance bird means—

- (a) a rooster, goose, cockatoo, galah or peacock; and
- (b) another bird kept on premises which makes an audible noise which causes environmental harm or environmental nuisance to an occupier of other premises.

occupier, of premises—

- (a) means the person who has the control or management of the premises; and
- (b) includes the owner of the premises where there is no person in apparent occupation of the premises.

pet shop means a shop or a stall at a market at which animals are offered for sale.

pet shop approval means an approval required to operate a pet shop on premises.

PPID has the meaning given in the Animal Management Act.

premises means—

- (a) a building or other structure; or
- (b) land, whether or not a building or other structure is on the land.

primary producer has the meaning given in the Animal Management Act.

racehorse means a horse bred and trained for racing.

racing greyhound —

- (a) means a greyhound registered with the Queensland Racing Integrity Commission under the rules for racing, as enforced from time to time, of a control body for a code of racing, as required under the *Racing Act 2002*, or registered with a control body of another State responsible pursuant to the law of that State for the registration of racing greyhounds; and

- (b) for the avoidance of doubt, does not include a decommissioned greyhound; but
- (c) includes a whippet.

rac^{ing} pigeon means a class of pigeon which is—

- (a) primarily kept for the purpose of racing or breeding for racing; and
- (b) kept by a person who is a registered member of the Queensland Racing Pigeon Federation Incorporated; and
- (c) kept in accordance with the terms of membership of the Queensland Racing Pigeon Federation Incorporated.

recognised animal carer means a person who holds a document or registration issued by an animal welfare agency in which the animal welfare agency approves the holder of the document or registration keeping 1 or more animals primarily to protect or preserve the health or welfare of the animal.

recognised breeder, of cats, means a person who—

- (a) breeds cats; and
- (b) is registered as a breeder of cats with—
 - (i) the Queensland Feline Association Inc; or
 - (ii) another association recognised by the local government for the purposes of this definition.

recognised breeder, of dogs, means a person who—

- (a) breeds dogs; and
- (b) is an accredited breeder as defined under the Animal Management (Cats and Dogs) Act 2008; or
- (c) an association recognised by the local government for the purposes of this definition.

recognised show keeper, for an animal, means a person who—

- (a) if the animal is a cat—
 - (i) keeps the cat for show purposes; and
 - (ii) has registered the cat with—
 - (A) the Queensland Feline Association Inc; or
 - (B) another association recognised by the local government for the purposes of this definition; or
- (b) if the animal is a dog—
 - (iii) keeps the dog for show purposes; and
 - (iv) has registered the dog with—
 - (A) the Canine Control Council (Queensland); or
 - (B) another association recognised by the local government for the purposes of this definition.

registered has the meaning given in the Animal Management Act.

residence means a building, or part of a building, that is—

- (a) fixed to land; and
- (b) a self-contained unit used by, or intended for the exclusive residential use of, one household.

residential premises means premises used, or intended to be used, predominantly as a place of residence.

rural land has the meaning given in the Animal Management Act.

sale includes—

- (a) to sell; and
- (b) offer, or expose for sale; and
- (c) agree or attempt to sell; and
- (d) dispose of for negligible or no consideration; and
- (e) barter.

stallion means an uncastrated adult male horse.

stock has the meaning given in the Animal Management Act.

structure has the meaning given in the *Local Government Act 2009*.

urban area—

- (a) means an area that is used for urban purposes; and
- (b) includes an area that is used for residential (other than rural residential), retail, commercial, industrial, community or government related purposes.

working dog has the meaning given in the Animal Management Act.

This and the preceding 29 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of 2023.

.....
Chief Executive Officer

727194_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law 5 (Parking) 2011 (Consolidated)

Meeting Date: 11 December 2023

Attachment No: 4

Subordinate Local Law No. 5 (Parking) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2011*, which provides for the exercise of local government powers authorised under the TORUM Act.
- (2) The purpose is to be achieved by providing for—
 - (a) the establishment of traffic areas and off-street regulated parking areas; and
 - (b) the persons that may be issued with a parking permit; and
 - (c) the vehicles that may be issued with a commercial vehicle identification label; and
 - (d) the infringement notice penalty amounts for minor traffic offences.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2011* (the *authorising local law*).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

Part 2 Declaration of parking areas for the TORUM Act

5 Declaration of traffic areas—Authorising local law, s 5

For section 5 of the authorising local law—

- (a) a traffic area is declared, the area shown hatched in black on the map titled “Rockhampton Regional Council CBD On Street Parking CBD Traffic Area” in schedule 1; and
- (b) the boundaries of the traffic area are indicated by a bold black line circumscribing

the hatched area on the map in schedule 1.

6 Declaration of off-street regulated parking areas—Authorising local law, s 6

- (1) For section 6(1) of the authorising local law, each area of land identified in schedule 2 is declared to be an off-street regulated parking area.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are the boundaries of the land identified in schedule 2.

Part 3 Parking contrary to parking restriction

7 Parking permits issued by local government—Authorising local law, s 7(2)

- (1) This section prescribes—
 - (a) the persons that may be issued with a parking permit mentioned in section 7(1) of the authorising local law; and
 - (b) the circumstances in which the parking permits may be issued.
- (2) A parking permit (a *resident parking permit*) may be issued to a person whose circumstances are as follows—
 - (a) the person resides in a residence¹ situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
 - (b) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
 - (c) the residence does not have, and cannot reasonably be provided with, adequate off-street parking; and
 - (d) if the parking permit is granted — there would not be in force more than 1 resident parking permit for the same residence.
- (3) A parking permit (a *community service organisation parking permit*) may be issued to a person whose circumstances are as follows—
 - (a) the person is a community service organisation²; and
 - (b) the person will use the parking permit for an activity which is consistent with the objects of the community service organisation; and
 - (c) the activity is undertaken on a section of road where —
 - (i) parking is regulated by time; and
 - (ii) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area.

¹ See definition of *residence* in the dictionary.

² See definition of *community service organisation* in the dictionary.

- (4) A parking permit (a **temporary parking permit**) may be issued to allow the holder of the parking permit to park 1 or more vehicles in a designated parking space or spaces for a period specified in the parking permit despite an indication on an official traffic sign to the contrary and despite the fact that paid parking would otherwise apply to the space or spaces.
- (5) A temporary parking permit may only be granted if the local government is satisfied that—
 - (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; and
 - (b) it is not reasonably practical for the applicant to carry out the activity unless the designated parking space or spaces to which the application relates are allocated to the applicant's exclusive use for the duration of the activity.
- (6) A parking permit (a **works zone parking permit**) may be issued to a person if the local government is satisfied that—
 - (a) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work; and
 - (b) the carrying out of the building or construction work is lawful; and
 - (c) having regard to the nature of the building or construction work and the characteristics of the site, it is not reasonably practical for all work activity involving vehicle loading and unloading and associated vehicle movements to be confined within the site.
- (7) A parking permit (a **visitor parking permit**) may be issued to a person whose circumstances are as follows—
 - (a) the person (the **resident**) resides in a residence situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
 - (b) the parking permit is to be made available by the resident for use by another person who —
 - (i) is visiting or attending at the residence identified in the parking permit; and
 - (ii) intends parking on the section of road immediately adjacent to the residence; and
 - (c) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
 - (d) the residence does not have and cannot reasonably be provided with adequate off-street parking; and
 - (e) if the parking permit is granted — there would not be in force more than 1 visitor parking permit for the same residence.
- (8) A parking permit (a **local government works parking permit**) may be issued to allow a person to park 1 or more vehicles in a designated parking space or spaces, despite an indication on an official traffic sign regulating parking by time or payment of a fee to

the contrary, if the person is—

- (a) an employee, contractor or agent of the local government; and
 - (b) parking the vehicle or vehicles in the space or spaces—
 - (i) for the purpose of carrying out work for or on behalf of the local government; and
 - (ii) in the course of carrying out the person’s duties for or on behalf of the local government.
- (9) A parking permit (a *tourist vehicle parking permit*) may be issued to allow a person to park a tourist vehicle which is used for the purpose of carrying passengers on a commercial basis in a designated parking space or spaces, despite an indication on an official traffic sign regulating parking by time or payment of a fee to the contrary.

Part 4 Minor traffic offence infringement notice penalties

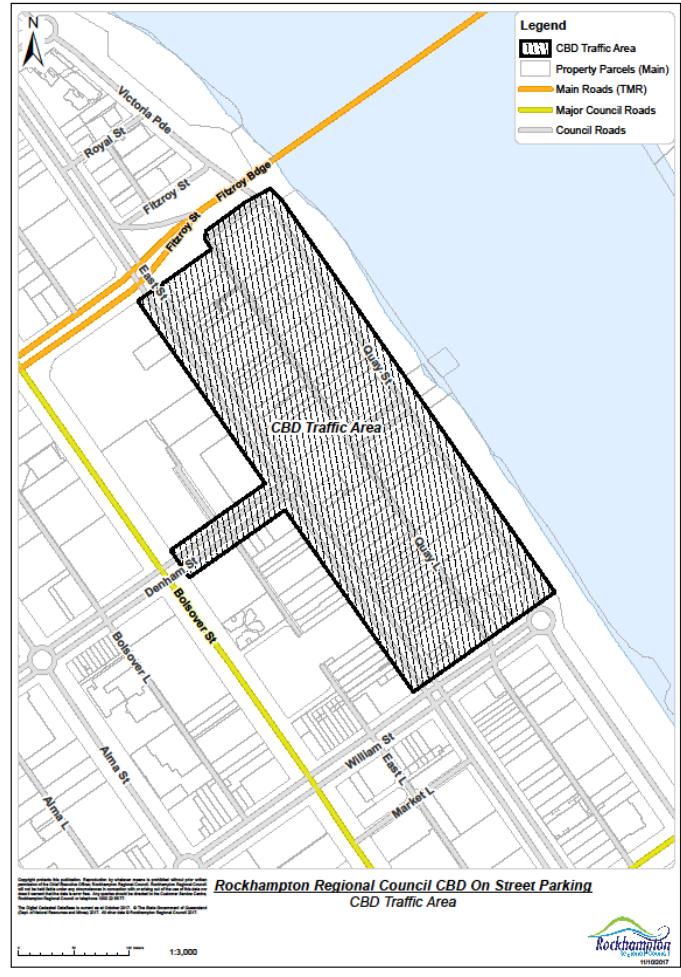
8 Infringement notice penalty amounts—Authorising local law, s 9

For section 9 of the authorising local law, the infringement notice penalty amount³ for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

³ See section 5 of the *Penalties and Sentences Act 1992*.

Schedule 1 Declaration of traffic area

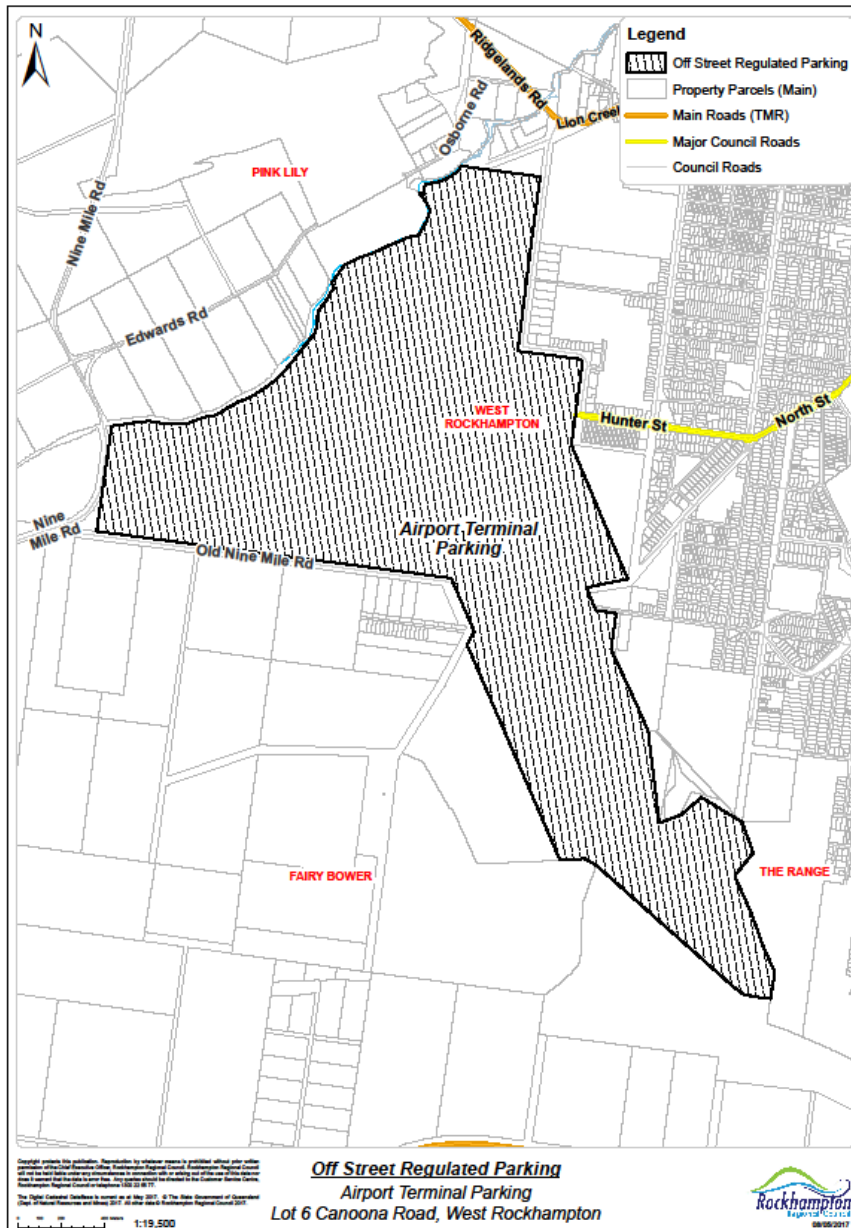
Section 5

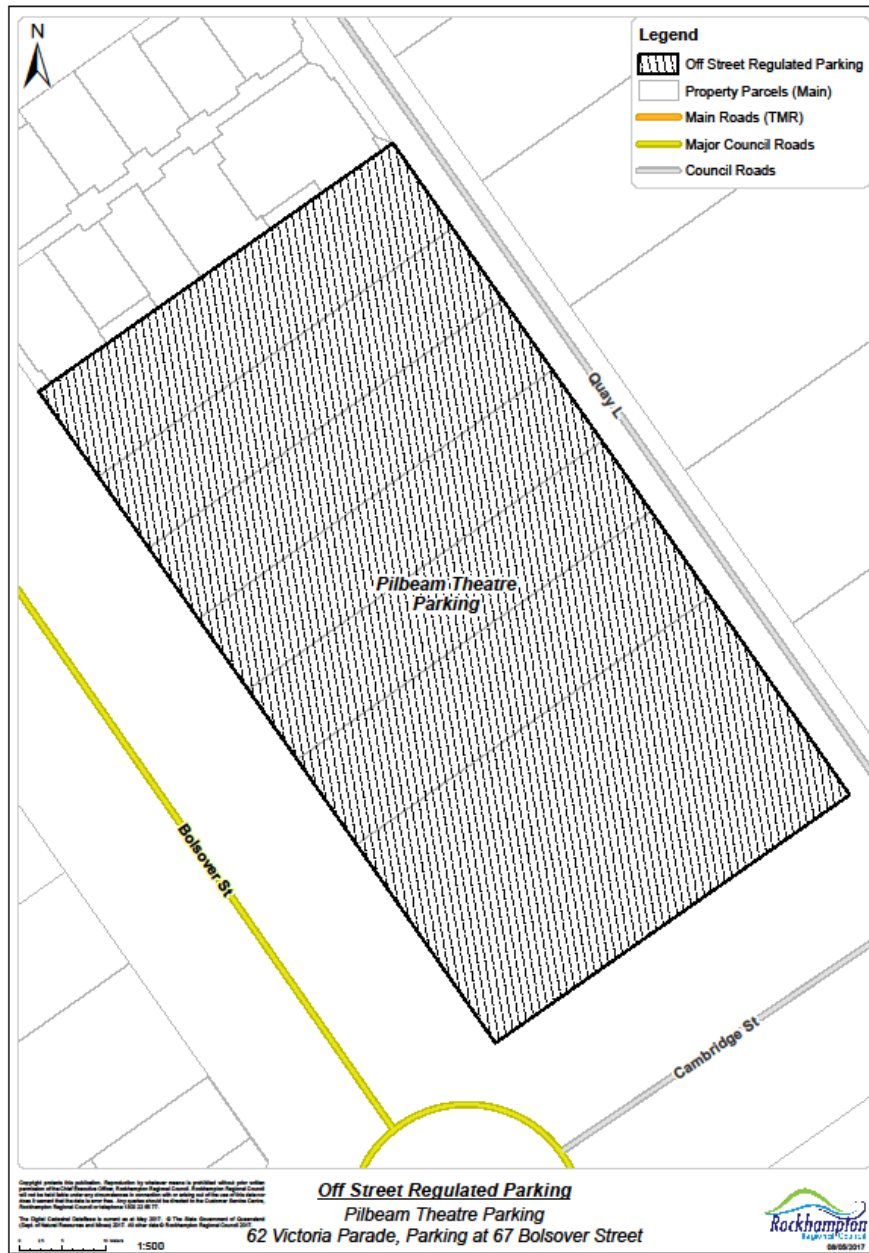


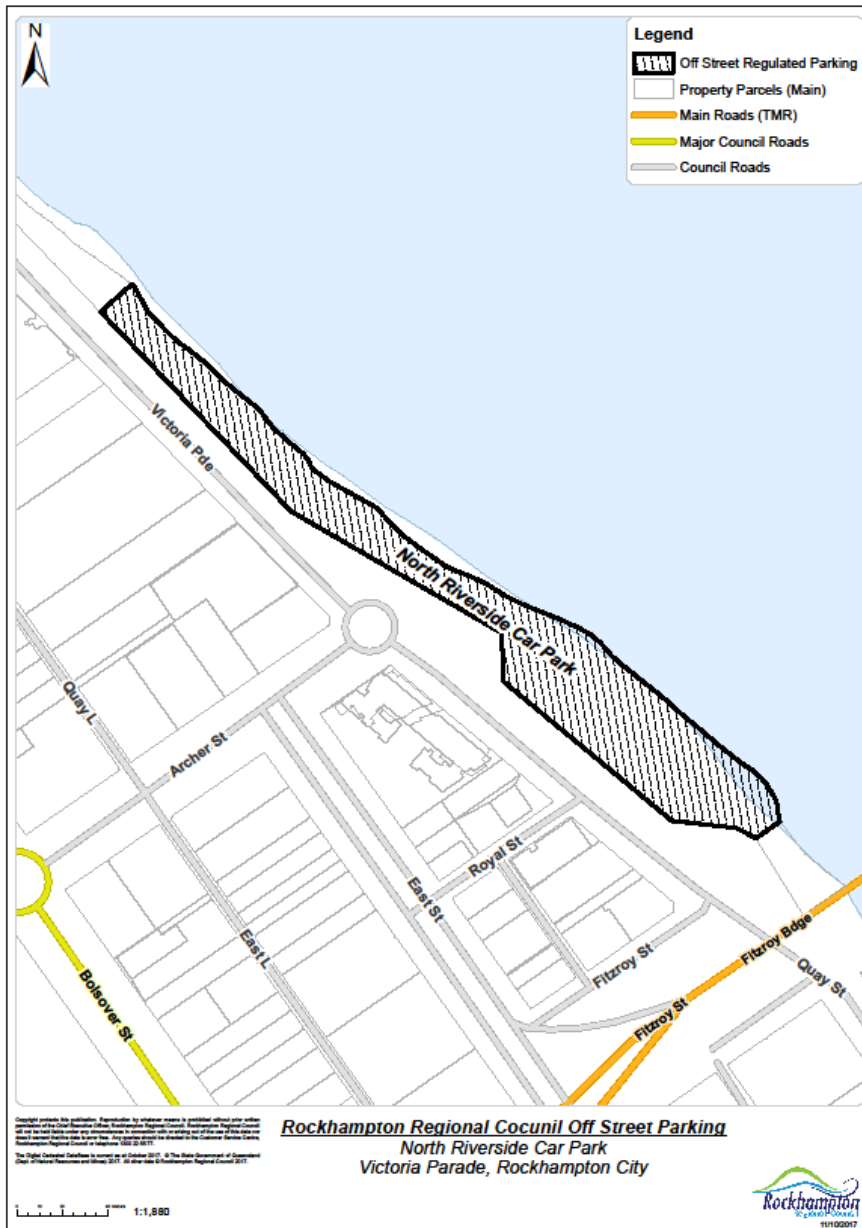
Schedule 2 Declaration of off-street regulated parking areas

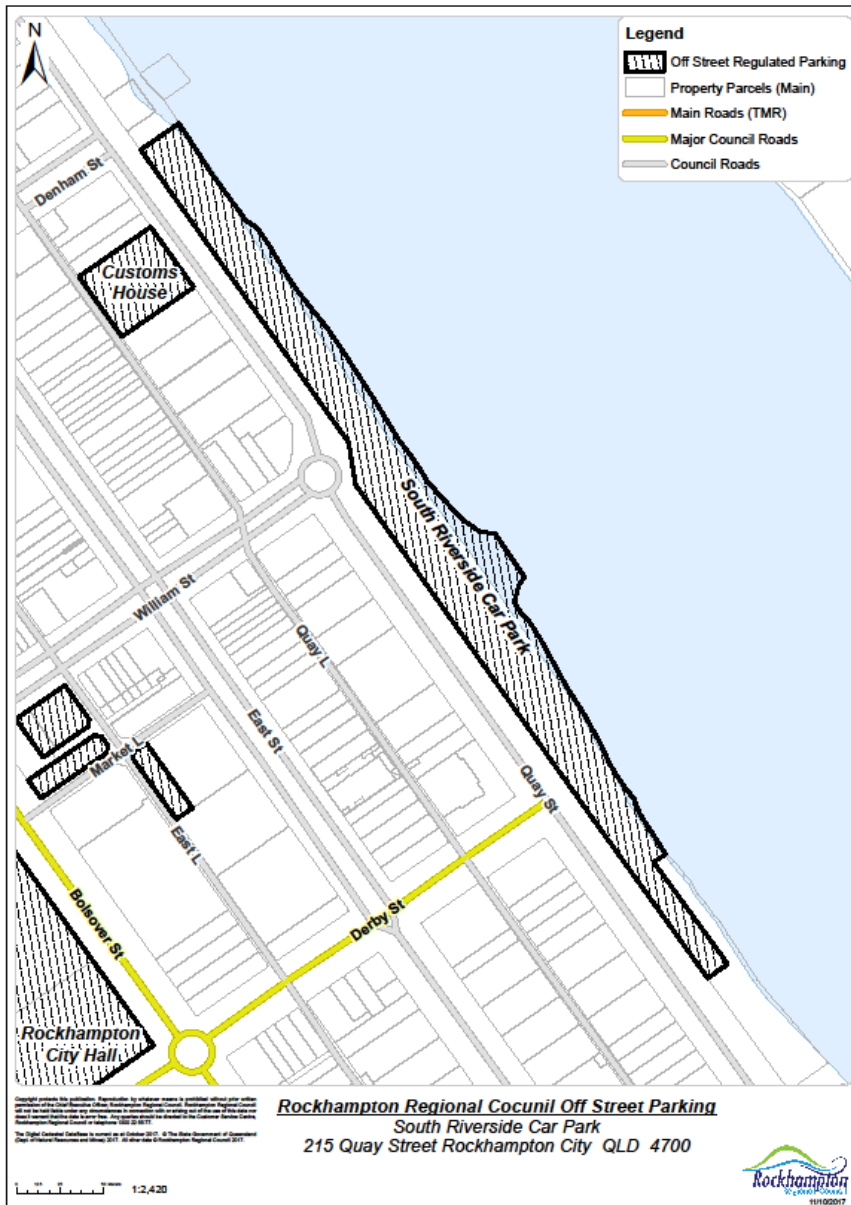
Section 6

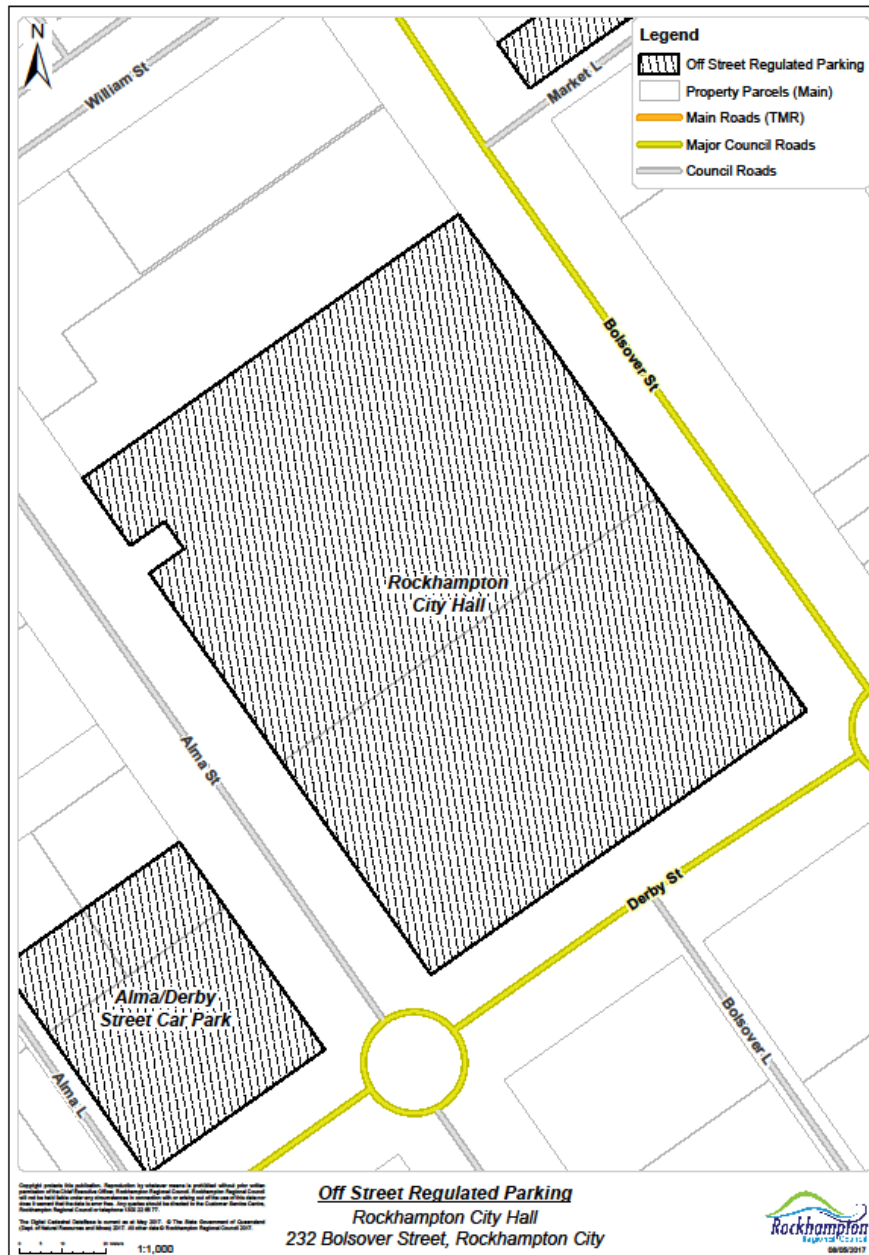
Facility Common Name	Street Address	Real Property Description	
		Lot	Plan
Rockhampton Airport Terminal Parking	Part of Lot 6, Canoona Road, West Rockhampton, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 6	CP906611
Pilbeam Theatre Car Park, Rockhampton	62 Victoria Parade, Rockhampton City (parking at 67 Bolsover Street, Rockhampton City), but limited to the area shown hatched in black on the map in this schedule 2.	Lot 68 Lot 3 Lot 1 Lot 2 Lot 3 Lot 4 Lot 1	SP268488 RP600027 RP601155 RP601155 RP601155 RP601155 RP600889
Riverside Car Park (North)	Victoria Parade, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 1	LN844289
Riverside Car Park (South)	215 Quay Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 7	SP289445
Rockhampton City Hall	232 Bolsover Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 11 Lot 3	SP254998 R2616
East St Post Office	150 East Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 4	RP892686
Heritage Village	296 Boundary Road, Parkhurst, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 220	LN2565
Corner Alma Street and Derby Street, Rockhampton	180-186 Alma Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 2 Lot 3 Lot 211	RP602014 RP615771 R1675
Schotia Place Car Park	37 and 45 Williams Street and 199 Bolsover Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 10 Lot 11 Lot 2	RP607888 RP607888 RP608796

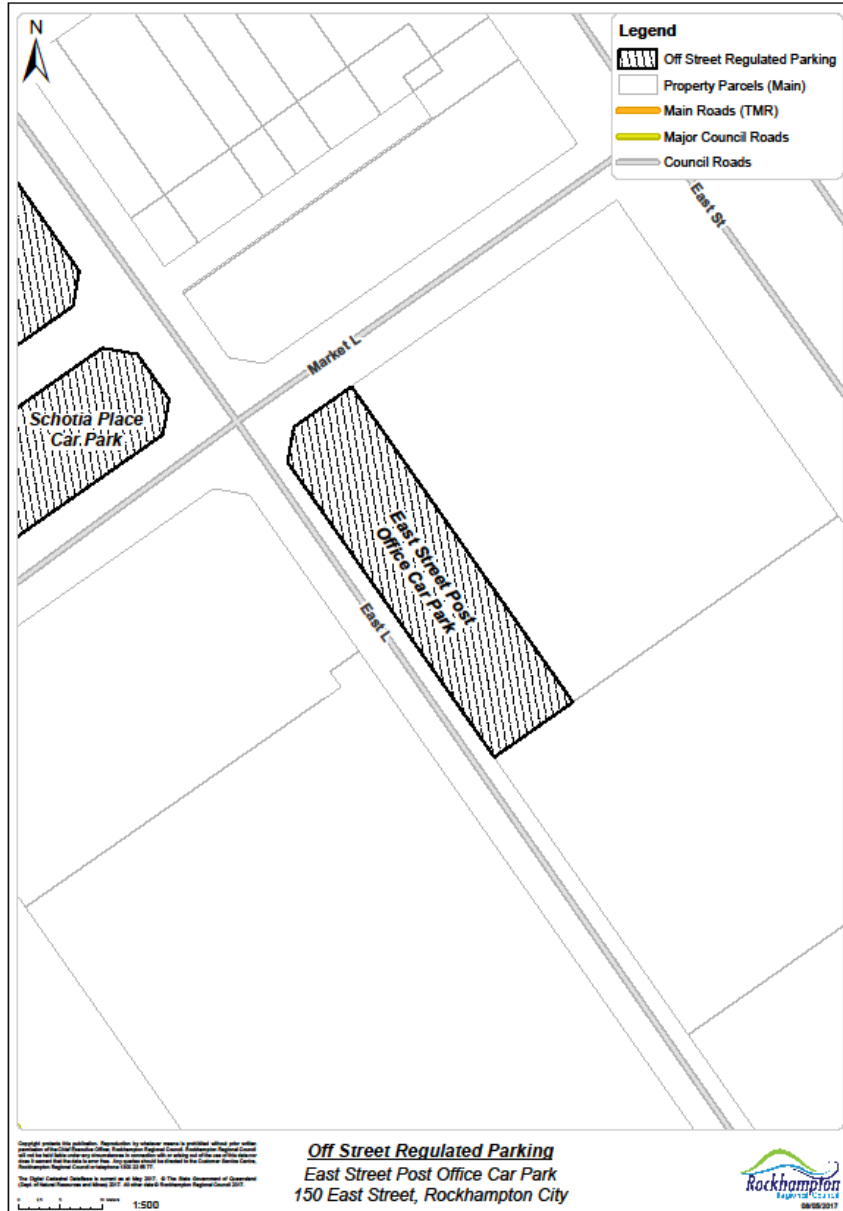


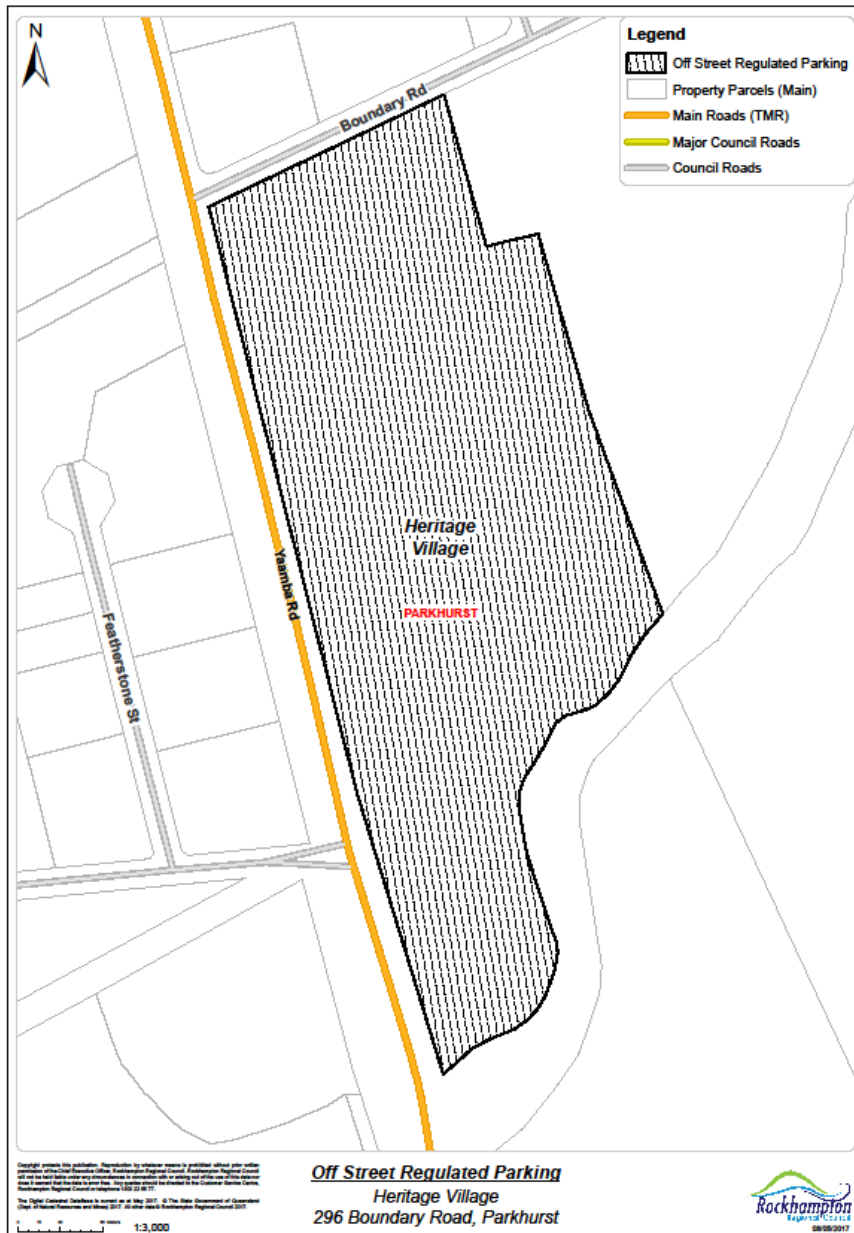


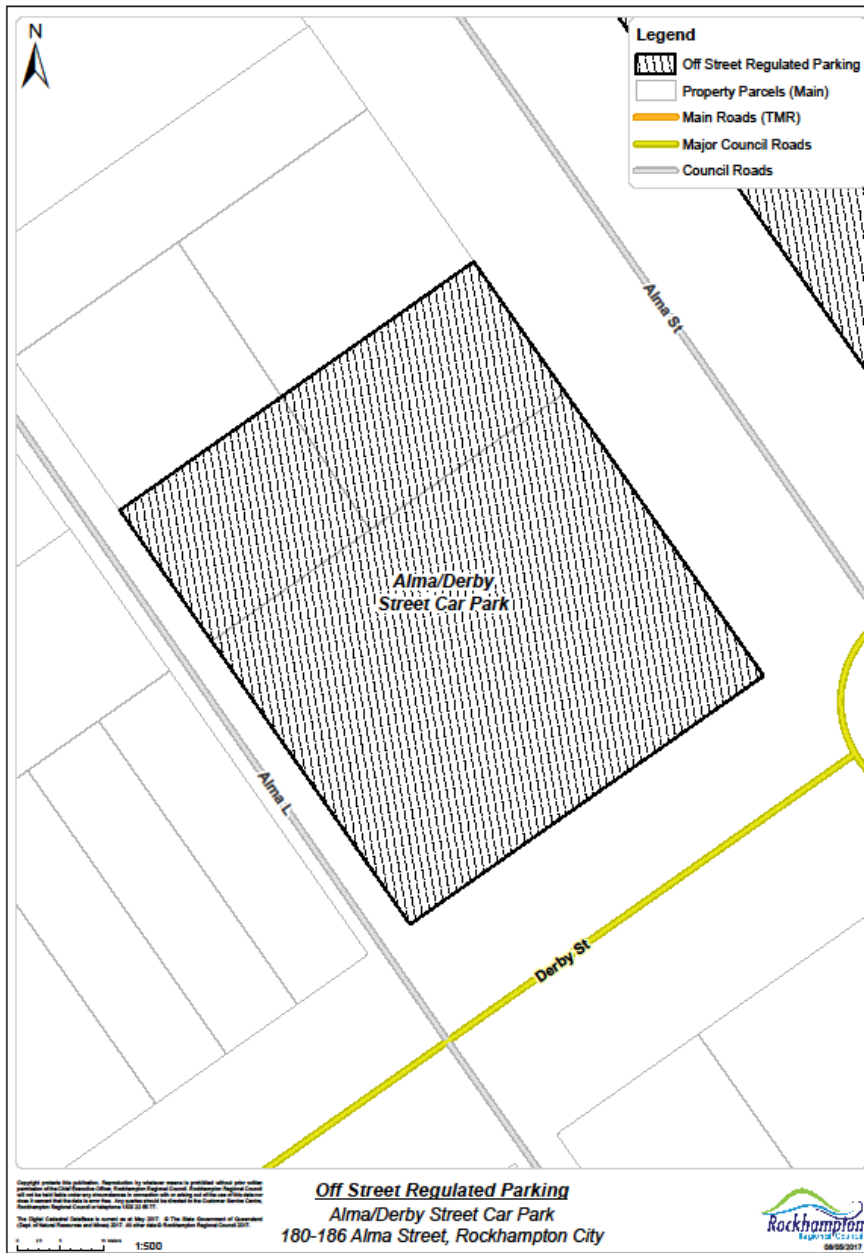














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Rockhampton Regional Council
Schotia Place and East Lane
Off street Regulated Parking



Schedule 3 Infringement notice penalty amounts for certain minor traffic offences

Section 8

Column 1		Column 2
<i>Transport Operations (Road Use Management) Act 1995 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
106(1)(a)(i)	Parking a vehicle in a designated parking space unless a parking meter or park at area installed for the space indicates that the parking fee has been paid	0.5 penalty units
106(1)(a)(ii)	Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space	0.5 penalty units
106(1)(b)	Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space	0.5 penalty units
106(1)(c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space	0.5 penalty units
106(1)(d)	Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space	0.5 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
167	Stopping on a length of road or in an area to which a no stopping sign applies	1 penalty unit
168	Stopping on a length of road or in an area to which a no parking sign applies	0.5 penalty units
169	Stopping at the side of a road marked with a continuous yellow edge line	1 penalty unit
170(1)	Stopping in an intersection	1 penalty unit
170(2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign	0.5 penalty units
170(4)(a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign	0.5 penalty units
172(1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.5 penalty units
172(1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.5 penalty units
173	Stopping on a marked foot crossing that is not at an intersection, or on a road within 10m before the traffic lights pole nearest to the driver at the crossing and 3m after the crossing unless permitted by a sign	1 penalty unit

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
175	Stopping on a level crossing, or on a road within 20m before the nearest rail or track to the driver approaching the crossing and 20m after the nearest rail or track to the driver leaving the crossing unless permitted by a sign	1 penalty unit
176(1)	Stopping on a road contrary to a clearway sign	0.5 penalty units
179(1)	Stopping an unauthorised vehicle in a loading zone	0.5 penalty units
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	0.5 penalty units
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	0.5 penalty units
179(2A)(a)	Staying continuously for longer than 20 minutes in a loading zone to drop off or pick up goods	0.5 penalty units
179(2A)(b)	Staying continuously for longer than permitted by a sign in a loading zone to drop off or pick up goods	0.5 penalty units
181(1)	Unauthorised driver stopping in a works zone	0.5 penalty units
182(1)	Stopping an unauthorised vehicle in a taxi zone	0.5 penalty units
183(1)	Stopping an unauthorised vehicle in a bus zone	0.5 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
183(1)	Stopping a bus in a bus zone contrary to a bus zone sign	0.5 penalty units
185(1)	Stopping an unauthorised vehicle in a permit zone	0.5 penalty units
186(1)	Stopping in a mail zone	0.5 penalty units
189(1)	Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road	0.5 penalty units
191	Stopping on a road, near an obstruction, so as to obstruct traffic	0.5 penalty units
195(1)	Stopping within 20m before a bus stop unless permitted by a sign	0.5 penalty units
195(1)	Stopping within 10m after a bus stop unless permitted by a sign	0.5 penalty units
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign	0.5 penalty units
198(2)	Stopping on or across a driveway unless dropping off or picking up, passengers	0.5 penalty units
199	Stopping near a postbox	0.5 penalty units
200(1)	Stopping a heavy or long vehicle on a length of road that is not in a built-up area, except on the shoulder of the road	0.5 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
200(2)	Stopping a heavy or long vehicle on a length of road in a built-up area for longer than 1 hour unless permitted	0.5 penalty units
202	Stopping contrary to a motorbike parking sign	0.5 penalty units
203(1)	Stopping contrary to a people with disabilities parking sign	4 penalty unit
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	0.5 penalty units
208(1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road	0.5 penalty units
208(1)	Parking on a one way road other than to the far left or far right of the road unless permitted by a sign	0.5 penalty units
208(1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign.	0.5 penalty units
210(1)	Angle parking - failing to properly position the vehicle.	0.5 penalty units
211(2)	Parking otherwise than completely within the confines of a parking bay	0.5 penalty units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	0.5 penalty units

Schedule 4 Dictionary

Section 4

community service organisation means an association incorporated under the *Associations Incorporation Act 1981* which has as the main purpose of its objects, making financial gain for community service, charitable or similar purposes.

community service organisation parking permit see section 7(3).

local government works parking permit see section 7(8).

residence means a building, or part of a building, that is —

- (a) fixed to land; and
- (b) designed, or approved by a local government, for human habitation by a single family unit; and
- (c) used for residential purposes.

resident see section 7(7)(a).

resident parking permit see section 7(2).

temporary parking permit see section 7(4).

tourist vehicle means a horse drawn vehicle or a pedicab which is used for the purpose of carrying passengers on a commercial basis.

tourist vehicle parking permit see section 7(9).

visitor parking permit see section 7(7).

works zone parking permit see section 7(6).

This and the preceding 21 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 5 (Parking) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of **(insert the date of the relevant resolution of Council)** 2023.

.....
Chief Executive Officer

663593_1

LOCAL LAW MAKING PROCESS

Public Consultation Version - Animal Management Amendment Subordinate Local Law No.1 2023

Meeting Date: 11 December 2023

Attachment No: 5

**Rockhampton Regional Council
Animal Management (Amendment) Subordinate Local Law
(No. 1) 2023**

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 2 (Animal Management) 2011*.

Part 2 Amendment of subordinate local law

3 Amendment of sch 1 (Prohibition on keeping animals)

(1) Schedule 1, items 1 to 14—

omit, insert—

1	Dog	<p>(a) More than 2 dogs over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the dogs on the premises—</p> <p style="margin-left: 20px;">(i) a multiple dog approval; or</p> <p style="margin-left: 20px;">(ii) a kennel approval; or</p> <p style="margin-left: 20px;">(iii) a pet shop approval.</p> <p>(b) However, the prohibition in paragraph (a) does not apply to the keeping of a working dog on premises if the premises are rural land or are in the rural zone in the planning scheme of the local government.</p> <p>(c) Any of the following breeds, and a cross breed of any of the following breeds, anywhere in the local government area—</p> <p style="margin-left: 20px;">(i) American pit bull terrier or pit bull terrier;</p> <p style="margin-left: 20px;">(ii) dogo Argentino;</p> <p style="margin-left: 20px;">(iii) fila Brasileiro;</p> <p style="margin-left: 20px;">(iv) Japanese tosa;</p> <p style="margin-left: 20px;">(v) Perro de Presa Canario or Presa Canario.</p>
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2	Cat	More than 2 cats over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the cats on the premises— (a) a multiple cat approval; or (b) a cattery approval; or (c) a pet shop approval.
3	Horse or donkey (other than a racehorse or a stallion)	A horse or donkey (other than a racehorse or a stallion) on premises with an area less than 2,000m ² .
4	Cow	A cow on premises with an area less than 2,000m ² .
5	Bull	A bull on premises with an area less than 10,000m ² .
6	Birds	(a) More than 20 birds of the same or different species on premises with an area less than 801m ² . (b) More than 40 birds of the same or different species on premises with an area between 801m ² and 2,500m ² .
7	Pig (including a miniature pig)	A pig (including a miniature pig) on premises with an area less than 8,000m ² .
8	Ostrich or emu	An ostrich or emu on premises with an area less than 4,000m ² .
9	Racing pigeons	1 or more racing pigeons on premises with an area less than 800m ² .
10	Bees (other than native bees)	A hive on premises with an area less than 800m ² ; (see Code of Practice for Urban Bee Keeping in Queensland 1998).
11	Racing greyhound (including a whippet)	More than 2 racing greyhounds over the age of 12 weeks on premises with an area less than 800m ² .
12	Racehorse	A racehorse on premises with an area less than 800m ² .
13	Stallion	(a) A stallion on premises with an area less than 40,000m ² . (b) More than 1 stallion on a premises with an area less than 60,000m ² .

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14	European rabbit	A European rabbit on premises in the local government area.
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- (2) Schedule 1, section 1(a)—

omit, insert—

‘(a) the animal or animals were kept on the premises before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023*; and’

- (3) Schedule 1, section 1(b)—

omit, insert—

‘(b) the keeping of the animal or animals on the premises immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023* did not contravene any provision of the authorising local law.’

4 Amendment of sch 2 (Requirement for approval to keep animal)

- (1) Schedule 2, items 1 to 14—

omit, insert—

	Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval ¹
1	Dog	<p>(a) 3 or more dogs over the age of 12 weeks (other than a working dog or a racing greyhound) —</p> <p style="padding-left: 20px;">(i) are kept on premises; and</p> <p style="padding-left: 20px;">(ii) the keeping of the dogs on the premises satisfies the criteria for the grant of a multiple dog approval.</p> <p>(b) 1 or more dogs on non-residential premises.</p> <p>(c) A guard dog on any premises.</p> <p>(d) A dog kept on residential premises—</p> <p style="padding-left: 20px;">(i) temporarily; but</p> <p style="padding-left: 20px;">(ii) for longer than 1 month.</p>

¹ See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1.5 (Keeping of Animals) 2011* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

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		<p>(e) 1 or more dogs kept in circumstances which require the grant of a kennel approval.</p> <p>(f) 1 or more dogs kept in circumstances which require the grant of a pet shop approval.</p>
2	Cat	<p>(a) 3 or more cats over the age of 12 weeks —</p> <p style="padding-left: 20px;">(i) are kept on premises; and</p> <p style="padding-left: 20px;">(ii) the keeping of the cats on the premises satisfies the criteria for the grant of a multiple cat approval.</p> <p>(b) 1 or more cats kept in circumstances which require the grant of a cattery approval.</p> <p>(c) 1 or more cats kept in circumstances which require the grant of a pet shop approval.</p>
3	Horse or donkey (other than a racehorse or a stallion)	<p>(a) More than 1 animal to which this item 3 applies on premises with an area less than 20,000m².</p> <p>(b) Subject to paragraph (a), if the density of the animals to which this item 3 applies kept on the premises is greater than 1 animal per 2,000m².</p>
4	Cow	More than 1 cow on premises, but excluding premises within an urban area, unless the density of the cows kept on the premises is less than 1 cow per 2,000m ² .
5	Bull	More than 1 bull on premises with an area not less than 10,000m ² .
6	Birds (other than nuisance birds)	<p>(a) More than 10, but not more than 20, birds of the same or different species on premises with an area less than 801m².</p> <p>(b) More than 20, but not than 40, birds of the same or different species on premises with an area between 801m² and 2,500m².</p>
7	Nuisance bird	1 or more nuisance birds on premises with an area less than 20,000m ² .
8	Pig (including a miniature pig)	<p>(a) More than 1 pig on premises with an area less than 20,000m² unless—</p> <p style="padding-left: 20px;">(i) the keeping of the pigs on the premises is authorised by a development approval; or</p>

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		<p>(ii) the premises are situated on rural land and the responsible person for the pigs is a primary producer.</p> <p>(b) Subject to paragraph (a), unless the density of the pigs kept on the premises is less than 1 pig per 4,000m².</p>
9	Sheep, goat, or camelid	<p>(a) More than 1 animal to which this item 9 applies on premises with an area less than 20,000m².</p> <p>(b) Subject to paragraph (a), if the density of the animals to which this item 9 applies kept on the premises is greater than 1 animal per 2,000m².</p>
10	Racing pigeons	1 or more racing pigeons on premises with an area of 800m ² or more.
11	Bees (other than native bees)	<p>(a) More than 2 hives on premises with an area between 800m² and 1,000m².</p> <p>(b) More than 5 hives on premises with an area between 1,001m² and 2,000m² (see Code of Practice for Urban Bee Keeping in Queensland 1998).</p>
12	Racing greyhound (including a whippet)	<p>(a) 3, 4 or 5 dogs to which this item 12 applies over the age of 12 weeks on premises with an area less than 10,000m².</p> <p>(b) 6,7 or 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area between 10,000m² and 100,000m².</p> <p>(c) More than 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area of more than 100,000m².</p>
13	Racehorse	1 or more racehorses on premises in an urban area.
14	Stallion	More than 1 stallion on premises with an area not less than 60,000m ² .
15	Native Bees	<p>(a) 2 or more hives on premises with an area less than 500m².</p> <p>(b) 3 or more hives on premises with an area between 501m² and 1,000m².</p> <p>(c) 4 or more hives on premises with an area between 1,001m² and 1,500m².</p>

5 Amendment of sch 3 (Requirement to desex animal)

Schedule 3, items 1 to 4—

omit, insert—

1	Dog (other than a menacing dog).	Refer to the exemption in column 3.	The requirement for desexing of dogs does not apply if— (a) more than 2 dogs over the age of 12 weeks are kept on premises; and (b) the keeping of the dogs on the premises complies with the requirements of the authorising local law; and (c) the owner of the dogs is— (i) a recognised breeder; or (ii) a recognised animal carer; or (iii) a recognised show keeper.
2	Menacing dog.	The requirement for desexing applies once the menacing dog reaches 12 weeks of age.	No menacing dog is exempt from the requirement to be desexed.
3	Cat.	Refer to the exemption in column 3.	The requirement for desexing of cats does not apply if— (a) more than 2 cats over the age of 12 weeks are kept on premises; and (b) the keeping of the cats on the premises complies with the requirements of the authorising local law; and (c) the owner of the cats is—

			<ul style="list-style-type: none"> (i) a recognised breeder; or (ii) a recognised animal carer; or (iii) a recognised show keeper.
4	An animal of a species or breed, if the animal is declared to be a dangerous animal under the authorising local law, section 19.	The animal must be desexed by whichever is the later of— <ul style="list-style-type: none"> (a) the age of 12 weeks; and (b) within 1 month after the animal is declared as a dangerous animal. 	The requirement for desexing of the animal does not apply if— <ul style="list-style-type: none"> (a) desexing is likely to be a serious risk to the health of the animal; and (b) the owner of the animal delivers to the local government, a signed veterinary surgeon’s certificate for the animal stating that desexing the animal is likely to be a serious risk to the health of the animal.

6 Amendment of sch 4 (Minimum standards for keeping animals generally)

(1) Schedule 4, Section 1(e) —

omit, insert

‘(e) Ensure the animal kept on the premises does not persistently make a noise or disturbance that, in the opinion of an authorised person, causes a nuisance to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience to occupiers of premises in the vicinity of the land on which the animal is ordinarily kept; and’

7 Amendment of sch 5 (Minimum standards for keeping particular animals)

Schedule 5, items 1 to 6—

omit, insert—

1	Racing greyhound (including a whippet)	Each owner of, and responsible person for, a racing greyhound must— <ul style="list-style-type: none"> (a) ensure that the racing greyhound is kept— <ul style="list-style-type: none"> (i) without nuisance; and (ii) if a code of practice for the keeping of racing greyhounds has been approved by the Greyhound
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		<p style="text-align: center;">Racing Authority of Queensland—in accordance with the requirements of the code of practice; and</p> <p>(b) not bring into, or permit the racing greyhound to be in, a public place unless the racing greyhound is muzzled so as to prevent the racing greyhound from biting.</p>
2	Horse, donkey, cow, bull, ox, deer and other domesticated animals of a similar size and sheep, goat, camel, pig and other animals of a similar size or type	<p>Each owner of, and responsible person for, an animal specified in column 1, item 2 which is kept on premises must ensure that any enclosure in which the animal is kept is not located within a radius of 10m of—</p> <p>(a) a residence on adjoining premises; or</p> <p>(b) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or</p> <p>(c) a place used for the storage of food (other than food kept in hermetically sealed packages).</p>
3	Budgerigar, canary cockatiel, galah and other birds of a similar size or type	<p>Each owner of, and responsible person for, a bird specified in column 1, item 3 must ensure that—</p> <p>(a) the bird is kept without nuisance; and</p> <p>(b) the bird is contained within an enclosed cage or aviary; and</p> <p>(c) the bird's food is kept in a properly sealed, vermin proof container; and</p> <p>(d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and</p> <p>(e) if a code of practice for the keeping of birds of a relevant species has been approved by the local government—the bird is kept in accordance with the requirements of the code of practice; and</p> <p>(f) the enclosure in which the bird is kept is not located less than 2m from the side and rear boundaries of the premises.</p>
4	Racing pigeons	<p>Each owner of, and responsible person for, racing pigeons which are kept on premises must ensure that—</p> <p>(a) the racing pigeons are kept without nuisance; and</p> <p>(b) the racing pigeons are contained within an enclosed cage or aviary; and</p> <p>(c) the racing pigeon's food is kept in a properly sealed, vermin proof container; and</p> <p>(d) the cage or aviary in which the racing pigeons are kept is—</p>

		<ul style="list-style-type: none"> (i) thoroughly cleaned at least once each week; and (ii) located at the rear of, and behind, any residence situated on the premises; and <p>(e) if a code of practice for the keeping of racing pigeons has been approved by the local government—the racing pigeons are kept in accordance with the requirements of the code of practice; and</p> <p>(f) the enclosure in which the racing pigeons are kept is not located less than 2m from the side and rear boundaries of the premises.</p>
5	Bees, including native bees	<p>Each owner of, and responsible person for, bees which are kept on premises must ensure that—</p> <ul style="list-style-type: none"> (a) the bees are kept without nuisance; and (b) any beehive constructed for the purpose of keeping the bees is not located within a radius of 10m of— <ul style="list-style-type: none"> (i) a residence on adjoining premises; or (ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bees; or (iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and (c) each beehive constructed for the purpose of keeping bees is adequately identified so that the owner’s name, address and telephone number are readily ascertainable; and (d) if a code of practice for the keeping of bees has been approved by the local government — the bees are kept in accordance with the requirements of the code of practice.

6	Duck, drake, peahen, a nuisance bird, ostrich, emu, guinea fowl and poultry	<p>Each owner of, and responsible person for, a bird identified in column 1 item 6 which is kept on premises must ensure that—</p> <p>(a) the bird is kept without nuisance; and</p> <p>(b) the bird is contained within an enclosure; and</p> <p>(c) the bird's food is stored in a properly sealed, vermin proof container; and</p> <p>(d) the enclosure in which the bird is kept is—</p> <p style="padding-left: 20px;">(i) thoroughly cleaned at least once each week; and</p> <p style="padding-left: 20px;">(ii) if the bird is a domestic chicken, duck, drake, goose or turkey and the bird is kept on premises with an area less than 2,000m²—located at the rear of, and behind, any residence situated on the premises; and</p> <p>(e) the enclosure in which the bird is kept is not located within a radius of 10m of—</p> <p style="padding-left: 20px;">(i) a residence on adjoining premises; or</p> <p style="padding-left: 20px;">(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bird; or</p> <p style="padding-left: 20px;">(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</p> <p>(f) the enclosure in which the bird is kept is not located less than 2m from the side or rear boundaries of the premises.</p>
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8 Amendment of sch 7 (Dog off-leash areas)

(2) Schedule 7, Section 11—

omit, insert

‘The areas shown in the local government’s ‘Dog Off-leash Area Register’, available for public inspection, and are designated pursuant to this subordinate local law as areas where animals are permitted in a dog off-leash area.’

9 Amendment of sch 13 (Dictionary)

(1) Schedule 13—

omit.

‘*registered breeder*, of dogs, has the meaning given in the Animal Management Act.’

insert—

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'bees means a stinging winged insect which collects nectar and pollen, produces wax and honey, and lives in large communities, excluding native bees.

native bees means the two genera, Tetragonula and Ausroplebeia.'

recognised breeder, of dogs, means a person who—

- (a) breeds dogs; and
- (b) is an accredited breeder as defined under the Animal Management (Cats and Dogs) Act 2008; or
- (c) another association recognised by the local government for the purposes of this definition.

This and the preceding 11 pages bearing my initials is a certified copy of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2023* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of _____ 2023.

.....
Chief Executive Officer

632719_1

LOCAL LAW MAKING PROCESS

Public Consultation Version - Parking Amendment Subordinate Local Law No.1 2023

Meeting Date: 11 December 2023

Attachment No: 6

**Rockhampton Regional Council
Parking (Amendment) Subordinate Local Law (No. 1) 2023**

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Parking (Amendment) Subordinate Local Law (No. 1) 2023*.

2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 5 (Parking) 2011*.

Part 2 Amendment of subordinate local law

3 Amendment of s8 (Infringement notice penalty amounts—Authorising local law, s 9)

(1) Footnote 3—

omit—

‘

³ See section 5 of the *Penalties and Sentences Act 1992*. The value of a penalty unit is, for a local law, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law—the amount, not more than \$100.00, prescribed under a regulation. See section 2A of the *Penalties and Sentences Regulation 2005*. The value of the penalty unit for a local law made by a local government mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government mentioned in schedule 2 of the Regulation is \$75.00. The value of a penalty unit for a local law made by a local government not mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government not mentioned in schedule 2 of the Regulation, is \$100.00.’

insert—

‘

³ See section 5 of the *Penalties and Sentences Act 1992*.’

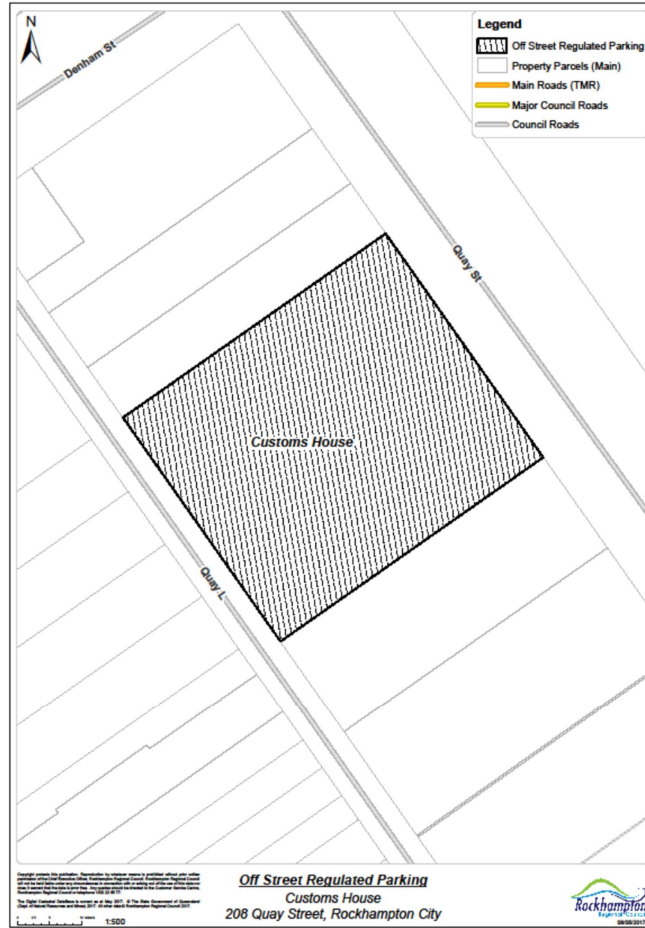
4 Amendment of Schedule 2 (Declaration of off-street regulated parking areas)

(2) Schedule 2—

omit, insert—

Facility Common Name	Street Address	Real Property Description	
		Lot	Plan
Rockhampton Airport Terminal Parking	Part of Lot 6, Canoona Road, West Rockhampton, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 6	CP906611
Pilbeam Theatre Car Park, Rockhampton	62 Victoria Parade, Rockhampton City (parking at 67 Bolsover Street, Rockhampton City), but limited to the area shown hatched in black on the map in this schedule 2.	Lot 68 Lot 3 Lot 1 Lot 2 Lot 3 Lot 4 Lot 1	SP268488 RP600027 RP601155 RP601155 RP601155 RP601155 RP600889
Riverside Car Park (North)	Victoria Parade, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 1	LN844289
Riverside Car Park (South)	215 Quay Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 7	SP289445
Rockhampton City Hall	232 Bolsover Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 11 Lot 3	SP254998 R2616
East St Post Office	150 East Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 4	RP892686
Heritage Village	296 Boundary Road, Parkhurst, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 220	LN2565
Corner Alma Street and Derby Street, Rockhampton	180-186 Alma Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 2 Lot 3 Lot 211	RP602014 RP615771 R1675
Schotia Place Car Park	37 and 45 Williams Street and 199 Bolsover Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 10 Lot 11 Lot 2	RP607888 RP607888 RP608796

(3) Schedule 2—
omit—



Rockhampton Regional Council
Parking (Amendment) Subordinate Local Law (No. 1) 2023

insert—



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Rockhampton Regional Council
Schotta Place and East Lane
Off street Regulated Parking



5 Amendment of sch 3 (Infringement notice penalty amounts for certain minor traffic offences)

Schedule 3, Section 8—

omit, insert—

Section 8

	Column 1	Column 2
<i>Transport Operations (Road Use Management) Act 1995 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
106(1)(a)(i)	Parking a vehicle in a designated parking space unless a parking meter or park at area installed for the space indicates that the parking fee has been paid	0.6 penalty units
106(1)(a)(ii)	Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space	0.6 penalty units
106(1)(b)	Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space	0.6 penalty units
106(1)(c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space	0.6 penalty units
106(1)(d)	Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space	0.6 penalty units

	Column 1	Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
167	Stopping on a length of road or in an area to which a no stopping sign applies	1 penalty unit
168	Stopping on a length of road or in an area to which a no parking sign applies	0.6 penalty unit
169	Stopping at the side of a road marked with a continuous yellow edge line	1 penalty unit
170(1)	Stopping in an intersection	1 penalty unit
170(2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign	0.6 penalty units
170(4)(a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign	0.6 penalty units
172(1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.6 penalty units
172(1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.6 penalty units
173	Stopping on a marked foot crossing that is not at an intersection, or on a road within 10m before the traffic lights pole nearest to the driver at the crossing and 3m after the crossing unless permitted by a sign	1 penalty unit
175	Stopping on a level crossing, or on a road within 20m before the nearest rail or track to the driver approaching the crossing and 20m after the nearest rail or track to the driver leaving the crossing unless permitted by a sign	1 penalty unit

Column 1	Column 2	Column 3
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
176(1)	Stopping on a road contrary to a clearway sign	0.6 penalty units
179(1)	Stopping an unauthorised vehicle in a loading zone	0.6 penalty units
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	0.6 penalty units
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	0.6 penalty units
179(2A)(a)	Unauthorised driver stopping in a loading zone for longer than 20 minutes	0.6 penalty units
179(2A)(b)	Unauthorised driver stopping in a loading zone for longer than permitted by a sign	0.6 penalty units
181(1)	Unauthorised driver stopping in a works zone	0.6 penalty units
182(1)	Stopping an unauthorised vehicle in a taxi zone	0.6 penalty units
183(1)	Stopping an unauthorised vehicle in a bus zone	0.6 penalty units
183(1)	Stopping a bus in a bus zone contrary to a bus zone sign	0.6 penalty units
185(1)	Stopping an unauthorised vehicle in a permit zone	0.6 penalty units
186(1)	Stopping in a mail zone	0.6 penalty units
189(1)	Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road	0.6 penalty units

Column 1	Column 2	Column 3
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
191	Stopping on a road, near an obstruction, so as to obstruct traffic	0.6 penalty units
195(1)	Stopping within 20m before a bus stop unless permitted by a sign	0.6 penalty units
195(1)	Stopping within 10m after a bus stop unless permitted by a sign	0.6 penalty units
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature strip adjacent to a length of road in a built-up area unless permitted by a sign	0.6 penalty units
198(2)	Stopping on or across a driveway unless dropping off or picking up, passengers	0.6 penalty units
199	Stopping near a postbox	0.6 penalty units
200(1)	Driver of a heavy or long vehicle must not stop in a on a length of road not in a built-up area, except on the shoulder of the road	0.6 penalty units
200(2)	Driver of a heavy or long vehicle must not stop in a built-up area for longer than 1 hour unless permitted	0.6 penalty units
202	Stopping contrary to a motorbike parking sign	0.6 penalty units
203(1)	Stopping contrary to a people with disabilities parking sign	4 penalty unit
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	0.6 penalty units
208(1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road	0.6 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	<i>Minor Traffic Offence</i>	<i>Infringement notice penalty amount</i>
208(1)	Parking on a one way road other than to the far left or far right of the road unless permitted by a sign	0.6 penalty units
208(1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign.	0.6 penalty units
210(1)	Angle parking - failing to properly position the vehicle.	0.6 penalty units
211(2)	Parking otherwise than completely within the confines of a parking bay	0.6 penalty units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	0.6 penalty units

This and the preceding 9 pages bearing my initials is a certified copy of *Parking (Amendment) Subordinate Local Law (No. 1) 2023* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the _____ day of _____ 2023.

.....
Chief Executive Officer

663593_1

11.14 125 ROBINSON STREET, FRENCHVILLE - TRUSTEE LEASE AND BUILDING TRANSFER REQUEST

File No:	15272
Attachments:	<ol style="list-style-type: none"> 1. Leased Area 2. Assets Defined
Authorising Officer:	Alicia Cutler - General Manager Community Services
Author:	Justin Bulwinkel - Supervisor Business Support

SUMMARY

Report secures a long-term leasing and asset management model designed to support community programs through appropriate access to facilities located on Lot 201 on LN2102 (125 Robinson Street, Frenchville).

OFFICER'S RECOMMENDATION

THAT Council approve Option 1 described within the report in relation to 125 Robinson Street, Frenchville and authorises the Chief Executive Officer (Business Support Supervisor) to negotiate the terms and conditions of the agreements in preparation for execution by the delegated officer.

COMMENTARY

Since finalising the tender outcome in August 2023 where no suitable submissions were received, an ensuing proposal has been submitted by Rockhampton Boxing and Sports Promotion Inc (RBSP) who currently hold the position of Permittee over the community facilities at 125 Robinson Street, Frenchville.

The submission from RBSP on 3 September 2023 formally requests Council's consideration to be granted a Trustee Lease and gifted all assets. The proposal outlines RBSP's current and future capacity to own, maintain and operate the community purposed site consistent with Council's expectations previously set:

- Improve existing use and strengthen a capacity for multi-use.
- Propose a capital investment and maintenance model.
- All facility use centres around community benefit.
- An organisational capacity to own and manage facilities.

Current and future Investment Strategy

RBSP recognises the current use of 125 Robinson Street is primarily community sports/activity based and have presented an investment and development strategy designed to strengthen that purpose by improving its serviceability as an indoor sporting complex.

RBSP believe that with the approval to hold a long-term (10 year) Trustee Lease, their financial capacity will continue to strengthen, creating opportunities to secure grant funding to support asset maintenance and improvements. Over the past 12 months Officers have acknowledged their demonstrated effort to deliver on this strategy, despite roadblocks due to not owning the building or holding a long-term lease.

2023 Completed Capital Improvement and Maintenance Work by RBSP:

Toilets and Amenities refit and upgraded	\$25 000
Free WIFI throughout Facility	\$8 000
New PA and Speaker system Hall	\$6 500
New Carpet Front Foyer	\$2 500
New Mailbox	\$200
Replace Hall Lights, with LED Lights	\$6 000
TOTAL	\$48,200

With the level of investment into the center demonstrated by RBSP, a long-term tenure arrangement will further improve their ability to increase capital investment. The impact of a short-term tenure has resulted in missed funding opportunities with three significant grants ie Stanwell Corporation and two rounds of the DTIS Minor Infrastructure Program.

Subject to Council approval, RBSP will commit to a 10-year Trustee Lease over part of lot 201 LN2102 and acceptance of ownership of the building. With long-term tenure and building ownership, RBSP commits to increasing its ongoing capital investment, including all current and future statutory maintenance.

Their proposal also provides notice of their intention to re-name the building to **Robinson Street Community Facility** if successful.

RBSP Projected Capital Works Program – 8 years

Capital Maintenance & Upgrades - 2024/2025
Reseal Floor Community Rooms area, Replace water damaged flooring
Install 2 x Ceiling fans (Big Ass) Main Hall area
Replace carpet in facility areas
Remove Graffiti and paint outside areas of facility.
Upgrade All lighting in other areas with LED
Asbestos Register and Inspection of Building to be completed.
Remove and clean all animal waste within all areas.
Fire Emergency Door and landing upgrade
Capital Maintenance & Upgrades - 2026/2027
Install water coolers community hall areas
Upgrade Gardens area of facilities
Install Airconditioning in Kitchen Area
Kitchen Cupboards Upgrade
Replace windows and blinds all areas- Remove old curtains
New Signage for Building
Ensure Compliance with upgraded Disability Assess area rear of building
Upgrade outdoor recreation area
Capital Maintenance & Upgrades - 2028/2029
Polish Main Hall Flooring
Upgrade all Toilets, including showers
New swipe Card Access for Entry
Install Fully Fenced Security for Facility
Upgrade of ALL plumbing and replace all Taps
Cleaning of Roof and upgrade of guttering areas
Capital Maintenance & Upgrades - 2030/2031
Replace Full Flooring main Hall Area
New paint for inside of building
New paint for outside building
Erect full fencing for the facility

Please note: RBSP’s capital program was established following a previous decision reached by Council to finance and complete all existing priority statutory maintenance (valued at \$182,000).

Council has committed and commenced the following repairs:

Statutory Maintenance - Completed	
Vermin screens	\$30,000
Front entry ceiling (including external)	\$20,000
Kitchen Repairs (tiles and roof)	\$5,000
All ability ramp - Designs	\$10,000
Fire Panel Upgrades	\$3,000
Total	\$68,000

Option 1 described within the report requires RBSP to re-submit the 2024-2027 capital works program with the following statutory maintenance considered:

Statutory Maintenance - Outstanding	
All ability access ramp	\$35,000
Fire door compliance/upgrade	\$17,000
Electrical switchboard upgrade	\$14,000
Floor repairs from termite damage	\$8,000
Kitchen repairs	\$15,000
Exterior Roof repairs	\$25,000
Total	\$114,000

Financial Information:

RBSP’s has demonstrated an established financial position with consistent revenue streams and assets valued at \$45,000. As previously noted, RBSP have demonstrated success in securing grants to support the cost of Youth Development and Disengaged Youth activities, equipment and wages. Their financials don’t speak directly to the assets located at 125 Robinson Street due to lack security in their existing tenure, however, as reported RBSP have delivered a range of capital improvements to the facility through in-kind support and sponsorships.

RBSP advocate strongly for their ability to maintain existing user groups and secure new long-term hire agreements to strengthen the facilities financial security. Their demonstrated performance over the past five (5) years aligns with this proposed strategy.

Robinson Street facility current gross financial performance is as follows:

- Annual overhead/operating cost \$30,280
- Annual revenue (permanent hire only) \$77,700

Within their financial plan, RBSP have committed to complete all priority statutory maintenance within a two (2) year period, prioritizing all in-kind support, sponsorships, grant funding and a percentage of annual revenue towards statutory and ongoing asset maintenance.

Officers have carefully considered RBSP proposal and performance over the past five (5) years and present Council with four (4) options to secure an effective long term operating structure for the community facilities at 125 Robinson Street, Frenchville:

Option 1: Trustee Lease of the land and gift the building to RBSP Inc. Reported statutory maintenance will transfer RBSP (OFFICERS RECOMMENDATION):

Council endorse RBSP's proposal to own and operate community facility formerly known as YWCA Sports and Recreation Complex at 125 Robinson Street under the following terms and subject to a revised capital works program that satisfies short-term statutory maintenance requirements:

Asset/building Ownership:

The building ownership located at 125 Robinson Street (Lot 201 LN2102) will be transferred from Rockhampton Regional Council to Rockhampton Boxing and Sports Promotions Inc. for nil consideration.

Asset/building Maintenance:

All existing and future maintenance (**including all outstanding statutory maintenance**) will be responsible to Rockhampton Boxing and Sports Promotions Inc. from the date of transfer of ownership. A standard condition of tenure will require RBSP comply with all relevant building legislation.

Land Tenure/Leasing:

Council endorses a 10-year Trustee Lease over part of Lot 201 LN2102 (Attachment 1), described as Lease G on SP175996) subject to the following conditions:

- RBSP will own and maintain the building, pathway, access ramp and sealed car park area.
- All future improvements will be owned and maintained by RBSP.
- Facility use remains consistent with Sports, Recreation and Community activities.
- Consistent with the standard lease conditions: RBSP must provide copies of the following documents on an annual basis:
 - a) Audited Financial Statements.
 - b) Constitution.
 - c) AGM Minutes.
 - d) Annual Usage Summary, including groups & activities.
 - e) Capital works summary report
- All ground and vegetation maintenance located within the lease area is clean and tidy.
- Annual schedule of hire fees must be provided to the Trustee for approval, within 14 days of Lease commencement date or before RBSP apply any changes to approved hire fees.
- Rates and Water charges are payable by RBSP.

Option 2: Trustee Lease of the land and gift the building to RBSP Inc. All outstanding urgent statutory maintenance will remain responsible to the Trustee:

Council endorse RBSP's proposal to permanently own and operate community facilities formerly known as YWCA Sports and Recreation Complex at 125 Robinson Street.

All asset ownership, maintenance and tenure conditions will remain consistent with Option 1 with the following exception:

- RBSP will not be required to re-submit a capital works program.
- Council maintains the decision to complete all priority statutory maintenance work valued at \$182,000, which must be completed prior to the transfer of ownership of the building and long-term lease. Until then, a Trustee Permit will be issued to RBSP.

Option 3: The Facility is put through another tender process. Tender will offer a Trustee Lease over the land with ownership of the asset transferring to the successful tenderer.

The tender process will be designed to re-test the market since an investment of \$182,000 has been committed to complete statutory maintenance. Council's statutory maintenance work would need to be completed prior to calling tenders.

The process would reiterate Council's requirements for the facility to remain multi-use and require tenderers to provide a submission outlining their proposed capital investment, purpose of use and opportunities for co-use, while demonstrating their organisational capacity and the benefit to the wider community.

All asset ownership, maintenance and tenure conditions would align with Option 1.

Option 4: Trustee Lease is offered to RBSP Inc over land and facility (RRC retain building ownership).

A Trustee Lease is offered over Lot 201 LN2102, including all assets for a fixed term of 6 years to Rockhampton Boxing and Sports Promotions Inc.

Building Condition:

Council would seek to secure external funding to complete remaining refurbishment work identified in the building condition assessment. Previously reported cost would attract a 25% increase due to market conditions (1.2 million – 2.6 million).

Ongoing Building Maintenance:

Council would be responsible for all building and statutory maintenance. All existing maintenance contracts would need to be amended. All reactive maintenance would be actioned by CAF with an estimated cost between \$50,000 and \$75,000 annually.

BACKGROUND

On September 9, 2022 the YWCA Queensland formally surrendered all assets and the Trustee Lease at 125 Robinson Street, Frenchville to Council. To our knowledge, their organisation had remained dormant within the region for a number of years offering no community programs aligning with the purpose of building.

Whilst YWCA Queensland had no operational reason to physically occupy 125 Robinson Street, their decision to appoint Rockhampton Boxing and Sport Promotions (RBSP) as facility manager in 2018 acknowledged the asset's regional value within sports and recreation community. RBSP duties consisted of all promotions of the facility, grounds maintenance, cleaning, hire arrangements, key allocations, pest control, viewing by new inquiries, fire drills, WHS matters and community engagement with Clubs and Associations to bolster utilisation.

Since the surrender of Lease, RBSP as a non-for-profit organisation have continued to manage the community purposed facilities under a Trustee Permit with Council to minimise impact on community organisations who rely on the facility to deliver their programs.

In August 2023, Councils open tender process formally concluded with no suitable submissions received.

Over the past 12 months, RBSP have continued in this role as facility manager/caretaker to continue minimising any impact on existing users under a Trustee Permit.

RBSP have continued to strengthen and improve their role as facility manager by introducing new programs that provide mentoring and education to disadvantaged or displaced youth with a view to break patterns of offending behavior in young people who are in need. RBSP conduct their objectives in a culturally sensitive manner and with a special focus on caring for and supporting Indigenous youth in a manner which is respectful of their traditions and culture.

RBSP have successfully engaged two major sponsors since holding the Trustee Permit, Stanwell Power and Rocky's Own Transport and established a partnership with QLD Health. This has strengthened their position within community to assist youth from Rockhampton, Mt Morgan and Gracemere areas with Health, Employment, Education and Wellbeing and reoffending within the community.

PREVIOUS DECISIONS

On 15 August 2023 Council resolved the following:

1. Council receives notice of Tender outcome (Number 15295) – Lease & Building Transfer of 125 Robinson Street, Frenchville; and
2. Council supports the high-risk repairs nominated and will reallocate funds in the next budget amendment as outlined in the report.

BUDGET IMPLICATIONS

Option 1 (Officers Recommendation):

- Transfers all financial responsibility and liability risks of the building (including maintenance) to Rockhampton Boxing and Sports Promotions Inc.
- A Capital budget allocation of \$114,000 will return to the "State Sporting Carnival Activation" project.
- Trustee Lease (land only) will be subject to an annual fee set by Council's adopted Fees and Charges schedule.

Option 2:

- Transfers all financial responsibility and liability risks of the building (including maintenance) to Rockhampton Boxing and Sports Promotions Inc, **excluding high-risk statutory maintenance previously reported - \$182,000**. This scope of work will be completed by Council prior to the lease and transfer of ownership of the building. Until then, a Trustee Permit will be issued to RBSP.
- Trustee Lease (land only) will be subject to an annual fee set by Council's adopted Fees and Charges schedule.

Option 3:

- Transfers all financial responsibility and liability risks of the building (including maintenance) to the successful tenderer, **excluding high-risk statutory maintenance previously reported - \$182,000**. Council's statutory maintenance work would need to be completed prior to calling tenders.
- Trustee Lease (land only) will be subject to an annual fee set by Council's adopted Fees and Charges schedule, currently \$671pa.

Option 4:

- Council retains asset ownership and all financial responsibility and liability risks of the building (including maintenance and building refurbishment cost).
 - General and statutory maintenance cost: \$50,000 - \$75,000 annually.
 - Capital Building refurbishment Project cost: 1.2 million – 2.6 million. Actual financial commitment from Council would be dependent on grant guidelines and council may be required to provide matching funds.
- Trustee Lease (land and building) will be subject to an annual fee set by Council's adopted Fees and Charges schedule, currently \$2215pa.

Note: Assets located at 125 Robinson Street, Frenchville are not located on Councils asset register due to Councils pending decision about future ownership.

LEGISLATIVE CONTEXT

Section 236(1)(b)(ii) of the *Local Government Regulation 2012 (Qld)* allows a Local Government to dispose of a valuable non-current asset to a community organisation, if Council has decided, by resolution. Exception applies to the leasing of valuable non-current assets (i.e., land) other than by tender or auction.

LEGAL IMPLICATIONS

It is proposed that Council will enter a Trustee Lease with the Tenant which satisfies the requirements of the *Land Act 1994(Qld)*. If the ownership of the building is to transfer to RBSP, a legally binding contract will be entered into by the parties.

STAFFING IMPLICATIONS

Existing resources within Parks and Property & Insurance can adequately manage the required legal documentation.

Options 2 – 4, statutory maintenance may create delays with other planned Council work.

CORPORATE/OPERATIONAL PLAN

The proposal aligns with the following Corporate Plan objectives:

- 2.1 – Our places and spaces enhance the livability and diversity of our communities
- 2.2 – We support our communities through our activities and programs.
- 5.1 – Our Region has Infrastructure that meets current and future needs

CONCLUSION

Officers recommend Council approve Option 1 as outlined within the report.

**125 ROBINSON STREET,
FRENCHVILLE - TRUSTEE LEASE AND
BUILDING TRANSFER REQUEST**

Leased Area

Meeting Date: 11 December 2023

Attachment No: 1



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**125 ROBINSON STREET,
FRENCHVILLE - TRUSTEE LEASE AND
BUILDING TRANSFER REQUEST**

Assets Defined

Meeting Date: 11 December 2023

Attachment No: 2



**11.15 BOARD OF TRUSTEES OF THE ROCKHAMPTON GRAMMAR SCHOOL -
RUGBY PARK - RENEWAL OF EXISTING TRUSTEE LEASE**

File No: 12501
Attachments: 1. Master Plan - Option 1 [↓](#)
Authorising Officer: Alicia Cutler - General Manager Community Services
Author: Justin Bulwinkel - Supervisor Business Support
Jack Barnett - Sports and Recreation Advisor

SUMMARY

The Board of Trustees of the Rockhampton Grammar School formally request to renew its existing Trustee Lease Agreement from 1 January 2024 for a six (6) year term over Rugby Park, L379 Blackall Street, The Range (Lot 522 on SP 120476).

OFFICER'S RECOMMENDATION

THAT:

1. Pursuant to Section 236(1)(c)(iii) of the *Local Government Regulation 2012*, Council approves a new Trustee Lease to be granted to The Board of Trustees of the Rockhampton Grammar School over L379 Blackall Street, The Range (Rugby Park), until 31 December 2029.
2. Council authorises the Chief Executive Officer (Supervisor Business Support) to negotiate the terms and conditions of the agreements in preparation for execution by the delegated officer.

COMMENTARY

In 2020 the Rockhampton Grammar School (RGS) presented a Capital Development Plan described as a long-term project subject to Council endorsing a 30-year Trustee Lease. In April 2021, Council approved a 30-year Lease and endorsed option once (1) within their submission (Attachment 1). The submission included an expansion of the lease area.

During detailed planning, officers provided information to the school that pertained to Rugby Park's history as a landfill between 1969 and 1982. This information provided a comprehensive understanding of Rugby Park's classification within the States Environmental Management Register (EMR).

Over the past two (2) years officers worked closely with subject matter experts and provided qualified reports to RGS that spoke to conditions of land development. As Trustee, Council provided this information in-kind to appropriately educate the school of its obligations. Officers acknowledged the school's intention to progress with the capital development plan became tentative as the complexities of the site were released.

In October 2023 the school notified council of its intention to review their investment strategy and proposal and requested a renewed Trustee Lease for six (6) years, aligning with standard Council leasing terms. The lease area proposed is not the expanded site, but rather the original lease area until a revised Investment Strategy is proposed.

BACKGROUND

The Rockhampton Grammar School own the adjoining land and building referred to as the Clubhouse at Rugby Park and currently lease the field area (5.583 hectares) from Council which has an expiry date of 31 December 2023.

Under the existing terms of the lease the Grammar School have full access to the site and is responsible for all maintenance, utilities and administration. A condition of tenure stipulates that both fields remain unlocked so the public can access them when not in use.

PREVIOUS DECISIONS

A report was presented, and approved, by Council on 13 April 2021 recommending RGC to hold a formal Trustee Lease over rugby Park for thirty (30) years, starting in 2022 and expiring in 2052.

BUDGET IMPLICATIONS

Lease will be subject to an annual fee set by Council's adopted Fees and Charges schedule.

LEGISLATIVE CONTEXT

Under Section 236 of the *Local Government Regulation 2012 (Qld)* Council has the ability to renew Leases to existing Tenants, provided 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

It is proposed that Council will enter a Trustee Lease with the tenant which satisfies the requirements of the *Land Act 1994(Qld)*.

STAFFING IMPLICATIONS

Existing resources within Parks and Property & Insurance can adequately manage the required legal documentation.

RISK ASSESSMENT

No risk assessment was completed nor necessary in relation to this matter.

CORPORATE/OPERATIONAL PLAN

The proposal aligns with the following Corporate Plan objectives:

- 2.1 – Our places and spaces enhance the livability and diversity of our communities
- 2.2 – We support our communities through our activities and programs.
- 5.1 – Our Region has Infrastructure that meets current and future needs

CONCLUSION

Council approve RGS's request to renew their Trustee Lease for (6) years over L379 Blackall Street, The Range (Rugby Park) until 31 December 2029.

**BOARD OF TRUSTEES OF THE
ROCKHAMPTON GRAMMAR SCHOOL -
RUGBY PARK - RENEWAL OF
EXISTING TRUSTEE LEASE**

Master Plan - Option 1

Meeting Date: 11 December 2023

Attachment No: 1



Telephone +61 7 3840 9999
 thomsonadsett.com
 128 Bicheno Street
 Fortitude Valley
 Qld 4006 Australia
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RUGBY PARK CAPITAL DEVELOPMENT PLAN

379 BLACKALL STREET
 THE RANGE, QLD 4700

for
 THE TRUSTEES OF THE
 ROCKHAMPTON GRAMMAR
 SCHOOL

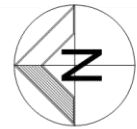
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drawn	ELM	AUGUST 2020
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verified		



SITE PLAN - LONG TERM MASTERPLAN

scale 1 : 2000
 project no. 18.0091
 sheet no. A1.04
 revision

original sheet size - A1 (594mm x 841mm)



LONG TERM MASTERPLAN
 EXTENDED LEASE

11.16 THE ROMAN CATHOLIC TRUST CORPORATION FOR THE DIOCESE OF ROCKHAMPTON (THE CATHEDRAL COLLEGE) - KETTLE PARK - LEASE EXTENSION

File No: 12534

Attachments:

1. TCC Proposal Letter - Kettle Park [↓](#)
2. TCC Proposed Plans - Kettle Park [↓](#)

Authorising Officer: Alicia Cutler - General Manager Community Services

Author: Jack Barnett - Sports and Recreation Advisor
Justin Bulwinkel - Supervisor Business Support

SUMMARY

The Roman Catholic Trust Corporation for the Diocese of Rockhampton (The Cathedral College) formally request to extend their existing Trustee Lease Agreement for an additional five (5) years from 2037 to 2043, over Kettle Park, 12 Elizabeth Street, Allenstown (L 450 on R2665).

OFFICER'S RECOMMENDATION

THAT:

1. Pursuant to Section 236(1)(c)(iii) of the Local Government Regulation 2012, Council approve a new Trustee Lease to be granted to The Roman Catholic Trust Corporation for the Diocese of Rockhampton over 12 Elizabeth Street, Allenstown (Kettle Park), until 30 June 2043.
2. Council authorises the Chief Executive Officer (Sports and Recreation Advisor) to negotiate the terms and conditions of the agreements in preparation for execution by the delegated officer.

COMMENTARY

The Roman Catholic Trust Corporation for the Diocese of Rockhampton (The Cathedral College) ("TCC") concurrent efforts to deliver lighting at Kettle Park speaks to their unwavering commitment to the community.

The success of this project will alleviate expected pressure on community facilities during the temporary closure of Browne Park, with long term value achieved through increased access to facilities to support evening/night programs.

This Lighting Project is scheduled to commence in January 2023 however TCC's financial commitment to deliver this Project obliges a request to extend their existing Trustee Lease to comply with funding and equity requirements tied to the government policy by Queensland Catholic Education Commission ("QCEC"). This policy stipulates the need for a twenty (20) year lease to be in place from the time of funding approval. The twenty-year term directly relates to the 'Retained Capital Equity' that the funding organisation retains in the project due to providing funding, this equity diminishes at defined rates over the twenty-year period.

BACKGROUND

TCC contacted Council in 2016 regarding the development of Kettle Park and sought support of the project and in-principle approval to enter into a long-term tenure agreement with TCC. On 16 November 2016 Council provided in principle approval to enter into a Trustee Lease for a period of twenty (20) years.

Council approval considered the TCC's financial commitment at \$1 million, with all proposed works completed as of 2023, with exception of field lighting.

For further information please see Attachment 1 for TCC's original financial investment proposal letter, and Attachment 2 for the approved proposed site development plans.

PREVIOUS DECISIONS

A report was presented, and approved, by Council on 16 August 2017 recommending TCC to hold a formal Trustee Lease over Kettle Park for twenty (20) years, starting in 2017 and expiring in 2037, subject to TCC disposing of remaining Council assets on-site.

BUDGET IMPLICATIONS

Lease will be subject to an annual fee set by Council's adopted Fees and Charges schedule.

LEGISLATIVE CONTEXT

Under Section 236 of the *Local Government Regulation 2012 (Qld)* Council has the ability to renew Leases to existing Tenants, provided 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

It is proposed that Council will enter a Trustee Lease with the tenant which satisfies the requirements of the Land Act 1994(Qld). The existing Trustee Lease will be surrendered simultaneously when the new Trustee Lease commences, which will expire 30 June 2043

STAFFING IMPLICATIONS

Existing resources within Parks and Property & Insurance can adequately manage the required legal documentation.

RISK ASSESSMENT

No risk assessment was completed nor necessary in relation to this matter.

CORPORATE/OPERATIONAL PLAN

The proposal aligns with the following Corporate Plan objectives:

- 2.1 – Our places and spaces enhance the livability and diversity of our communities
- 2.2 – We support our communities through our activities and programs.
- 5.1 – Our Region has Infrastructure that meets current and future needs

CONCLUSION

Council approve TCC's request to extend their existing Trustee Lease term by five (5) years over Kettle Park, with a new expiry date of 30 June 2043.

**THE ROMAN CATHOLIC TRUST
CORPORATION FOR THE DIOCESE OF
ROCKHAMPTON (THE CATHEDRAL
COLLEGE) - KETTLE PARK –
LEASE EXTENSION**

TCC Proposal Letter - Kettle Park

Meeting Date: 11 December 2023

Attachment No: 1

Item 9.5.4 - Attachment 2**The Cathedral College's proposal for Kettle Park**

07 October 2016

THE CATHEDRAL COLLEGE PROPOSAL FOR KETTLE PARK

The Cathedral College seeks a legitimate partnership with the Rockhampton Regional Council (RRC) which seeks to advantage the ratepayers of RRC, the College community and both organisations, RRC and TCC.

This will happen via a development of Kettle Park which will be funded by the financial resources of the College and Catholic Education. After its redevelopment, Kettle Park will be a sought after venue for many sports including Soccer, Athletics, AFL, Rugby League, Rugby Union and Touch. We will add infrastructure such as irrigation, change rooms, toilets, showers and an administration block with the ability to sell pre-packaged foods and drink.

The College would also remove from RRC the responsibility for the maintenance of these grounds. We would mow and maintain Kettle Park in a condition that all parties will be proud of.

To be able to make such an investment of College funds, TCC would need a guarantee of permanency at Kettle Park. A Permit renewed every three years **would not** provide the solid tenure that would be needed before a significant investment was undertaken. We would be seeking a Lease of 20 years duration. In exchange, we would be looking to spend around \$1 million to make this facility a first-class asset to Rockhampton's sporting groups.

In addition, we would be very keen for other groups to utilise the facility wherever this was possible. I would imagine an athletics facility would be in demand on the southern side of Rockhampton, especially by other schools and community groups. We don't have plans to fence the park hence community access will remain open.

TCC has one strong partnership with RRC and its ratepayers in Bolton Park. We have worked in a spirit of cooperation with RRC to bring this project to completion and soon the ratepayers will see a new facility that they can utilise available to them at no cost. This project to build 4 multi-purpose courts (tennis, netball, basketball) has cost TCC \$800k. RRC has provided unused park space which the College could never have acquired in such proximity. It is a win-win partnership and I am full of praise for Council in its willingness to work with groups such as ourselves to benefit the entire community.

We hope to work closely with RRC on this next project.

Rob Alexander

Principal (2010-)

189 William Street, Rockhampton | PO Box 8207, Allenstown Q 4700 | T. 07 4999 1300 | F. 07 4927 8694
E. tccr@tccr.com.au | Visit www.tccr.com.au

**THE ROMAN CATHOLIC TRUST
CORPORATION FOR THE DIOCESE OF
ROCKHAMPTON (THE CATHEDRAL
COLLEGE) - KETTLE PARK –
LEASE EXTENSION**

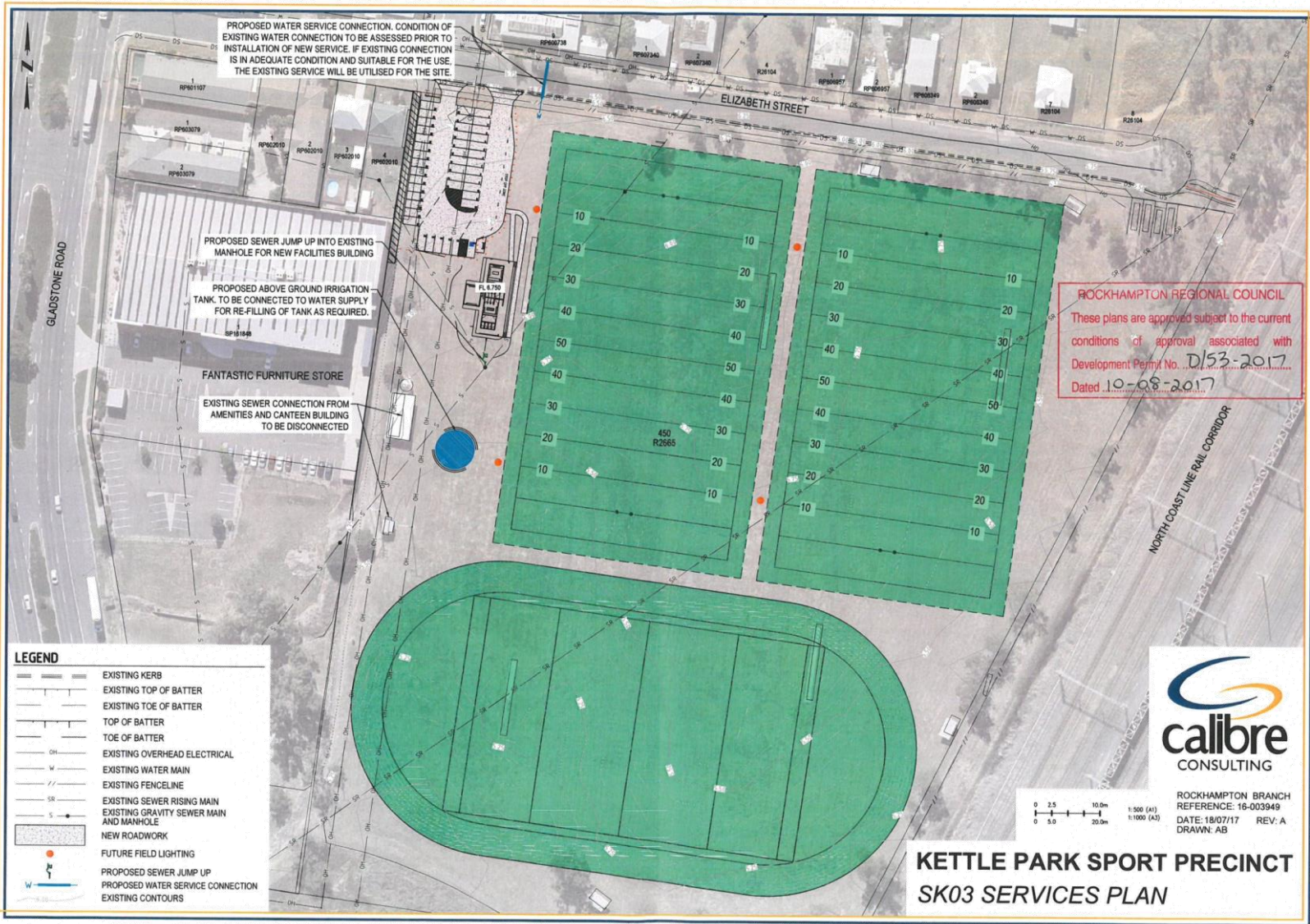
TCC Proposed Plans - Kettle Park

Meeting Date: 11 December 2023

Attachment No: 2



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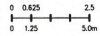


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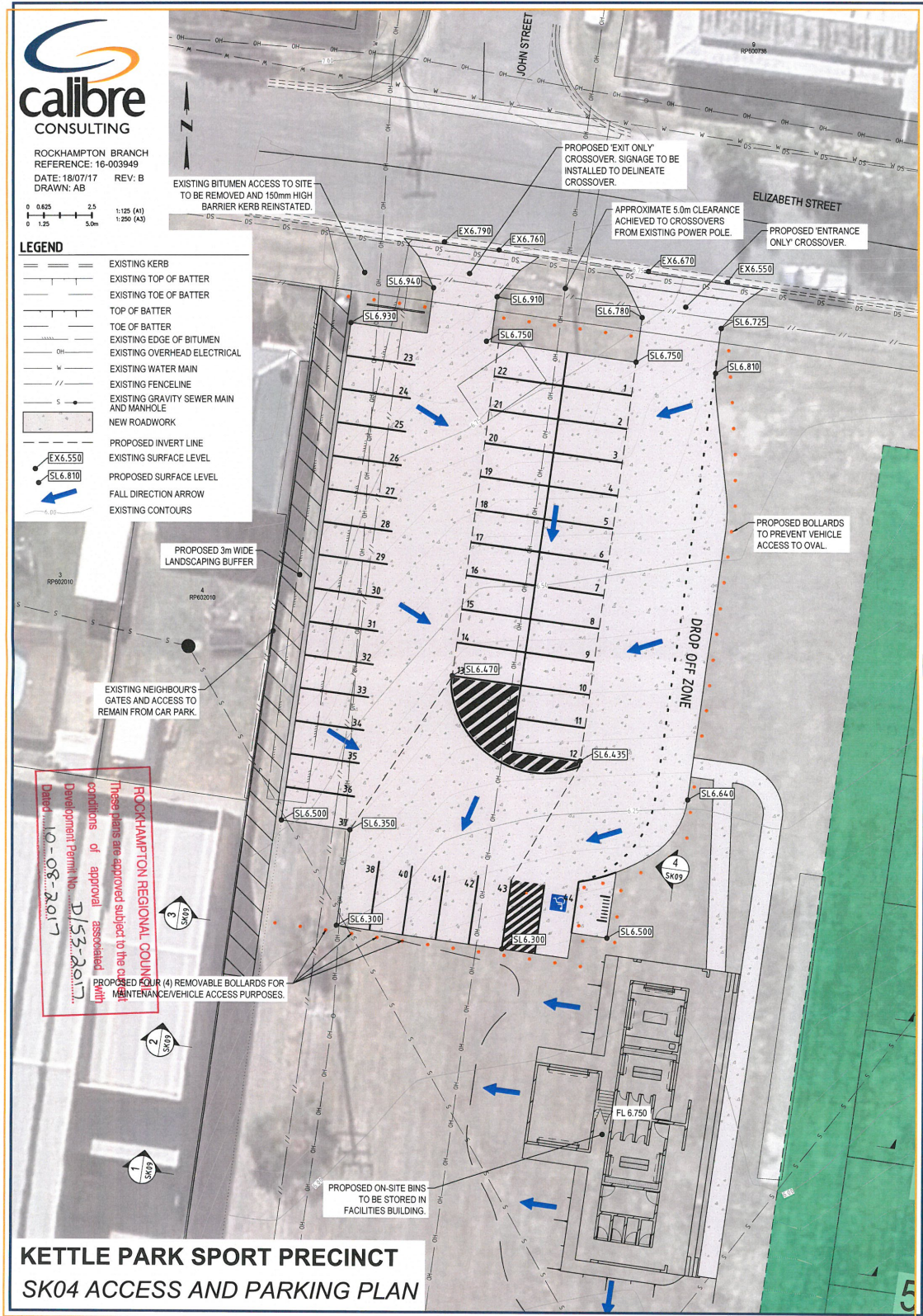


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DATE: 18/07/17 REV: B
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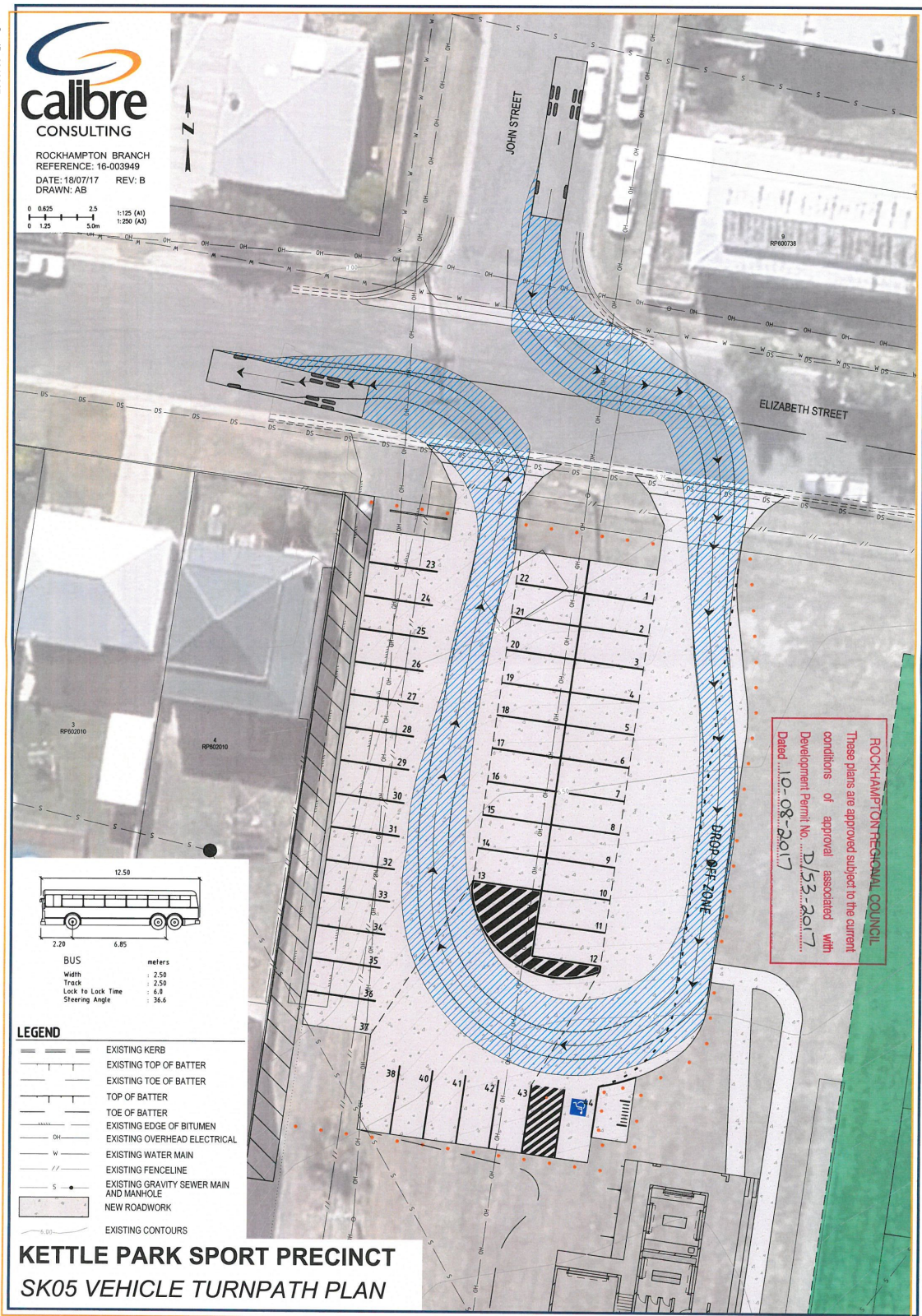
LEGEND

- EXISTING KERB
- EXISTING TOP OF BATTER
- EXISTING TOE OF BATTER
- TOP OF BATTER
- TOE OF BATTER
- EXISTING EDGE OF BITUMEN
- EXISTING OVERHEAD ELECTRICAL
- EXISTING WATER MAIN
- EXISTING FENCELINE
- EXISTING GRAVITY SEWER MAIN AND MANHOLE
- NEW ROADWORK
- PROPOSED INVERT LINE
- EXISTING SURFACE LEVEL
- PROPOSED SURFACE LEVEL
- FALL DIRECTION ARROW
- EXISTING CONTOURS

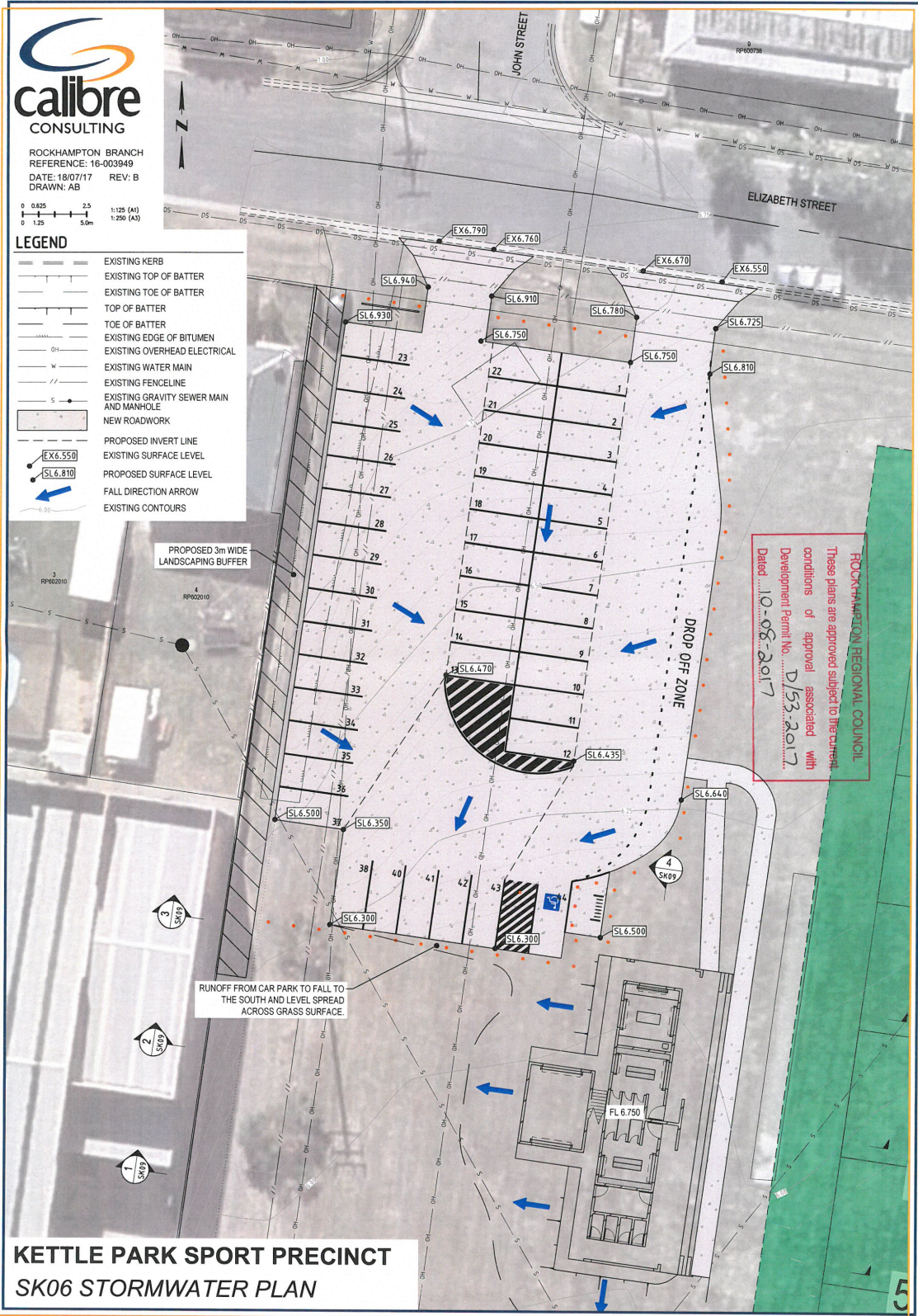


KETTLE PARK SPORT PRECINCT
SK04 ACCESS AND PARKING PLAN

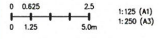
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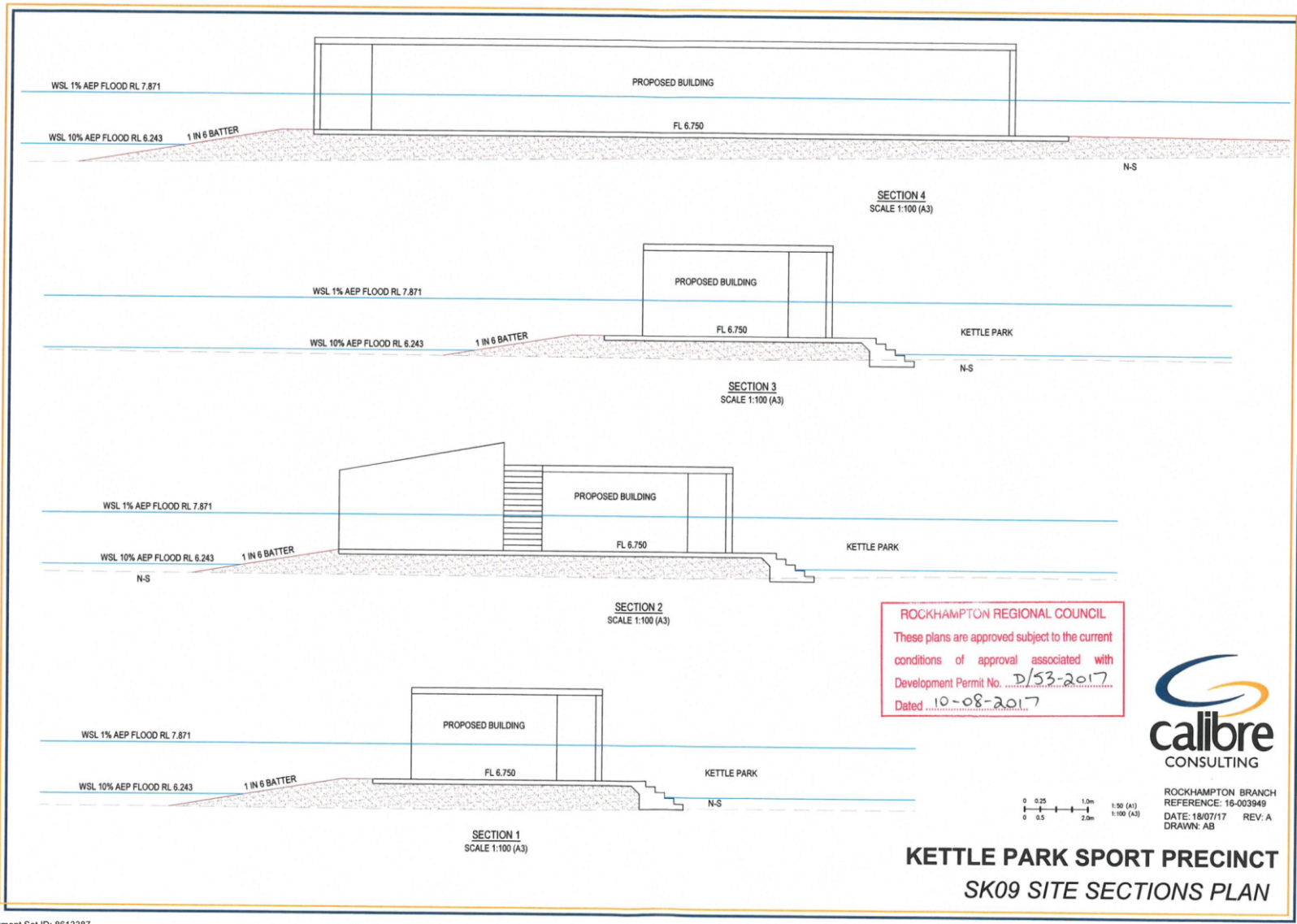
ROCKHAMPTON BRANCH
REFERENCE: 16-003949
DATE: 18/07/17 REV: B
DRAWN: AB



LEGEND	
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	EXISTING TOP OF BATTER
	EXISTING TOE OF BATTER
	TOP OF BATTER
	TOE OF BATTER
	EXISTING EDGE OF BITUMEN
	EXISTING OVERHEAD ELECTRICAL
	EXISTING WATER MAIN
	EXISTING FENCELINE
	EXISTING GRAVITY SEWER MAIN AND MANHOLE
	NEW ROADWORK
	PROPOSED INVERT LINE
	EXISTING SURFACE LEVEL
	PROPOSED SURFACE LEVEL
	FALL DIRECTION ARROW
	EXISTING CONTOURS

ROCKHAMPTON REGIONAL COUNCIL
These plans are approved subject to their current conditions of approval associated with Development Permit No. D/53.2017.
Dated 10-08-2017

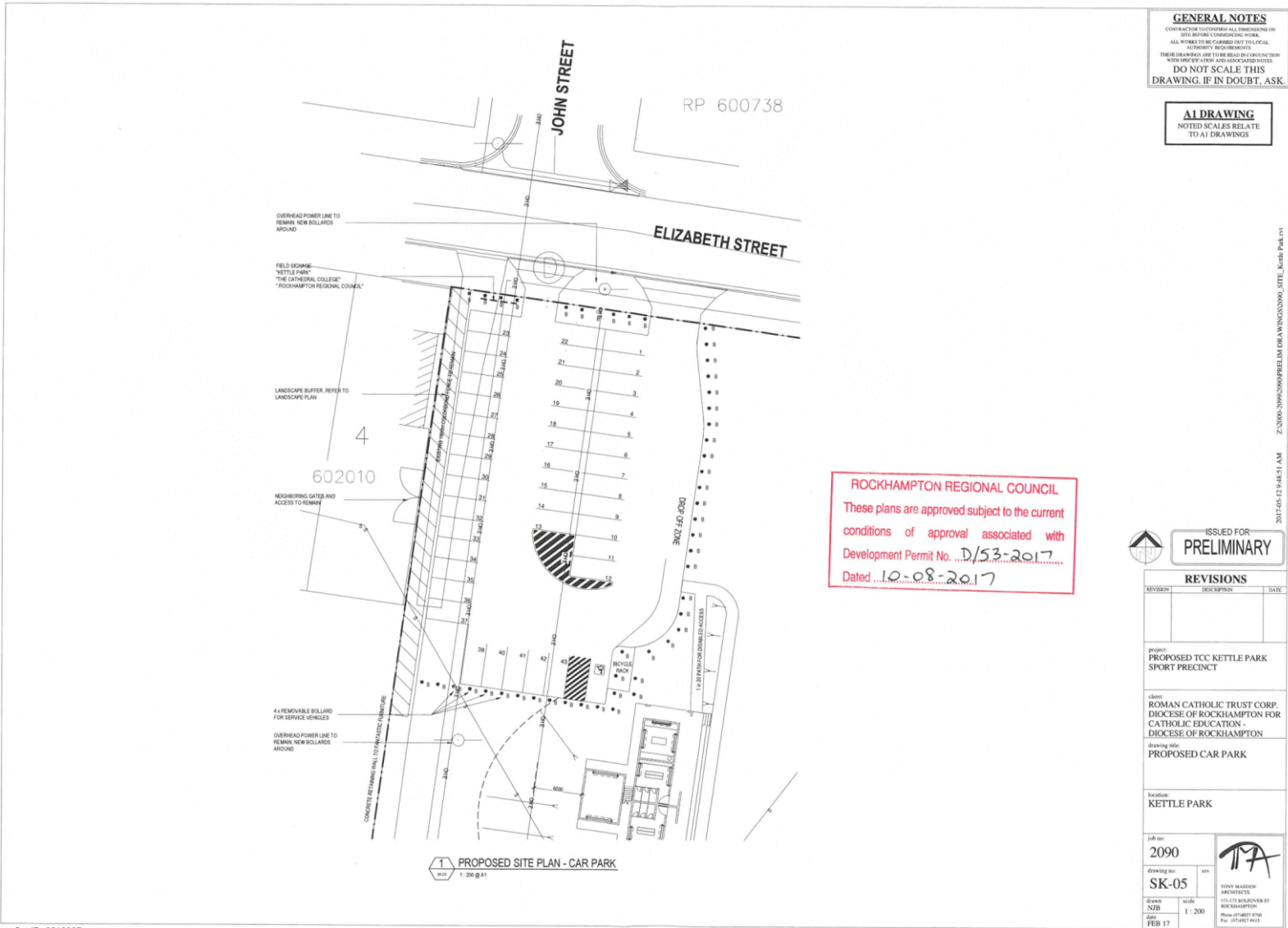
KETTLE PARK SPORT PRECINCT
SK06 STORMWATER PLAN



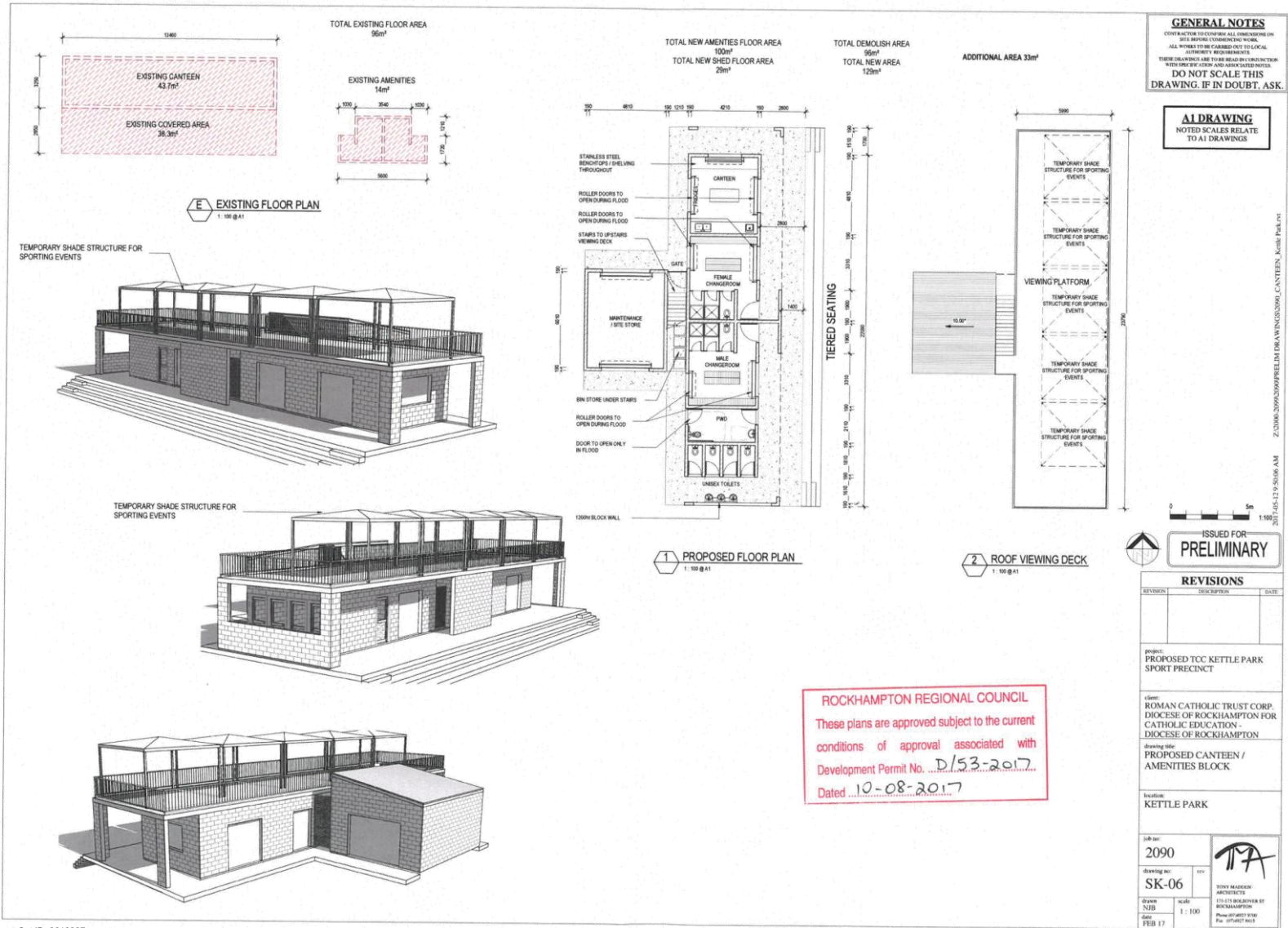
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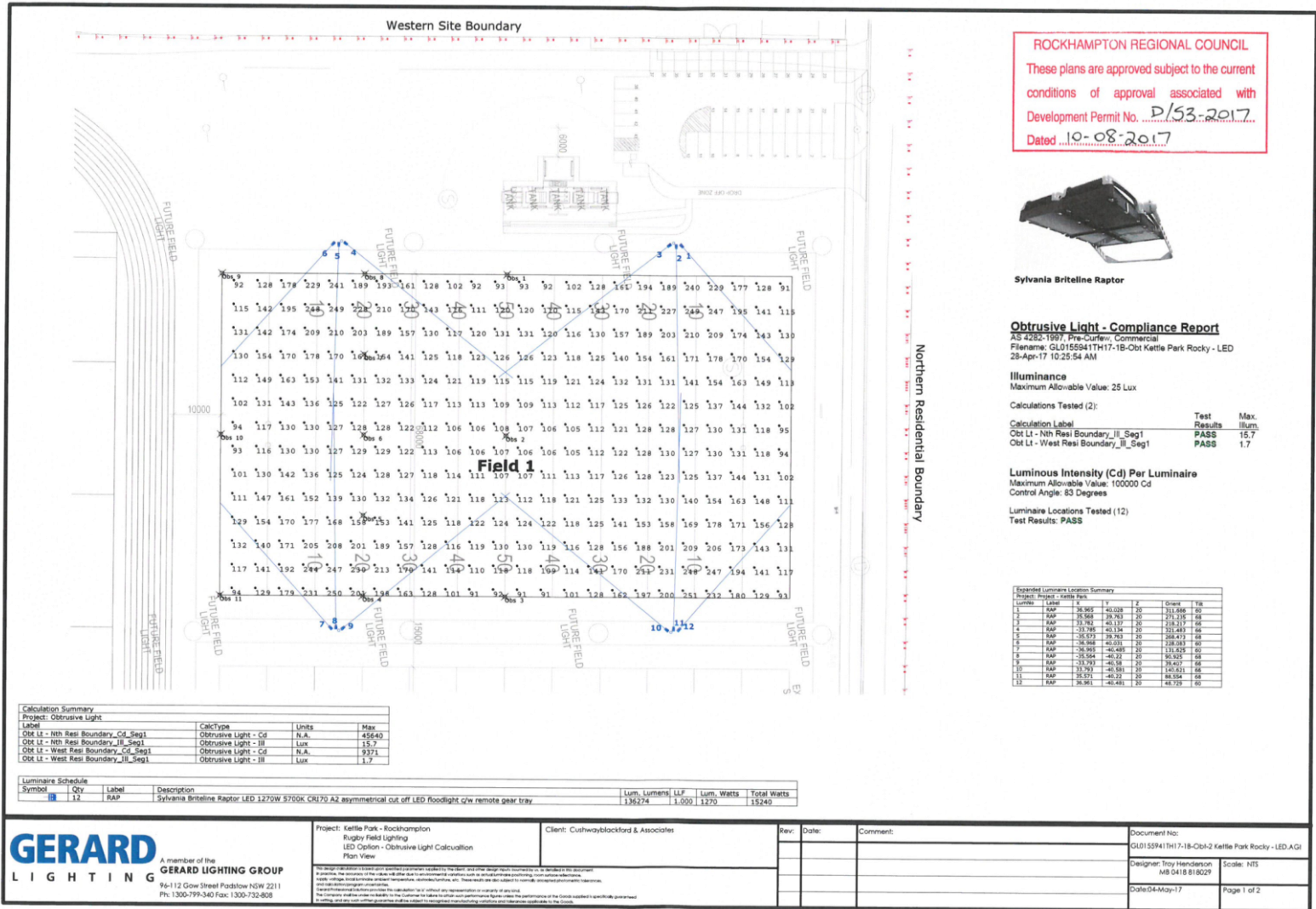


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 Dated 10-08-2017



ROCKHAMPTON REGIONAL COUNCIL
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 Dated ...10-08-2017...



Sylvania Briteline Raptor

Obtrusive Light - Compliance Report
 AS 4282-1997, Pre-Cut-off, Commercial
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 28-Apr-17 10:25:54 AM

Illuminance
 Maximum Allowable Value: 25 Lux

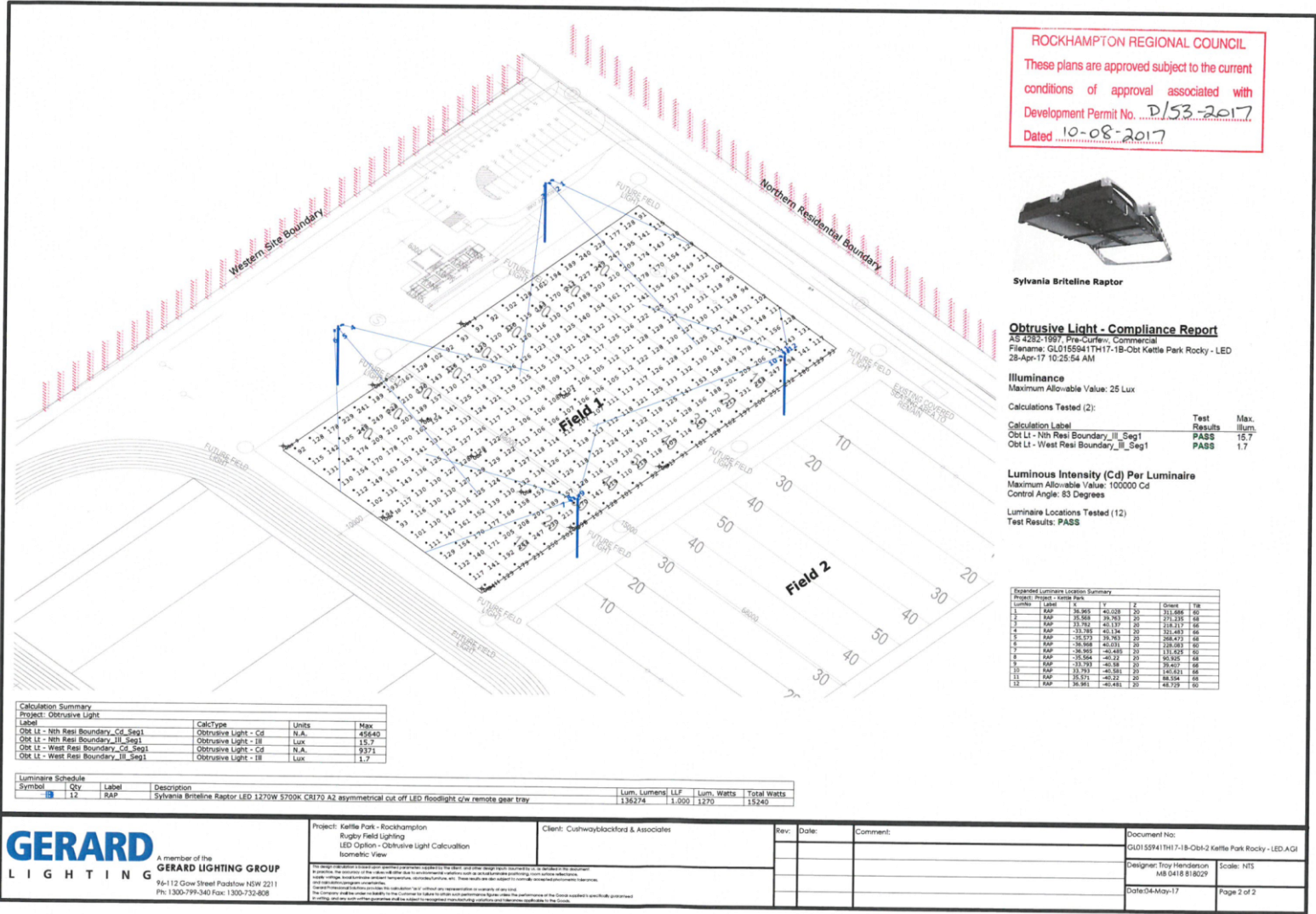
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Calculation Label	Test Results	Max. Illum.
Obs Lt - Nth Resi Boundary_III_Seg1	PASS	15.7
Obs Lt - West Resi Boundary_III_Seg1	PASS	1.7

Luminous Intensity (Cd) Per Luminaire
 Maximum Allowable Value: 100000 Cd
 Control Angle: 83 Degrees

Luminaire Locations Tested (12)
 Test Results: PASS

<p>A member of the GERARD LIGHTING GROUP 96-112 Gow Street Padstow NSW 2211 Ph: 1300-799-340 Fax: 1300-732-808</p>	Project: Kettle Park - Rockhampton Rugby Field Lighting LED Option - Obtrusive Light Calculation Plan View	Client: Cuthwayblackford & Associates	Rev: <table border="1"><tr><td> </td><td> </td><td> </td></tr></table> Date: <table border="1"><tr><td> </td><td> </td><td> </td></tr></table> Comment: <table border="1"><tr><td> </td><td> </td><td> </td></tr></table>										Document No: GL0155941TH17-1B-Obt-2 Kettle Park Rocky - LED.AGI Designer: Troy Henderson MB 0418 818029 Scale: NTS Date: 04-May-17 Page 1 of 2
<p><small>The design and calculation are prepared and provided to the client and other design team members to be checked for accuracy. In particular, the accuracy of the data used for the design and calculation is the responsibility of the client. The design team is not responsible for any errors or omissions in the design or calculation. The design team is not responsible for any errors or omissions in the design or calculation. The design team is not responsible for any errors or omissions in the design or calculation.</small></p>													



ROCKHAMPTON REGIONAL COUNCIL
 These plans are approved subject to the current conditions of approval associated with Development Permit No. D/53-2017
 Dated 10-08-2017



Sylvania Briteline Raptor

Obtrusive Light - Compliance Report
 AS 4282-1997, Free-Curtain, Commercial
 Filename: GL0155941TH17-1B-Obt Kettle Park Rocky - LED
 28-Apr-17 10:25:54 AM

Illuminance
 Maximum Allowable Value: 25 Lux

Calculations Tested (2):

Calculation Label	Test Results	Max. Illum.
Obt Lt - Nth Resi Boundary_III_Seg1	PASS	15.7
Obt Lt - West Resi Boundary_III_Seg1	PASS	1.7

Luminous Intensity (Cd) Per Luminaire
 Maximum Allowable Value: 100000 Cd
 Control Angle: 83 Degrees

Luminaire Locations Tested (12)
 Test Results: PASS

Expanded Luminaire Location Summary

LumNo	Label	X	Y	Z	Orientation	Yield
1	RAP	36.981	40.208	20	271.585	68
2	RAP	35.583	39.763	20	271.235	68
3	RAP	33.792	40.152	20	278.517	68
4	RAP	33.788	40.134	20	321.483	68
5	RAP	32.075	39.763	20	268.473	68
6	RAP	30.368	40.031	20	238.083	68
7	RAP	28.565	40.488	20	171.025	68
8	RAP	26.564	40.272	20	95.505	68
9	RAP	25.793	40.46	20	70.607	68
10	RAP	23.793	40.583	20	140.031	68
11	RAP	20.571	40.272	20	88.564	68
12	RAP	36.981	40.481	20	48.729	68

Calculation Summary

Label	CalcType	Units	Max
Obt Lt - Nth Resi Boundary_Cd_Seg1	Obtrusive Light - Cd	N.A.	45640
Obt Lt - Nth Resi Boundary_III_Seg1	Obtrusive Light - III	Lux	15.7
Obt Lt - West Resi Boundary_Cd_Seg1	Obtrusive Light - Cd	N.A.	9371
Obt Lt - West Resi Boundary_III_Seg1	Obtrusive Light - III	Lux	1.7

Luminaire Schedule

Symbol	Qty	Label	Description	Lum. Lumens	LLF	Lum. Watts	Total Watts
R	12	RAP	Sylvania Briteline Raptor LED 1270W 5700K CR170 A2 asymmetrical cut off LED floodlight c/w remote gear tray	136274	1.050	1270	15240

GERARD LIGHTING
 A member of the GERARD LIGHTING GROUP
 96-112 Gow Street Pashtow NSW 2211
 Ph: 1300-799-340 Fax: 1300-732-808

Project: Kettle Park - Rockhampton Rugby Field Lighting
 LED Option - Obtrusive Light Calculation
 Isometric View

Client: Cuthwayblackford & Associates

It is the responsibility of the client to ensure that the information provided in this document is accurate and complete. The client warrants that the information provided is true and correct. The client warrants that the information provided is true and correct. The client warrants that the information provided is true and correct.

Rev	Date	Comment	Document No:
			GL0155941TH17-1B-Obt-2 Kettle Park Rocky - LED.AGI
			Designer: Troy Henderson MB 0418 818029
			Date: 04-May-17
			Scale: NTS Page 2 of 2

11.17 TENDER CONSIDERATION FOR CAPRICON 2024 AND 2025

File No: 6097
Attachments: Nil
Authorising Officer: Angus Russell - Executive Manager Advance Rockhampton
Author: Eileen Brown - Events Coordinator

SUMMARY

This report seeks Council approval for the Tender Consideration Plan under s230 of the Local Government Regulation 2012 for the procurement of various goods and services for the coordination of the CapriCon Pop Culture Convention for 2024 and 2025.

OFFICER'S RECOMMENDATION

THAT pursuant to s230 of the *Local Government Regulation 2012* Council receives and adopts the Tender Consideration Plan as outlined in this report for the procurement of various goods and services for the CapriCon event for 2024 and 2025.

COMMENTARY

The rise of the popularity in Pop Culture industry as a whole and the CapriCon event that has now been rapidly growing from year to year is set to exceed expectations.

This event is an all abilities, family friendly event for all ages. It provides a fun, inclusive and immersive environment that gives an experience to all attendees and a significant focus on accessibility and all inclusivity.

The range of attractions and elements will provide something for everyone, including international key guests to attract local, regional and national cosplayers and enthusiasts.

The Trade and Vendor offering is niche and aligned with the event branding and theme. This well thought through concept is what makes the event experience like no other and ensures that the offering provided is aligned to the same standard of the other major Cons in Australia.

BACKGROUND

CapriCon year on year exceeds attendance expectations from its humble beginnings at the Library to becoming regional Queensland's largest single day convention. CapriCon sits amongst the other major national Con's and is well attended with international attractions and key guests. Bringing a focus on our region as the host to such a significant convention with the high calibre offering and unique experience is a major draw card to visitors to the region.

PREVIOUS DECISIONS

Council approved previous Tender Consideration plans for CapriCon at its meeting on 12 July 2022.

BUDGET IMPLICATIONS

Allocation for this event is in the Advance Rockhampton Event Budget.

LEGISLATIVE CONTEXT

The Tender Consideration Plan has been prepared under Div 3 s230 of the Local Government Regulation (2012) – *Exceptions for medium-sized and large-sized contractual arrangements.*

"230 Exception if quote or tender consideration plan prepared

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

- (a) decides, by resolution, to prepare a quote or tender consideration plan; and
- (b) prepares and adopts the plan.

(2) A **quote or tender consideration plan** is a document stating

- (a) the objectives of the plan; and
- (b) how the objectives are to be achieved; and
- (c) how the achievement of the objectives will be measured; and
- (d) any alternative ways of achieving the objectives, and why the alternative ways were not adopted; and
- (e) the proposed terms of the contract for the goods or services; and
- (f) a risk analysis of the market from which the goods or services are to be obtained

Tender Consideration Plan

The following Tender Consideration Plan is set for CapriCon coordination for 2024 and 2025.

Objective

The objective of this plan is to provide Council with opportunity to engage with suppliers across a variety of different categories to deliver a unique experience that will be a major draw card for visitors to the Rockhampton Region.

How the objectives are to be achieved

Suppliers will be selected based on the process detailed in the table below:

Category	Criteria	Process
Economic Impact Review	Continue to use IER PTY LTD	Based on continuation of previous arrangement to ensure consistent analysis of economic impact information being gathered and contractual requirements for grant funding received
Entertainment, Musicians, visual art performers and celebrity guests that assist with building the atmosphere through-out the convention	Genre Price Audience potential Draw card potential Availability Theme Staging Ratio of local acts to outside of region performers	<ul style="list-style-type: none"> • Guests are approached directly based on the relevance to CapriCon’s program eg. actor may have just released a new Australian movie. • Guests can also apply to attend CapriCon through the online EOI which is also promoted on social media and the website. • Information provided is matched against criteria. • Where a specific type of entertainment is required the cost is evaluated alongside return on investment, audience reach and suitability. • International guests may be shared between CapriCon and other major conventions to increase the draw card potential.

Themed Entertainment	Examples of this in previous years is Virtual Reality Gaming, Medieval Re-enactment Villages, Dodgebow, Sons of Obiwan Saber Academy, Pro-Wrestling	Quotes will be sourced where possible however it may not be possible to seek multiple quotes for unique goods/services based on the theme.
Marketing	A marketing plan will be designed to advertise all aspects of the festival and target key markets. As the largest regional Queensland pop culture convention we need to be able to reach to out of region markets through targeted channels.	<p>The existing Marketing Register of Pre-qualified suppliers will be utilised, however there may be unique suppliers used to meet target audience requirements of the CapriCon Event Agreements and in-kind support from marketing bodies. Where a specific type of marketing/advertising channel is required e.g. targeted audience, justification will be provided on the purchase order.</p> <p>Targeted platform marketing and ticket sales provider may also be required to meet government grant funding requirements.</p>
Stage, Audio, Lighting, Furniture, Theming and Event Dressing	There are specific requirements for each event area and stage based on suitability and theme. Suppliers must have the ability to deliver set requirements within budget and bump in time frames.	<p>As per Council's preferred supplier list Themed areas are taken into consideration and unique requirements sourced from external suppliers. Quotes will be sourced where possible. Where it is not possible to seek quotes for unique goods/services justification will be provided (on the purchase order) as to why multiple quotes could not be obtained eg specialised or sole supplier of said equipment etc</p> <p>Due to the large scale of the event requirements in this category sharing business between local providers for a more even distribution of work is beneficial to the event organiser ensuring supplier quality is not affected.</p>
Event Catering	<p>Theme</p> <p>Ability to cater to numbers for ticketed events</p> <p>Local Caterers</p> <p>Previous experience with Council</p> <p>Reputation.</p>	EOI is sent out to local caterers who are able to meet requirements. Budget is taken into consideration. Caterers are assessed individually for suitability for specific functions.
Food, Drink, Trade and Market Stall Holders	<p>Genre</p> <p>Theme</p> <p>Price</p> <p>Audience potential</p> <p>Draw Card potential</p> <p>Availability</p> <p>Staging</p> <p>Theme</p> <p>Standard of goods provided</p> <p>Licenses, permit and insurance as required by legislation.</p> <p>Priority will be given to market stall holder where payment</p>	<ul style="list-style-type: none"> • EOI email is sent to all database on file, local and outside region • Online EOI form is on the website and social media • Themed areas and activities happening are taken into consideration for what stall holder would fit there • Reduction of duplicate products from sellers is important and successful vendors will be assessed on the criteria • Standard of product plays a large role in evaluation of suppliers • Consideration on trending products,

	confirmation is made prior to due date.	<p>and vendors that have been noted in feedback on forums and other social platforms</p> <ul style="list-style-type: none"> • Securing draw card vendors from capital city conventions is paramount to be able to secure major funding opportunities, sponsorship and also offer the CQ community with diverse options for such a niche market
For other ancillary Goods and Services as required for the event (including operational and resourcing requirements, eg Waste, Generators, Fencing, Traffic Management, Security, Workforce (labour and volunteers)	<p>Ability to deliver set requirements Budget Bump in time frames. Local assets</p>	<ul style="list-style-type: none"> • As per Council’s preferred supplier list/register of pre-qualified suppliers (where applicable). • Where it is not feasible to seek quotes for unique goods/services that justification will be provided (on the purchase order) as to why multiple quotes could not be obtained Multiple contracts may be sourced to avoid needing to freight from out of region.
Creative Production and Management	<ul style="list-style-type: none"> • Researched the market with no others than can meet the requirements and timeframes • Other providers don’t do not offer private external works 	<ul style="list-style-type: none"> • Quotes will be sourced where possible. • Where it is not possible to seek quotes for unique goods/services justification will provided (on the purchase order) as to why multiple quotes could not be obtained eg specialised or sole supplier of said equipment

How the achievements of the objectives will be measured

This will be measured against the economic impact review and debrief at the conclusion of the annual event.

Alternate ways of achieving the objectives:

The objectives of the plan could be achieved by issuing a number of traditional invitation to quote and /or Tenders, however due to the significant volume of goods and services, and the unique experience Council is delivering, this method is not considered practical.

Proposed Terms of the Contract:

The proposed terms of the Contract will be Council’s Conditions of Offer, where there is a higher value/higher risk procurement, the Contracts & Tenders team will be consulted to determine the most suitable terms of the Contract.

Risk Analysis of the market:

Due to the significant volume of goods and services required, there are a number of markets which need to be considered. In most instances, there are a large number of suppliers available to provide the required goods and services, with the exception of specialist goods and services.

LEGAL IMPLICATIONS

There are no legal implications relevant to the Tender Consideration Plan being presented for consideration.

STAFFING IMPLICATIONS

No staffing implications as staffing is allocated within current budgets. Resources are requested from time to time across Council to assist in delivery of the event and these are sourced within current resourcing

RISK ASSESSMENT

Risk assessment for this event will be conducted in accordance with the requirements set out in Council's Work Health and Safety protocols.

CORPORATE/OPERATIONAL PLAN

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

The development will continue to cement its place in the ongoing Events Calendar and will help to increase visibility of our region.

CONCLUSION

It is recommended that Council receives and adopts the proposed Tender Consideration Plan for the 2024 and 2025 CapriCon Pop Culture Convention.

11.18 TENDER CONSIDERATION FOR RIVER FESTIVAL 2024 AND 2025

File No: 6097
Attachments: Nil
Authorising Officer: Angus Russell - Executive Manager Advance
Rockhampton
Zac Garven - Tourism and Events Manager
Author: Eileen Brown - Events Coordinator

SUMMARY

This report provides the Tender Consideration Plan outlining the procurement process that will be utilised for the coordination of the Rockhampton River Festival for 2024 and 2025.

OFFICER'S RECOMMENDATION

THAT pursuant to s230 of the *Local Government Regulation 2012* Council receives and adopts the Tender Consideration Plan as outlined in this report for the procurement of various goods and services for the Rockhampton River Festival for 2024 and 2025.

COMMENTARY

The Rockhampton River Festival is a major event on the Rockhampton Region calendar, providing a national calibre festival celebrating the region. Rockhampton River Festival's main purpose is to deliver a unique experience that will be a major draw card for both locals and visitors through arts, culture, food and entertainment.

Rockhampton River Festival needs to meet and exceed expectations and standards of other major festivals across Australia. For the festival to compete with similar festivals, the standard of all elements needs to reflect Rockhampton's position as the Events Capital of Central Queensland.

The below elements play a vital role in ensuring that the Rockhampton River Festival is at a high standard:

- Creative Installations and Theming
- Musicians
- Visual Art Performers
- Public Arts Program
- Staging, lighting, theming and event dressing
- Fireworks and Illumination displays
- Marketing
- Food, drink, trade and market stalls
- Conducting an economic impact review

PREVIOUS DECISIONS

Council has adopted Tender Consideration Plans for past Rockhampton River Festival events, the most recent on 10 August 2021.

BUDGET IMPLICATIONS

Allocation for this event is in the Advance Rockhampton Event Budget.

LEGISLATIVE CONTEXT

The Tender Consideration Plan has been prepared under Div 3 s230 of the *Local Government Regulation (2012) – Exceptions for medium-sized and large-sized contractual arrangements*.

"230 Exception if quote or tender consideration plan prepared

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

- (a) decides, by resolution, to prepare a quote or tender consideration plan; and
- (b) prepares and adopts the plan.

(2) A **quote or tender consideration plan** is a document stating

- (a) the objectives of the plan; and
- (b) how the objectives are to be achieved; and
- (c) how the achievement of the objectives will be measured; and
- (d) any alternative ways of achieving the objectives, and why the alternative ways were not adopted; and
- (e) the proposed terms of the contract for the goods or services; and
- (f) a risk analysis of the market from which the goods or services are to be obtained

Tender Consideration Plan

The following Tender Consideration Plan is set for the Rockhampton River Festival coordination for 2024 and 2025.

Objective

The objective of this plan is to provide Council with opportunity to engage with suppliers across a variety of different categories to deliver a unique experience that will be a major draw card for visitors to the Rockhampton Region.

How the objectives are to be achieved

Suppliers will be selected based on the process detailed in the table below:

Category	Criteria	Process
Economic Impact Review	Continue to use IER PTY LTD	Based on continuation of previous arrangement to ensure consistent analysis of economic impact information being gathered and contractual requirements for grant funding received
Entertainment covers musicians and visual art performers, and helps build the atmosphere throughout the festival.	<ul style="list-style-type: none"> • Genre • Price • Audience potential • Draw card potential • Availability • Theme • Staging • Ratio of local acts to outside of region performers 	<ul style="list-style-type: none"> • EOI Form on River Festival website and promoted through social media. • EOI email is sent to all performers and agents on database. • Information provided is matched against criteria. • Where specific type of entertainment is required the cost is evaluated alongside return on investment, audience reach and suitability. • Specific draw card entertainers will be approached directly to quote based on meeting the programming needs of the festival.

Themed Entertainment	<ul style="list-style-type: none"> • Examples of this in previous years is the merry go round, ferris wheel, Electric Meadow, Kaleidoscope, Humanoids, specialty ticketed shows such as Panache. 	<ul style="list-style-type: none"> • Quotes will be sourced where possible however it may not be possible to seek multiple quotes for unique goods/services as they are not comparative.
Fireworks / Lightshow / Illumination Shows / Projections	<ul style="list-style-type: none"> • Ability to deliver a unique display including ability to provide multiple water and land launch sites • Potential for sponsorship / partnership cost offset. 	<ul style="list-style-type: none"> • Three quotes sourced from suppliers where possible. • Ability to deliver required format • Identification of sponsor / partnership potential. • Events throughout the year assess individual operator's suitability for all events. • Where it is not feasible to seek quotes for unique goods/services that justification will be provided (on the purchase order) as to why multiple quotes could not be obtained.
Marketing	<ul style="list-style-type: none"> • A marketing plan will be designed to advertise all aspects of the festival and target key markets. 	<ul style="list-style-type: none"> • As per Council's preferred supplier list for standard advertising needs. • Where a specific type of marketing/advertising is required e.g. targeted audience, niche publication etc. justification will be provided on the purchase order.
Stage, Audio, Lighting, Furniture, Theming and Event Dressing	<ul style="list-style-type: none"> • Specific requirements for each area and stage based on suitability and theme • Ability to deliver set requirements • Budget • Bump in time frames. 	<ul style="list-style-type: none"> • As per Council's preferred supplier list • Themed areas are taken into consideration and unique requirements sourced from external suppliers. Quotes will be sourced where possible, Where it is not possible to seek quotes for unique goods/services justification will be provided (on the purchase order) as to why multiple quotes could not be obtained eg specialised or sole supplier of said equipment etc
Ticketed Event Catering	<ul style="list-style-type: none"> • Theme • Ability to cater to numbers for ticketed events • Local Caterers • Previous experience with Council • Reputation. 	<ul style="list-style-type: none"> • EOI is sent out to local caterers who are able to meet requirements. Budget is taken into consideration for ticketing. Caterers are assessed individually for suitability for specific functions.
Food, Drink, Trade and Market Stall Holders	<ul style="list-style-type: none"> • Genre • Price • Audience draw card potential • Availability 	<ul style="list-style-type: none"> • EOI email is sent to all databases on file, local and outside the region. • Online EOI Form on River Festival website and social media • Themed areas are taken into

	<ul style="list-style-type: none"> • Theme • Standard of goods delivered Licenses, permit and insurance as required by legislation. 	<p>consideration and which stallholder fit that area.</p> <ul style="list-style-type: none"> • Standard of goods plays a large
For other ancillary Goods and Services as required for the event (including operational and resourcing requirements, eg Waste, Generators, Fencing, Traffic Management, Security, Workforce (labour and volunteers)	<ul style="list-style-type: none"> • Ability to deliver set requirements • Budget • Bump in time frames. • Local assets 	<ul style="list-style-type: none"> • As per Council's preferred supplier list/register of pre-qualified suppliers (where applicable) • Where it is not feasible to seek quotes for unique goods/services that justification will be provided (on the purchase order) as to why multiple quotes could not be obtained • Multiple contracts may be sourced to avoid needing to freight from out of region.
Creative Production and Management	<ul style="list-style-type: none"> • Researched the market with no others that can meet the requirements and timeframes • Other providers don't offer private external works 	<ul style="list-style-type: none"> • Quotes will be sourced where possible. • Where it is not possible to seek quotes for unique goods/services justification will provided (on the purchase order) as to why multiple quotes could not be obtained eg specialised or sole supplier of said equipment

How the achievements of the objectives will be measured

This will be measured against the economic impact review and debrief at the conclusion of the annual event.

Alternate ways of achieving the objectives:

The objectives of the plan could be achieved by issuing a number of traditional invitation to quote and /or Tenders, however due to the significant volume of goods and services, and the unique experience Council is delivering, this method is not considered practical.

Proposed Terms of the Contract:

The proposed terms of the Contract will be Council's Conditions of Offer, where there is a higher value/higher risk procurement, the Contracts & Tenders team will be consulted to determine the most suitable terms of the Contract.

Risk Analysis of the market:

Due to the significant volume of goods and services required, there are a number of markets which need to be considered. In most instances, there are a large number of suppliers available to provide the required goods and services, with the exception of specialist goods and services.

LEGAL IMPLICATIONS

There are no legal implications relevant to the Tender Consideration Plan being presented for consideration.

STAFFING IMPLICATIONS

No staffing implications as staffing is allocated within current budgets. Resources are requested from time to time across Council to assist in delivery of the event and these are sourced within current resourcing.

RISK ASSESSMENT

Risk assessment for this event will be conducted in accordance with the requirements set out in Council's Work Health and Safety protocols.

CORPORATE/OPERATIONAL PLAN

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

The development will continue to cement its place in the ongoing Events Calendar and will help to increase visibility of our region.

CONCLUSION

It is recommended that Council receives and adopts the proposed Tender Consideration Plan for the 2024 and 2025 Rockhampton River Festivals.

11.19 SPONSORSHIP OF THE CAPRICORN FOOD AND WINE FESTIVAL FOR 2024 AND 2025

File No: 11715
Attachments: Nil
Authorising Officer: Angus Russell - Executive Manager Advance Rockhampton
Author: Zac Garven - Tourism and Events Manager

SUMMARY

Council have received correspondence regarding an opportunity to continue its support of this regional event in its 12th and 13th years to sponsor the 2024 and 2025 Capricorn Food and Wine Festival. The 2024 event is proposed to run from 5 to 8 September 2024. The 2025 event dates are proposed to run from 4 to 7 September.

OFFICER'S RECOMMENDATION

THAT Council sponsors the 2024 and 2025 Capricorn Food and Wine Festival and agree to provide sponsorship to the value of \$20,000.00 (plus GST) cash support per year.

COMMENTARY

Council has received a Sponsorship Commitment request from Capricorn Food and Wine Festival for the September 2024 and 2025 event. This annual event will bring the Riverside alive and will be delivered on 5 to 8 September 2024 and 4 to 7 September 2025.

BACKGROUND

Capricorn Food and Wine Festival is a significant event on the region's major event calendar and has attributed a total visitor spend of \$123,529 directly from the event in 2023.

In 2023 the Capricorn Food and Wine Festival event resulted in 3,454 total attendance with 24.7% of people coming from outside our Rockhampton region and contributed to 688 visitor nights (accommodation).

PREVIOUS DECISIONS

Sponsorship has been endorsed by Council in previous years.

BUDGET IMPLICATIONS

This sponsorship cash amount (\$20,000.00) is a line item included in the Advance Rockhampton yearly Event Operational Budget and would need to be included in future budgets.

STAFFING IMPLICATIONS

The sponsorship would be managed by the Advance Rockhampton team.

CORPORATE/OPERATIONAL PLAN

Goal 3.3 – We promote our Region as an attractive destination for visitors.

Goal 3.3 – We design places and deliver events that encourage visitors to come and stay.

CONCLUSION

The financial commitment for the Capricorn Food and Wine Festival is to ensure the continued success of the event on Quay Street and Riverfront Precinct. It is strategic to do a two-year partnership for Rockhampton to be the continued destination for this event.

11.20 SPONSORSHIP OF POP-UP POLO 2024

File No: 11715
Attachments: Nil
Authorising Officer: Angus Russell - Executive Manager Advance Rockhampton
Author: Zac Garven - Tourism and Events Manager
Justin Bulwinkel - Supervisor Business Support

SUMMARY

Council have received correspondence requesting sponsorship of the 'Pop-Up Polo Rockhampton 2024 Event'. The event will be held on Saturday June 8. This is the sixth year of the event being held in Rockhampton.

OFFICER'S RECOMMENDATION

THAT Council sponsors the 2024 'Pop-Up Polo Rockhampton' event to be held on Saturday 8 June 2024 and agree to:

1. Provide sponsorship contribution to the value of \$10,000 (plus GST) cash; and
2. Provide in-kind support to the value of \$5,000 (plus GST) for the provision of waste bins and the removal and re-installation of goal posts on the field.

COMMENTARY

This will be the sixth year for Pop-Up Polo Rockhampton. Pop-Up Polo enjoyed a successful inaugural event in 2018 with an attendance of over 3,500. In 2023 over 27% of 3322 attendees were from outside the region. Pop-up Polo Rockhampton is run by Events Queensland in conjunction with the support and event management of Urban Polo Australia and utilized 38 local suppliers.

BACKGROUND

Rockhampton Regional Council sponsored Pop-Up Polo in its inaugural year 2018 to the value of \$10,000 cash (plus GST) and in-kind of \$30,000. In 2019 in-kind ground works to the value of \$10,000 was paid for by Advance Rockhampton and additional in-kind marketing support. In 2021 and 2022 Advance Rockhampton paid \$10,000 cash (plus GST) as well as in-kind assistance with provision of waste bins, as well as post removal and re-installation, and branded fence scrim up to the value of \$5,000 (+GST).

PREVIOUS DECISIONS

Council has previously sponsored 'Pop-up Polo Rockhampton' and provided sponsorship contribution to the value of \$10,000 (plus GST) cash and in-kind support (up to \$5,000).

BUDGET IMPLICATIONS

It is proposed that Council sponsors the 2024 event by providing sponsorship contribution to the value of \$10,000 (plus GST) cash, and in-kind support up to \$5,000 (plus GST) for the provision of waste bins and the removal and re-installation of goal posts on the field.

The budget for this sponsorship will be accommodated for in the current operational budget of Advance Rockhampton.

STAFFING IMPLICATIONS

The sponsorship would be managed by the Advance Rockhampton team.

RISK ASSESSMENT

A desktop risk assessment was completed due to the events proximity to Beef Australia.

Beef Australia will have use of the site up until 25 May for the purpose of temporary accommodation (tent city). Any potential impact or risks that could emanate from this use prior to Pop up Polo has been reported to Events Queensland.

Events Queensland have acknowledged the report and confirmed they will continue with the location and date of the event.

CORPORATE/OPERATIONAL PLAN

Goal 3.3 – We promote our Region as an attractive destination for visitors.

Goal 3.3 – We design places and deliver events that encourage visitors to come and stay.

CONCLUSION

Given the positive economic and community benefits the Pop-Up Polo event delivers to the Rockhampton Region, it is recommended that Council supports the opportunity to sponsor the Pop-Up Polo Rockhampton 2024 event.

11.21 SPONSORSHIP OF THE QUEENSLAND STATE SCHOOLS CHAMPIONSHIPS FOR 2024 AND 2025

File No:	11715
Attachments:	1. Letter of Support - State Schools Championships ↓
Authorising Officer:	Angus Russell - Executive Manager Advance Rockhampton
Author:	Zac Garven - Tourism and Events Manager Justin Bulwinkel - Supervisor Business Support

SUMMARY

Council have received correspondence requesting sponsorship of the 2024 and 2025 Rowing Queensland State Schools Championships to be held in Rockhampton.

OFFICER'S RECOMMENDATION

THAT Council approves sponsorship of the 2024 and 2025 Rowing Queensland State Schools Championships to be held 13 to 15 September 2024 and 19 to 21 September 2025 and agree to:

1. Provide sponsorship contribution of \$10,000 (Excl. GST) cash per year; and,
2. Provide in-kind support to the value of \$31,800 (Excl. GST) in the first year plus \$1,800 (Excl. GST) in the second year for the provision of waste services, water truck services and riverbank reinstatement (natural area).

COMMENTARY

Rowing Queensland proudly hosts its most significant event, the Queensland Schools Championships Regatta, which saw remarkable success in Bundaberg this past September 2023.

The event was a testament to the growth of the sport, attracting an impressive 843 athletes from 48 schools and garnering support from over 3,000 attendees, coaches, and officials from across the state.

Notably, over 90% of participants travelled from regions, with over 40% staying 3 nights and close to 35% extending their stay from 3 nights to 5 or more. Furthermore, the live stream of the event accumulated an impressive 22,248 views over the three-day period, demonstrating the widespread interest and engagement in rowing.

The economic impact generated by such events in regional areas is substantial. The Queensland Schools Championships serve not only as a platform for regional competitors to excel but also as a catalyst for significant economic growth within the local communities.

Rowing Queensland's ambition is to foster regional growth by providing greater accessibility to our sport, all while promoting the region's tourism and leisure offerings to a wider audience.

Rowing Queensland seeks to host the State Schools Championships across the first weekend of the September school holidays in 2024 and 2025 in the Rockhampton region.

The proposed dates for these events are indicatively set for 13 to 15 September 2024 and 19 to 21 September 2025.

BACKGROUND

The Rockhampton region has a very strong history and relationship with Rowing as a sport. We have hosted the Australian Rowing team on numerous occasions pre-World Championships and Olympics. Council has previously supported this State Schools Championships in 2018.

PREVIOUS DECISIONS

Council approved sponsorship of \$10,000 for the event held in Rockhampton in 2018.

BUDGET IMPLICATIONS

Budget allocation will be required in the 2024/25 and 2025/26 operational budgets of \$10,000 (Excl. GST) each year for sponsorship and \$1,800 (Excl. GST) for in-kind support which is anticipated to be funded from Events Attraction budgets in those years.

The \$30,000 in-kind support would be delivered through existing Community Assets and Facilities operational budgets from 2023/24 (including planned riverbank works).

STAFFING IMPLICATIONS

Existing resources within Advance Rockhampton, Parks and Community Assets and Facilities can adequately manage sponsorship and in-kind support.

CORPORATE/OPERATIONAL PLAN

Goal 3.3 – We promote our Region as an attractive destination for visitors

Goal 3.3 – We design places and deliver events that encourage visitors to come and stay

CONCLUSION

Given the positive economic, sporting and community benefits the Rowing Queensland State Schools Championships event delivers to the Rockhampton Region, it is recommended that Council supports the opportunity to sponsor the event across 2024 and 2025.

SPONSORSHIP OF THE QUEENSLAND STATE SCHOOLS CHAMPIONSHIPS FOR 2024 AND 2025

Letter of Support - State Schools Championships

Meeting Date: 11 December 2023

Attachment No: 1



Mr Zac Garven
Tourism and Events Manager
Advance Rockhampton - Rockhampton Regional Council

16 November 2023

Re: 2024 & 2025 Queensland State Schools Championships

Dear Zac,

On behalf of the entire rowing community in Queensland, I extend gratitude to you, your team at Advance Rockhampton, and the Rockhampton Regional Council for your support and ongoing investment in our sport within the Rockhampton region.

Rowing Queensland proudly hosts its most significant event, the Queensland Schools Championships Regatta, which saw remarkable success in Bundaberg this past September 2023. The event was a testament to the growth of our sport, attracting an impressive 843 athletes from 48 schools and garnering support from over 3000 attendees, coaches, and officials from across the state. Notably, over 90% of participants travelled from regions beyond Rockhampton, with over 40% staying 3 nights and close to 35% extending their stay from 3 nights to 5 or more. Furthermore, the live stream of the event accumulated an impressive 22,248 views over the three-day period, demonstrating the widespread interest and engagement in rowing.

The economic impact generated by such events in regional areas is substantial. The Queensland Schools Championships serve not only as a platform for regional competitors to excel but also as a catalyst for significant economic growth within the local communities. Our ambition at Rowing Queensland is to foster regional growth by providing greater accessibility to our sport, all while promoting the region's tourism and leisure offerings to a wider audience.

In alignment with our goals, Rowing Queensland seeks to host the State Schools Championships across the first weekend of the September school holidays in 2024 and 2025. The proposed dates for these events are indicatively set for September 13th - 15th, 2024, and September 19th - 21st, 2025.

Such endeavours thrive with the support of corporate, commercial, and council financial backing. We appeal to the continued support of Advance Rockhampton and the Rockhampton Regional Council in enabling the successful staging of the 2024 and 2025 events. Your contributions have been invaluable in the past, and continued collaboration and support in the future would be immensely appreciated.

I eagerly anticipate the opportunity to work closely with you and Mayor Williams in the forthcoming months. I am confident that, together, we can make the 2024 and 2025 State Schools Championships in Rockhampton a tremendous success.

Warm regards,

Matt Bialkowski

Matt Bialkowski | Chief Executive Officer
Rowing Queensland

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Queensland
Government

11.22 REGIONAL ARTS DEVELOPMENT FUND 2023/24 ROUND ONE FUNDING

File No: 8944
Attachments: Nil
Authorising Officer: John Webb - Manager Communities & Culture
Alicia Cutler - General Manager Community Services
Author: Mark Millett - Coordinator Major Venues

SUMMARY

Applications received for Round One of the 2023-24 Regional Arts Development Fund (RADF) have been assessed by the RADF committee and three (3) applications are recommended for funding.

OFFICER'S RECOMMENDATION

THAT:

1. Council endorses the applications listed below in Table (A) for funding from the Regional Arts Development fund:

Table (A) – Applications recommended for Funding

Applicant	Grant Type	Purpose of grant	Grant amount
Easton Dunne	Development Grant	Easton has been invited by Firstdraft gallery to exhibit work in their Project Space at Melbourne Art Fair (MAF) 2024 and give an artist talk in conjunction with the exhibition. This is a once-in-a-career professional development opportunity that will propel Easton beyond the category of emerging artist and firmly cement Easton's place as an established mid-career professional artist. Firstdraft will cover costs associated with artwork loan installation, return freight, project management, but not travel to Melbourne. Easton is seeking financial assistance for travel to enable Easton to deliver the artist talk, meet the four other artists showing with Firstdraft, visit MAF to experience high-calibre contemporary art and network with new audiences, artists and gallerists.	\$2500.00
Capricornia Printmakers	Development Grant	Capricornia Printmakers intend to bring Dr Sanzaro-Nishimura to teach our local printmakers the technique of 'RISO MiScreen system' which has emerged as a non toxic alternative to photo emulsion preparation systems for screen printing.	\$3120.00
Midpoint Theatre Company	Project Grant	Midpoint Theatre Company presents the CQ leg of the 2024 regional tour of 'Grit', by Perseverance Street Theatre Company (Gympie). Debuted in Gympie in 2022, this work of original theatre celebrates the resilience of regional Queenslanders,	\$827.50

		exploring what gets us down, what brings us back up, and what we can learn from our collective moments of grit. Through a mesmerising amalgamation of gentle humour, monologue and song, 'Grit' aims to connect us and remind us that we are not alone in this unpredictable and oftentimes challenging world. It inspires us to listen deeply to each other and value different perspectives..	
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COMMENTARY

Ten (10) applications were received with a total requested amount of \$49910.50. Of the ten (10) received applications one (1) was deemed ineligible as it did not meet RADF Criteria outlined in the RADF guidelines. One (1) application was withdrawn due to lack of supporting documentation. Eight (8) applications were assessed by the RADF Committee with a total requested amount of \$42510.50. Three (3) applications were deemed eligible and desirable to fund, totaling a funding amount of \$6447.50

Of the three (3) applicants the committee is recommending, it is noted that Easton Dunne is an employee of Council and works at the Rockhampton Museum of Art. Easton's position with the Council did not affect the outcome of the committee's decision. It was noted that Capricornia Printmakers received similar funding from RADF in financial year 20/21.

Midpoint theatre's request is only to cover Venue hire costs associated with the Walter Reid Auditorium.

Of the (5) unsuccessful applicants, one (1) from Rockhampton Youth Orchestra was noted as an excellent application, however, was rejected as it has received funds for this project on 3 previous rounds.

BACKGROUND

The Regional Arts Development Fund (RADF) is a joint funding program of the Queensland Government (administered by Arts Queensland) and the Rockhampton Regional Council that focuses on the development of quality art and arts practice in our region.

PREVIOUS DECISIONS

RADF Round 2 2022-2023 awarded \$56919.00 for funding on 27 June 2023. The current membership of the RADF committee and the capacity to add members on an ad hoc basis was endorsed on 25 Oct 2022.

BUDGET IMPLICATIONS

The recommended funding amount for RADF Round 1 2023-24 is \$6447.50

The total remaining Community Grant funding pool for RADF 2023-24 is \$59607.29

The remaining funds will be made available through a second round of funding that will be advertised mid to late January.

LEGISLATIVE CONTEXT

NIL

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

NIL

RISK ASSESSMENT

N/A

CORPORATE/OPERATIONAL PLAN

Corporate Plan 2022-2027:

Our Community Goal 2.1

- We provide opportunities for people to contribute to their communities.
- We support our people and community groups through our programs and resources
- Our services, activities and community assets provide opportunities to celebrate our culture and creative arts and preserve the Region's heritage.

CONCLUSION

The Regional Arts Development Fund Committee recommends three (3) applications for funding, with a total recommended funding amount of \$6447.50.

11.23 ENVIRONMENTAL SUSTAINABILITY POLICY - PROPOSED AMENDMENT

File No:	11979
Attachments:	1. Final Environmental Sustainability Policy - As proposed ↓ 2. Final Environmental Sustainability Policy - With track changes ↓
Authorising Officer:	Aaron Pont - Manager Parks
Author:	Christine Bell - Coordinator Environmental Sustainability

SUMMARY

This report presents the revised Environmental Sustainability Policy for Council consideration and adoption.

OFFICER'S RECOMMENDATION

THAT Council adopts the revised Environmental Sustainability Policy.

COMMENTARY

Council's Environmental Sustainability Policy was last reviewed in December 2019. Since that time, there have been significant changes to the associated policy and legislation at both the national and state level.

A recent review of this Policy has been undertaken to ensure alignment with these changes and with Council's recently adopted Sustainability Strategy (Towards 2030). Based on this review, and extensive internal consultation, a number of amendments have been made. Attachment 1 provides the final revised Policy and Attachment 2 provides the revised Policy with track changes.

Key amendments include:

- Updates to secondary documents, definitions and guiding principles;
- A fully revised policy statement, ensuring direct alignment with Council's Sustainability Strategy;
- Updates to the guiding principles; and
- A change to the Policy Owner (from Chief Financial Officer to General Manager Community Services).

PREVIOUS DECISIONS

10 December 2019 – Council adopted the current Environmental Sustainability Policy.

11 October 2022 – Council adopted the current Sustainability Strategy (Towards 2030).

BUDGET IMPLICATIONS

Council continues to consider environmental sustainability through the routine budgetary process. There are no new budget implications associated with this Policy.

LEGISLATIVE CONTEXT

The legislative context is outlined in the Policy, and in Council's Sustainability Strategy.

LEGAL IMPLICATIONS

There are no new legal implications associated with this revised Policy.

STAFFING IMPLICATIONS

There are no new staffing implications associated with this Policy.

RISK ASSESSMENT

There are no new risks associated with this revised Policy.

CORPORATE/OPERATIONAL PLAN

Council's Corporate Plan recognises 'Our Environment' as one of the five key corporate themes. Specific goals include:

4.1 Our Region is resilient and prepared to manage climate-related risks and opportunities; and

4.2 We pursue innovative and sustainable practices.

CONCLUSION

The revised Environmental Sustainability Policy assists Council to continue to align with the evolving legislative and policy landscape, whilst supporting the Sustainability Strategy to simultaneously strengthen our community, environmental and economic resilience.

ENVIRONMENTAL SUSTAINABILITY POLICY - PROPOSED AMENDMENT

Final Environmental Sustainability Policy - As proposed

Meeting Date: 11 December 2023

Attachment No: 1

ENVIRONMENTAL SUSTAINABILITY POLICY

COMMUNITY POLICY



1 Scope

This policy applies to all Rockhampton Regional Council activities conducted throughout Council's operations and services.

2 Purpose

The purpose of this policy is to outline Council's commitment to continually improve its environment and sustainability performance and provide direction as Council encourages a culture of environmental sustainability among its workers and the community.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

Biosecurity Act 2015 (Cwth)

Carbon Credits (Carbon Farming Initiative) Act 2011 (Cwth)

Climate Change Act 2022 (Cwth)

Clean Energy Regulator Act 2011 (Cwth)

Coastal Protection and Management Act 1995

Environment Protection and Biodiversity Conservation Act 1999 (Cwth)

Environmental Protection Act 1994

Environmental Protection Regulation 2019

Fisheries Act 1994

Local Government Act 2009

National Greenhouse and Energy Reporting Act 2007 (Cwth)

Nature Conservation Act 1992

Planning Act 2016

Recycling and Waste Reduction Act 2020 (Cwth)

Vegetation Management Act 1999

Waste Reduction and Recycling Act 2011

Water Act 2000

Australia's Strategy for Nature 2018-2030

Climate Risk Management Framework for Queensland Local Government

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Adopted/Approved:	DRAFT	Department:	Community Services
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 Purchasing Policy – Acquisition of Goods and Services
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 Queensland Organic Strategy and Action Plan
 Queensland Protected Area Strategy
 Queensland State Disaster Management Plan
 Queensland Strategy for Disaster Resilience
 Queensland Waste Management and Resource Recovery Strategy
 Queensland Zero Emission Vehicle Strategy
 Rockhampton Regional Council Biosecurity Plan
 Rockhampton Regional Council Corporate Plan
 Rockhampton Regional Council Economic Development Strategy
 Rockhampton Regional Council Operational Plan
 Rockhampton Regional Council Sustainability Strategy (Towards 2030)
 Rockhampton Regional Council Walking and Cycling Strategy
 Rockhampton Region Local Disaster Management Plan
 Rockhampton Region Planning Scheme
 Rockhampton Region Resource Recovery Strategy
 State Planning Policies

4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Circular Economy	In contrast to a linear economy that has little regard for alternatives to disposal/waste at a product's end of life, circular economy principles consider opportunities to retain and circulate resources in the economy at their highest value for as long as possible.
Contractor	A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to another person, organisation or entity under an agreement enforceable by law.
Council	Rockhampton Regional Council

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Adopted/Approved:	DRAFT	Department:	Community Services
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Councillor/s	The Mayor and/or Councillors of Council, within the meaning of the <i>Local Government Act 2009</i> .
Ecologically Sustainable Development	As detailed in the <i>Planning Act 2016</i> , ecologically sustainable development integrates: <ul style="list-style-type: none"> (a) The protection of ecological processes and natural systems at local, regional, State and wider levels; (b) Economic development; and (c) The maintenance of the cultural, economic, physical and social wellbeing of people and communities.
Environmentally Sustainable Design	The design and development of property and infrastructure that seeks to minimise negative impacts on the environment and the health and wellbeing of occupants by improving building performance.
Environmental Sustainability	Ensuring our actions meet current needs without compromising the prospects of future generations.
Employees	Local government employee: <ul style="list-style-type: none"> (a) The CEO; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i>.
Greenhouse Gas Emissions	Emissions released to the atmosphere as a result of direct activity or the indirect consumption of energy that affect the Earth's radiative balance. Greenhouse gases include carbon dioxide (CO ₂), methane (CH ₄), nitrous oxide (N ₂ O), sulfur hexafluoride (CF ₆) and specified kinds of hydro fluorocarbons and perfluorocarbons.
Manager	An employee appointed to a position with a corporate band 3 or higher delegated in accordance with the Delegation and Authorisation Policy and detailed in the Delegations Corporate Register.
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
Volunteer	Any person, who of their own free will, offers to undertake un-paid work for Council and is accepted as a volunteer by the CEO and/or their authorised delegates.
Workers	All persons who perform work on behalf of Council. This includes an employee, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, an apprentice or trainee, work experience participant or a volunteer.

5 Policy Statement

Council is committed to putting sustainability into action through its corporate commitments and governance arrangements; its strategies, services and operations; and its community programs and partnerships. Council seeks to align with national and state policies, whilst simultaneously strengthening our community, environmental and economic resilience.

Council works together with our local residents, communities, businesses, industries and other levels of government to:

- (a) Prioritise a healthy natural environment by protecting, maintaining and enhancing our natural assets;
- (b) Transition towards net zero emissions by accelerating local climate action;
- (c) Create a climate resilient Region by preparing our Council, Region and community to adapt and prosper in a changing climate; and
- (d) Build a low-carbon circular economy by working with business, industry and government to ensure our Region thrives.

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These strategic priorities are identified and further supported by Council's Corporate and Operational Plans and the Sustainability Strategy (Towards 2030).

5.1 Guiding Principles

In applying this policy, Council seeks to embed the following principles within its operations whilst ensuring that Council also gives weight to other factors that are important to the community and the organisation:

- (a) People and leadership – Council encourages a culture of sustainability among its workers and the community. Council leads the community by example, demonstrating its commitment to sustainable practices. Council works in partnership with community and industry to promote awareness, knowledge-sharing, innovation and initiatives that benefit our Region and support a more sustainable community, environment and economy.
- (b) Governance and accountability – Council strives to carry out its operations in a sustainable manner and to integrate sustainability into its processes and decision making. Council complies with all legislation, regulations and other permit and licence requirements relevant to its operations and continues to proactively identify and manage emerging risks and opportunities. When deemed necessary, Council exercises its regulatory powers to facilitate protection of the environment and liveability of our Region.
- (c) Continuous improvement - Council continues to recognise environment and sustainability in its Corporate and Operational Plans and to set measurable objectives and targets. Council seeks to improve its environment and sustainability performance by refining training, policies, systems and procedures to ensure our workers are able to respond to their responsibilities and uphold any relevant policies and legislation.
- (d) Pollution prevention - Council strives to implement processes and practices that control the release of pollutants from its operations. If incidents do occur, Council implements pollution response procedures to minimise harm to the community, environment and economy. Every effort is made to reduce the likelihood of future occurrences.
- (e) Emissions reduction, renewable energy and energy efficiency - Council actively seeks to reduce greenhouse gas emissions from its facilities and operations in line with State and National policies and targets. Energy efficiencies, renewable energy, low carbon technologies, and innovative practices are incorporated where practicable to ensure Council's continued transition towards net zero emissions. To maximise accountability, cost savings and long-term efficiencies, continuous improvement is monitored via regular Corporate Emissions Inventories, with carbon offsets only employed in accordance with the emissions reduction hierarchy.
- (f) Climate risk, resilience and adaptation – Council seeks to understand, acknowledge and address risks and opportunities arising from the organisation's response to climate change. Key to this is recognition that community, environmental and economic resilience is intertwined with climate risk management, and that both climate mitigation and adaptation is a priority to ensure the continued sustainability and liveability of our Region.
- (g) Waste reduction and recycling - Council is committed to moving towards zero waste. Council strives to embrace the principles of a circular economy in all aspects of operations. This means promoting the wise use of resources and exploring opportunities to retain and circulate resources at their highest value for as long as possible. In accordance with the waste hierarchy, Council avoids waste as a first priority, after which options for reuse and recycling should be explored. Disposal is only considered when no other viable solution exists.
- (h) Water management - Council endeavours to make efficient use of water and to reduce the impact of wastewater discharge, run off and fugitive emissions within its areas of operation.
- (i) Biodiversity protection – Council works to protect, maintain and enhance the natural environments under Council's care, with regard for the connectivity of natural systems and habitats. Council also promotes healthy and resilient natural ecosystems, such as urban forests and waterways, that support the liveability of our Region.

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- (j) Sustainable planning, design and infrastructure - To improve community resilience and reduce operating costs over the life of assets, Council encourages ecologically sustainable development and incorporates environmentally sustainable design into relevant new builds and renewal projects. This ensures buildings and facilities are designed, constructed and operated in a manner that significantly reduces negative impacts to both people and the environment.
- (k) Procuring goods and services - When procuring goods and services, Council applies the sound contracting principles set out in the *Local Government Act 2009*. In particular, regard for the environmental protection principle – as reflected and reinforced by Council's Purchasing Policy which supports workers to make ethical purchasing decisions that consider a range of sustainability factors.

5.2 Responsibilities

In implementing this policy:

- (a) Councillors and managers are responsible for promoting, supporting and acting in accordance with this policy; and
- (b) Workers are responsible for working in accordance with this policy, Council's procedures and all applicable environmental approvals, legislative and other requirements relevant to Council.

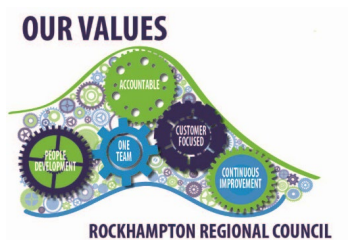
6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	General Manager Community Services
Policy Quality Control	Legal and Governance



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ENVIRONMENTAL SUSTAINABILITY POLICY - PROPOSED AMENDMENT

Final Environmental Sustainability Policy - With track changes

Meeting Date: 11 December 2023

Attachment No: 2

ENVIRONMENTAL SUSTAINABILITY POLICY

COMMUNITY POLICY



1 Scope

This policy applies to all Rockhampton Regional Council activities conducted throughout Council's operations [and services](#).

2 Purpose

The purpose of this policy is to outline Council's commitment to continually improve its environment [and sustainability](#) performance and provides direction as Council encourages a culture of environmental sustainability among its workers and the community.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

Biosecurity Act 2015 (Cwth)

Carbon Credits (Carbon Farming Initiative) Act 2011 (Cwth)

[Climate Change Act 2022 \(Cwth\)](#)

Clean Energy Regulator Act 2011 (Cwth)

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Environment Protection and Biodiversity Conservation Act 1999 (Cwth)

Environmental Protection Act 1994

Environmental Protection Regulation 201908

Fisheries Act 1994

Local Government Act 2009

National Greenhouse and Energy Reporting Act 2007 (Cwth)

Nature Conservation Act 1992

Planning Act 2016

[Recycling and Waste Reduction Act 2020 \(Cwth\)](#)

Vegetation Management Act 1999

Waste Reduction and Recycling Act 2011

Water Act 2000

Australia's Strategy for Nature 2018-2030

[Climate Risk Management Framework for Queensland Local Government](#)

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[Enterprise Risk Management Policy](#)
 Environmental Authorities (licences under the *Environmental Protection Act 1994*)
[Environmentally Sustainable Design Procedure](#)
[Fleet Acquisition Policy](#)~~Fleet Vehicle Greenhouse Gas Emissions Reduction Policy~~
 Purchasing Policy – Acquisition of Goods and Services
[Queensland Climate Action Plan](#)
[Queensland Organic Strategy and Action Plan](#)
[Queensland Protected Area Strategy](#)
[Queensland State Disaster Management Plan](#)
[Queensland Strategy for Disaster Resilience](#)
 Queensland Waste Management and Resource Recovery Strategy
[Queensland Zero Emission Vehicle Strategy](#)
 Rockhampton Regional Council Biosecurity Plan ~~for Pest Management~~
 Rockhampton Regional Council Corporate Plan
[Rockhampton Regional Council Economic Development Strategy](#)
 Rockhampton Regional Council Operational Plan
 Rockhampton Regional Council ~~Environmental~~-Sustainability Strategy [\(Towards 2030\)](#)
[Rockhampton Regional Council Walking and Cycling Strategy](#)
[Rockhampton Region Local Disaster Management Plan](#)
 Rockhampton Region Planning Scheme
 Rockhampton Region ~~Waste Reduction and Recycling Plan~~[Resource Recovery Strategy](#)
 State Planning Policies
[Sustainable Rockhampton Investment Fund Procedure](#)

4 Definitions

To assist in interpretation, the following definitions apply:

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Council	Rockhampton Regional Council

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Councillor/s	The Mayor and/or Councillors of Council, within the meaning of the <i>Local Government Act 2009</i> .
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<u>Environmentally Sustainable Design</u>	<u>The design and development of property and infrastructure that seeks to minimise negative impacts on the environment and the health and wellbeing of occupants by improving building performance.</u>
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Workers	All persons who perform work on behalf of Council. This includes an employee, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, an apprentice or trainee, work experience participant or a volunteer.

5 Policy Statement

~~To ensure the Region remains a great place to live, work, play, learn and invest, Council recognises that we must take care of our environment, so our environment can continue to take care of us both now and in the future.~~

~~Council will achieve this by seeking to:~~

- ~~(a) Protect, maintain and enhance our natural environment;~~
- ~~(b) Strengthen our community capacity to live more sustainably;~~
- ~~(c) Encourage sustainable industry and infrastructure; and~~
- ~~— Continually improve Council's environment and sustainability performance.~~

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Council is committed to putting sustainability into action through its corporate commitments and governance arrangements; its strategies, services and operations; and its community programs and partnerships. Council seeks to align with national and state policies, whilst simultaneously strengthening our community, environmental and economic resilience.

Council works together with our local residents, communities, businesses, industries and other levels of government to:

- (a) Prioritise a healthy natural environment by protecting, maintaining and enhancing our natural assets;
- (b) Transition towards net zero emissions by accelerating local climate action;
- (c) Create a climate resilient Region by preparing our Council, Region and community to adapt and prosper in a changing climate; and
- (d) Build a low-carbon circular economy by working with business, industry and government to ensure our Region thrives.

These strategic priorities are identified and further supported by Council's Corporate and Operational Plans and the Sustainability Strategy (Towards 2030).

5.1 Guiding Principles

In applying this policy, Council ~~will~~ seeks to embed the following principles within its operations whilst ensuring that Council also gives weight to other factors that are important to the community and the organisation:

- (a) People and leadership – Council ~~will~~ encourages a culture of ~~environmental~~ sustainability among its workers and the community. Council ~~will~~ leads the community by example, demonstrating its commitment to ~~environmental protection and~~ sustainable practices. Council ~~will~~ works in partnership with community and industry to promote awareness, knowledge-sharing, innovation and initiatives that benefit our Region and support a more sustainable community, ~~and~~ environment and economy.
- (b) Governance and accountability – Council ~~will~~ strives to carry out its operations in ~~an~~ environmentally sustainable manner and to integrate sustainability into its processes and decision making ~~where practical~~. Council ~~will~~ complies with all ~~environmental~~ legislation, regulations and other permit and licence requirements relevant to its operations and ~~will~~ continues to proactively identify and manage ~~environmental emerging~~ risks and opportunities. When deemed necessary, Council ~~will~~ exercises its regulatory powers to facilitate protection of the environment and liveability of our Region, ~~environmental protection~~.
- (c) Continuous improvement - Council ~~will~~ continues to recognise environment ~~and~~ sustainability ~~as a guiding principle~~ in its Corporate and Operational Plans and to set measurable ~~environmental~~ objectives and targets. Council ~~will~~ seeks to improve its environment ~~and~~ sustainability performance by refining training, policies, systems and procedures to ensure our workers are able to respond to their ~~environmental~~ responsibilities and uphold any relevant policies and legislation.
- (d) Pollution prevention - Council ~~will~~ strives to implement processes and practices that control the release of pollutants from its ~~operations~~ works. If incidents do occur, Council ~~will~~ implements pollution response procedures to minimise harm to the community, environment and economy ~~environmental harm and~~. ~~Every effort is made to~~ where possible take action to reduce the likelihood of future occurrences.
- (e) Emissions reduction, rRenewable energy and energy efficiency - Council ~~will~~ actively seeks to reduce greenhouse gas emissions from its facilities and operations in line with state and national policies and targets. Energy efficiencies, renewable energy, low carbon technologies, and innovative practices are incorporated where practicable to ensure Council's continued transition towards net zero emissions. To maximise accountability, cost savings and long-term efficiencies, continuous improvement is monitored via regular Corporate Emissions Inventories, with carbon offsets only employed in accordance with the emissions reduction hierarchy, work to increase energy efficiency and the level of renewable energy used for its operations. Council will also work to reduce greenhouse gas emissions associated with its operations through sustainable energy

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~~practices, low emission technologies and appropriate carbon offsets.~~

- ~~(e)(f) Climate risk, resilience and adaptation – Council seeks to understand, acknowledge and address risks and opportunities arising from the organisation’s response to climate change. Key to this is recognition that community, environmental and economic resilience is intertwined with climate risk management, and that both climate mitigation and adaptation is a priority to ensure the continued sustainability and liveability of our Region.~~
- ~~(f)(g) Waste reduction and recycling - Council is committed to moving towards zero waste. Council will strives to embrace the principles of a circular economy in all aspects of operations. This means promoting the wise use of resources and exploring opportunities to retain and circulate resources at their highest value for as long as possible, promote the wise use of resources by applying the principles of waste. In accordance with the waste hierarchy, Council avoids waste as a first priority, after which options for reuse and recycling should be explored. Disposal is only considered when no other viable solution exists—reduction in the first instance, followed by reuse, recycling and recovery options and then disposal as the least preferred option.~~
- ~~(g)(h) Water management - Council will endeavours to make efficient use of water and to reduce the impact of wastewater discharge and, run off and fugitive emissions within its areas of operation.~~
- ~~(h)(i) Biodiversity protection – Council will works to protect, maintain and enhance the natural environments under Council’s care, with regard for the connectivity of natural systems and habitats. Council will also promotes act to support healthy and resilient natural ecosystems, such as and urban forests and waterways, that support the liveability of our Region.~~
- ~~(i)(j) Sustainable planning, design and infrastructure - To improve community resilience and reduce operating costs over the life of assets, Council will encourage ecologically sustainable development and incorporates environmentally sustainable design principles into relevant new builds and renewal projects. This ensures buildings and facilities are designed, constructed and operated in a manner that significantly reduces negative impacts to both people and the environment, and consider the potential impacts of climate variability in its strategic land use, infrastructure, transport, development and other planning. Council will also encourage sustainable design, building and maintenance practices, including the use of energy efficient, water wise and low waste approaches, sustainable materials and renewable energy technologies.~~
- ~~(j)(k) Procuring goods and services - When procuring goods and services, Council will apply/ies the sound contracting principles set out in the Local Government Act 2009. In particular, regard for the, —one of which is environmental protection principle – as reflected and reinforced by Council’s Purchasing Policy which supports workers to make ethical purchasing decisions that consider a range of sustainability factors.—Council will also consider the need to make wise use of resources to minimise environmental impact and ensure contractors do the same.~~

5.2 Responsibilities

In implementing this policy:

- (a) Councillors and managers are responsible for promoting, supporting and acting in accordance with this policy; and
- (b) Workers are responsible for working in accordance with this policy, Council’s procedures and all applicable environmental approvals, legislative and other requirements relevant to Council.

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6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services Deputy Chief Executive Officer
Policy Owner	General Manager Community Services Chief Financial Officer
Policy Quality Control	Legal and Governance



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11.24 COMMUNITY ENERGY UPGRADE FUND - GRANT OPPORTUNITY

File No: 15242
Attachments: Nil
Authorising Officer: Alicia Cutler - General Manager Community Services
Author: Christine Bell - Coordinator Environmental Sustainability

SUMMARY

This report outlines a grant opportunity available as part of the Australian Government's Community Energy Upgrade Fund.

OFFICER'S RECOMMENDATION

THAT Council submit a funding application through the Australian Government's *Community Energy Upgrade Fund* to support delivery of an eligible project at the 2nd World War Memorial Aquatic Centre (Southside Pool).

COMMENTARY**The grant opportunity**

The Australian Government is partnering with local governments to deliver the \$100 million Community Energy Upgrade Fund (CEUF). The CEUF will provide grants for energy upgrades at existing local government facilities (co-funding up to 50% of eligible project costs). The grants aim to support local governments to increase the energy efficiency of their facilities; and reduce both their greenhouse gas emissions and energy bills.

Projects eligible for funding include energy upgrades to local government facilities that deliver:

- load flexibility/demand management systems (such as air-conditioning controls upgrades including demand management capabilities at a civic centre);
- electrification upgrades (such as the replacement of a gas boiler with a heat pump and heat recovery at an aquatic centre);
- electric vehicle charging infrastructure (such as smart electric vehicle charging for multiple vehicles at a depot for local government vehicles);
- energy efficiency upgrades (such as variable speed drives fitted to electric motors at a wastewater treatment plant); or
- behind the meter renewables generation and storage (such as a rooftop solar power system with a virtual power plant enabled energy storage system at a childcare centre).

The full grant guidelines are expected to be released in December 2023, with applications scheduled to close in April 2024. Works must be ready for implementation from September 2024.

Proposed project - Southside Pool

Council officers have considered a range of planned projects that could be progressed with assistance from this grant opportunity. Installing behind the meter renewable energy generation and storage at the 2nd World War Memorial Aquatic Centre (Southside Pool) aligns with Council's existing priorities and the grant requirements.

Council resumed responsibility for a portion of the operations of the Southside Pool from 01 July 2023, including electricity. This is an electricity intensive facility, with recirculation pumps and heating systems running 24/7 year-round. This means energy upgrades at this facility have the potential to deliver significant efficiencies and real time cost savings.

Preliminary work, such as LED lighting improvements, optimization of the heating system and a roofing capacity assessment, are being progressed. Council is already preparing to tender the installation of solar at the Southside Pool and could also add battery storage as a potential option. The proposed works will be shovel ready in 2024.

BUDGET IMPLICATIONS

Council has budgeted \$460K towards the Community Assets and Facilities Solar program. Securing additional grant funding would enable Council to progress both solar and battery storage at the Southside Pool or free up capital for Council to invest in other priority energy upgrades.

LEGISLATIVE CONTEXT

There is no specific legislative context associated with this grant.

LEGAL IMPLICATIONS

There are no specific legal implications associated with this grant.

STAFFING IMPLICATIONS

This is competitive funding. Preparing a high-quality grant application will require staff resources from relevant Council sections (particularly the Sustainability Unit and the Community Assets and Facilities Section).

RISK ASSESSMENT

Projects of this nature present potential delivery risks in terms of cost, timing and meeting the requirements of any associated grant agreement. These risks will need to be clearly identified and mitigated to the greatest extent possible via the Project Plan.

CORPORATE/OPERATIONAL PLAN

This grant opportunity will support Council to address the following Corporate/Operational Plan goals:

CP4.2 We pursue innovative and sustainable practices (that continually improve our environment and sustainability performance and contribute to the long-term environmental sustainability of the Region).

OP4.2.2.1 Implement the Sustainability Strategy for the region in accordance with the Annual Action Plan (which includes Strategic Action 4.1 – Accelerate Council's transition towards net zero emissions by actively monitoring and reducing emissions within Council's operational control).

CONCLUSION

This grant enables Council to continually improve environment and sustainability performance by accelerating Council's transition towards net zero emissions, whilst delivering long-term operational savings.

11.25 ZOO - KOALA BROWSE PLANTATION AT CAPRICORNIA CORRECTIONAL CENTRE

File No: 3066
Attachments: Nil
Authorising Officer: Alicia Cutler - General Manager Community Services
Author: Liz Bellward - Curator Rockhampton Zoo

SUMMARY

Rockhampton Zoo and Capricornia Correctional Centre have been in discussions regarding a potential partnership for the development and ongoing operation of a eucalypt plantation at the Capricornia Correctional Centre.

Both parties wish to commence the establishment of the plantation under a Memorandum Of Understanding (MOU) with endorsement from the Queensland Corrective Services Commissioner and Rockhampton Regional Council.

OFFICER'S RECOMMENDATION

THAT Council endorse the signing of a Memorandum of Understanding between Queensland Corrective Services and Rockhampton Regional Council to commence the establishment of a koala browse plantation at Capricornia Correctional Centre.

COMMENTARY

Rockhampton Zoo has been in negotiations with Capricornia Correctional Centre regarding the establishment of a koala browse (food) plantation on their site at Etna Creek. See Figure 1 below.

The Zoo currently has insufficient eucalypt browse to feed the two koalas at the Zoo and have been looking for a suitable site (flood free, cleared, access to water) for a new plantation for some time.

Currently, browse is collected off site from wild trees across the region and is considered unsustainable and at considerable risk of lack of food during drought. Current levels of wild eucalyptus suitable for the koalas is getting more and more difficult to find resulting in Zoo staff having to travel further and further to harvest. Should we enter drought conditions again, harvesting enough browse to feed the koalas will prove very challenging. Establishing an irrigated and easily maintained plantation will provide a sufficient long term resilient food source for our koalas.

This partnership will be beneficial for both the Zoo and Correctional Centre. It will develop stronger relationships between both parties, assisting potential future collaborations.

Planting in early 2024 aims to provide harvestable trees by 2027/2028.

Benefits to RRC

- A sustainable food source for our koalas with access to land that is cleared, flood free and access to town water.
- Cost effective establishment, maintenance and harvesting of koala browse.
- Sufficient browse to feed up to 4 koalas, allowing us to fill the empty enclosure and potentially breed.

Benefits to Capricornia Correctional Centre

- More productive utilisation of allocated land.
 - Meaningful and rewarding work for prisoners with potential for vocational skills qualifications.
 - Restorative justice by giving back to the community.
 - Supporting a community asset that is iconic to the region.
 - Helping feed an endangered species.
-

Details of early negotiations to date:

Length of Agreement	15-20 Years
Number of Trees	<p>~3,800 eucalyptus for koalas (= food for 4 koalas)</p> <p>~200 different browse species for other animals e.g., chimps, gibbons, birds.</p> <p>Please see species list below.</p>
Capricornia Corrections Centre Responsibilities	<ul style="list-style-type: none"> • Trade Instructors (TIs) and prisoners to lay irrigation, mulch and plant trees • TIs and prisoners to maintain plantation <ul style="list-style-type: none"> ○ Slashing of vehicle access lanes ○ Weeding – by hand and spraying ○ Pollarding trees ○ Pruning trees ○ Fertilising trees ○ Checking irrigation ○ Mulching • TIs and prisoners to harvest browse <ul style="list-style-type: none"> ○ Approximately every 2 days ○ Approximately 1 full utility tray full ○ Frequency and quantity may vary dependant on the quality of browse, as well as koala numbers • TIs and prisoners to construct shade shelter for browse storage • Access to town water • Land use approvals
RRC Responsibilities	<ul style="list-style-type: none"> • Provide technical expertise to ensure the plantation is delivered and maintained to optimum capacity • Irrigation – already purchased • Plants – already purchased majority • Mulch – already purchased 40 rolls. More will be required. • Fertiliser • Herbicides • Materials to construct shelter for storage of harvested browse (estimated <\$5,000) • Materials for pegging / marking plantation – already purchased • Plantation designs in consultation with Corrections Centre • Training to Trade Instructors (TIs) and prisoners for irrigation, planting, maintenance and harvesting • Periodic reviews of plantation maintenance and harvesting • Collection of browse • Cost of water usage (TBC)
RRC Site Access	<p>7 days per week for browse collection.</p> <p>5 days per week for plantation inspection and initial setup and training.</p> <p>Must comply with Corrections' procedures for access.</p>

Property / Ownership	<p>The plantation trees, irrigation and shade structure will remain the property of RRC until the termination of the agreement.</p> <p>At the end of the agreement, the agreement will either be extended, or Capricornia Corrections Centre will take ownership of the plantation trees, irrigation and shade structure.</p>
Review Dates	<p>Terms of the MOU are to be reviewed annually, or earlier if required.</p>
Target Dates	<p>12/12/2023 – Council Endorsement</p> <p>30/12/2023 – Queensland Corrective Services Commissioner Endorsement</p> <p>28/02/2024 – MOU signed</p> <p>01/04/2024 – Commence construction of plantation</p> <p>From 04/2027– Commence harvesting</p>

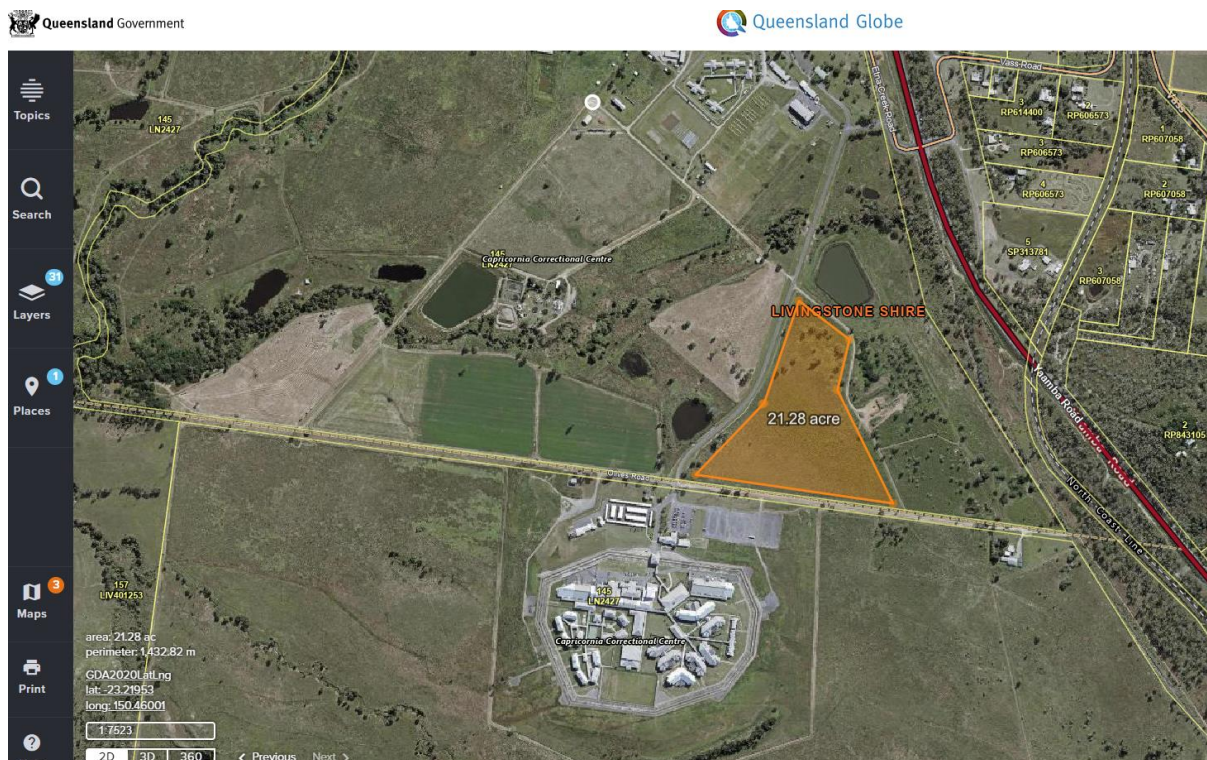


Figure 1 – Capricornia Correctional Centre at Etna Creek, QLD, proposed koala browse plantation highlighted in orange.

Tree species for Koalas

- Flooded (*Eucalyptus grandis*)
- Grey Top Box (*Eucalyptus moluccana*)
- Swamp Mahogany (*Eucalyptus robusta*)
- Tallow Wood (*Eucalyptus Microcorys*)
- Blue Gum (*Eucalyptus tereticornis*)
- Peppermint Gum (*Eucalyptus radiata*)
- Queensland peppermint gum (*Eucalyptus exserta*)
- River Red Gum (*Eucalyptus camaldulensis*)

Tree species for other animals at the zoo

- Northern olive
- Various figs
- Corkwood
- Pink euodia
- Milkwood
- Milkypine
- Umbrella tree
- Lilly pilly various
- Whoolly bush
- Tea tree
- Grevilias
- Bamboo
- Leichardt tree
- Privet
- Hibiscus

BACKGROUND

It is recommended to have access to 1,000 eucalyptus trees per koala to ensure they have sufficient food as koalas only eat the very new and fresh tip / growth, not the older leaves.

Rockhampton Zoo currently houses 2 koalas and has an empty koala enclosure. We have been unwilling to fill this enclosure due to not having access to enough food for a third koala.

The current koala plantation located at the Botanic Gardens is approximately 6 acres in total, but has not been maintained for many years. Although there are approximately 900 trees, only 300 are usable due to size. Due to how large the remainder of the trees are, there is a high chance of die off if we were to pollard them to a height where they could be harvested from. Some of this land has been flagged for a future expansion of Rugby Park.

Currently we are unable to feed both our koalas from the plantation and staff are required to collect browse offsite from the side of roads across the Rockhampton and Livingstone regions. During dry and drought time, this becomes difficult. With the predicted increase in extreme events, this is a real threat to koalas in our collection. As koalas only eat eucalyptus, if we are unable to provide reliable, sustainable food, we may need to rehome them in the future.

PREVIOUS DECISIONS

Rockhampton Zoo has made several attempts over the years to plant clumps of trees around Rockhampton but have planted them in areas that either flood (lost all in first flood) or with no irrigation and they have died.

2022 – Negotiations with CQU which didn't proceed due to a review of the whole of site usage.

2023 – More detailed investigations into expanding current plantation at Botanic Gardens but restrictions are not ideal due to it being a previous landfill site as well as flood effected.

BUDGET IMPLICATIONS**Establishment Costs**

Initial estimates of establishing a plantation of this size were approximately \$140,000 and was allocation in the 2022-2023 budget. Due to challenges in finding a suitable site, this money was deferred.

The partnership with Corrections allows the project to be delivered in a highly cost-effective manner with sufficient funds in the current operational budget to establish the plantation.

Operational Costs

Ongoing operational costs to maintain the plantation were initially budgeted at approximately \$65,000 including oncosts (0.5 FTE). Due to Corrections maintaining the plantation and RRC monitoring, those costs have reduced significantly to approximately \$10,000/year including oncosts. This will primarily consist of site inspections and training.

Year	Tasks
Current operations	RRC - Wild harvesting
2023-24	Corrections <ul style="list-style-type: none"> • Earthworks • Lay Irrigation • Distribute Mulch • Plant Trees RRC – Supervision and training
2024-25	Maintenance by Corrections <ul style="list-style-type: none"> • Weed by hand • Weed spraying • Slashing • Trimming • Checking & repairing irrigation • Fertilising RRC – period inspections and training
2025-26	Same as 2024-2025 with additional trimming
2026-27	Same as 2024-2025 with additional task of pollarding (topping) trees. Pollarding alters trees' natural growth habit and stimulates leaf growth. This also allows the trees to be maintained at a height that is safe and efficient for harvesting.
2027 onward	Same as 2024-2025 with additional tasks of Corrections harvesting and constructing of basic shade shelter to store harvested browse. RRC – collect browse once Corrections have harvested.

LEGISLATIVE CONTEXT

Under Section 4 of the Australian Animal Welfare Standards and Guidelines for Exhibited Animals – Koalas (2019), it states;

- Objective - Animals are provided food and water of an appropriate quality and quantity to maximise their welfare.
- S4.1 - The operator must demonstrate access to a sustainable supply of fresh eucalypt browse from a minimum of five species of koala food trees including at least three which are a preferred or primary browse species before obtaining any koalas.
- S4.4 The operator must ensure koalas are provided with fresh browse in good condition from a minimum of 2 species of koala food trees per day.
- G4.6 - Facilities should be self-sufficient in provision of eucalypt browse from a managed or cultivated source.

LEGAL IMPLICATIONS

Once Council and the Commissioner have both endorsed this partnership, an MOU will be signed to document the agreed terms for both parties.

STAFFING IMPLICATIONS

Currently zoo staff are allocated in their daily schedules 2 hours per cut, but due to having to travel further to find suitable browse, are taking on average 2.5 hours per trip but sometimes up to 3 hours. This will only increase as drought conditions increase. This is resulting in a sacrifice on animal husbandry on the harvest days, which isn't acceptable long term.

To ensure the safety of our team while conducting offsite and roadside cuts, 2 people are required putting substantial pressure on the daily zoo keeping responsibilities.

Collecting from the corrections centre can be achieved in the allocated / budgeted 2 hour return trip allowing staff to fulfil their animal husbandry and welfare duties. A different collection option might also present itself making the process even more efficient.

RISK ASSESSMENT

As an MOU is not legally binding, it can expose RRC to the risk of Capricornia Correctional Centre changing the terms if they wish. With the Commissioner approval in place, we believe this risk is minimized significantly.

Risk of losing koalas from the Rockhampton Zoo collection – should drought continue to reduce the available browse in wild cuts, we may need to consider rehoming one or both koalas should we be unable to feed them. Establishing a managed plantation with a consistent and reliable food source would remove this risk.

Risk of compromised husbandry and care for the animals at the zoo as more and more time is taken to source food for the koalas.

CONCLUSION

Providing a consistent, reliable and sustainable food supply for our koalas while ensuring we are not compromising the needs of other zoo animals, is vital to the success of Rockhampton Zoo. This can best be achieved through establishing a well-managed plantation.

Establishing a plantation at the Capricornia Corrections Centre provides an opportunity with many mutual benefits.

The zoo needs the plantation to continue housing koalas and to expand our collection. The proposed site and partnership offers RRC;

- Water
- Cleared land
- Outside of flood zones
- A team to establish, maintain and harvest, with supervision and training from RRC
- Significant savings on establishment and ongoing maintenance costs.

It is the most suitable site identified to date, with the additional benefits of the Corrections Centre helping with establishment, maintenance and harvesting.

11.26 ZOO - ROCKHAMPTON ZOO MANAGEMENT POLICY

File No: 11979
Attachments: 1. [Zoo Management Policy](#)
Authorising Officer: Alicia Cutler - General Manager Community Services
Author: Liz Bellward - Curator Rockhampton Zoo

SUMMARY

The Rockhampton Zoo Management Policy has been developed to set the future direction and management of the Zoo and ensures the zoo meets industry and legislative standards and setting future direction.

OFFICER'S RECOMMENDATION

THAT Council endorses the Rockhampton Zoo Management Policy.

COMMENTARY

Rockhampton Zoo is a treasured and much-loved community asset of Rockhampton Regional Council and has evolved greatly over the last 100 years. The Zoo is seen as our premier visitor experience that offers a unique range of animals, encounters, experiences and also actively contributes to conservation. Success of the zoo has been largely due to community support and loyalty as well as continuous improvement in the zoo presentation and management.

With the zoo industry transforming considerably in terms of no longer keeping wildlife in captivity for entertainment purposes only. The new standards for zoos have a strong focus on animal welfare, conservation, education and sustainability. Recent projects in the zoo have delivered high quality outcomes such as the new Eagle and Gibbon enclosures.

Developing and implementing a Zoo management policy is seen as a vital next step in ensuring our Zoo continues to meet and exceed legislative requirements and continues to grow and develop as an industry leader of animal husbandry, visitor experience and wildlife conservation.

The Zoo Management policy will provide direction and objectives for the management of the zoo, ensuring we continue to meet and exceed industry standards and continue to strive for excellence in all aspects of operations and development.

BACKGROUND

Over the last 100 years, zoos have evolved from small, concrete pits and cages to more naturalist enclosures where we aim to simulate the animals' natural behaviours and habitats. Zoos have evolved from meeting minimum needs of survival such as food and water, to ensuring we meet positive welfare standards ensuring the animals thrive, not just survive. This is achieved through meeting physical (nutrition and health), behavioural, environmental and mental needs of the animals.

Legislative requirements for exhibiting animals have also improved greatly over this time with stricter permitting requirements and minimum standards set for each species.

Rockhampton Zoo unfortunately did not keep up with these changes for many years resulting in consideration of closing the zoo on animal welfare grounds. There was also little to no contribution to education or conservation from RRC. Once the decision was made to keep the zoo open, RRC has improved considerably in keeping up with the evolving situation with zoos around the world, meeting and often exceeding industry standards and public expectations through;

- Larger, more naturalist enclosures
 - Improved animal welfare through enclosure design, nutrition reviews, training and enrichment programs meeting the animals physical, behavioural and mental needs
-

- Providing educational opportunities through keeper talks (in person and online), signage, encounters and educational fact sheets on each species at the zoo
- Contributing to conservation projects via financial contribution of 15% of all donations to the zoo, as well as 15% of all revenue raising activities such as encounters, Junior Zookeepers and animal sponsorship
- Participating in the Zoos and Aquariums Australasia (ZAA) Species Management Programs and Regional Species Programs
- Meeting ZAA Welfare Accreditation Program requirements

By adopting a management policy, Rockhampton Zoo will continue to meet or exceed legislative requirements.

PREVIOUS DECISIONS

The policy has been discussed at a briefing session of Council on 21 November 2023.

BUDGET IMPLICATIONS

Minimal budget implications associated with the proposal. We are currently meeting the proposed Policy under the current budget.

LEGISLATIVE CONTEXT

Meeting legislative requirements of Biosecurity Queensland of minimum standards for exhibiting animals in Queensland. We are currently meeting these requirements.

LEGAL IMPLICATIONS

No identified legal implications

STAFFING IMPLICATIONS

Minimal staffing implications associated with the proposal. We are currently meeting the proposed Policy under the current staffing levels.

RISK ASSESSMENT

No foreseen risk in implementing Policy.

Risk of not implementing Policy – Zoo may return to standards that do not meet Council standards or legislative requirements.

CORPORATE/OPERATIONAL PLAN

CONCLUSION

Having a clear Policy in place around the management of Rockhampton Zoo is important to ensure future management of Rockhampton Zoo continues to grow the zoo and run the zoo in a way that RRC are proud of and in line with industry standards and council objectives.

ZOO - ROCKHAMPTON ZOO MANAGEMENT POLICY

Zoo Management Policy

Meeting Date: 11 December 2023

Attachment No: 1

ROCKHAMPTON ZOO MANAGEMENT POLICY

ADMINISTRATIVE POLICY



1 Scope

This policy applies to the Rockhampton Zoo and the employees responsible for the management of the Zoo's species and all zoo related activities conducted by Rockhampton Regional Council within the Rockhampton Region.

2 Purpose

The purpose of this policy is to provide a framework to support Council's commitment in the operation of the Zoo with a united vision for the operations of the Zoo, animal care, education, conservation, and species management.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

Animal Care and Protection Act 2001

Biosecurity Act 2014

Exhibited Animals Act 2015

Exhibited Animals Regulation 2016

Nature Conservation Act 1992

Animal Transfers Policy - ZAA

Animal Transfers Procedure - ZAA

Animal Visitor Interactions Position Statement - ZAA

Guidelines Animal Euthanasia - ZAA

Member Policy - ZAA

Attraction and Retention Policy

Flexible Working Arrangements Policy

Purchasing Policy – Acquisition of Goods and Services

Regional Species Planning and Management Policy - ZAA

Rockhampton Zoo Euthanasia Approval Procedure

Training and Professional Development Policy

4 Definitions

To assist in interpretation, the following definitions apply:

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AVI	Animal Visitor Interaction (formerly encounters)
BQ	Biosecurity Queensland
CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Contractor	A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to another person, organisation or entity under an agreement enforceable by law.
Council	Rockhampton Regional Council
LT	Leadership team, consisting of the CEO, Deputy Chief Executive Officer, general managers, Executive Manager Advance Rockhampton, Manager Workforce and Governance and Chief Financial Officer.
ZAA Region	ZAA Region of Australasia
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.
SMP	Species Management Program
Species Coordinator	As defined in the Regional Species Planning and Management Policy, the primary manager of a specific ZAA SMP.
Volunteer	Any person, who of their own free will, offers to undertake unpaid work for Council and is accepted as a volunteer by the Chief Executive Officer and/or their authorised delegates.
ZAA	Zoo and Aquarium Association
Zoo	Rockhampton Zoo

5 Policy Statement

5.1 Background

Rockhampton Zoo was established in 1925 and is located within the 150-year-old heritage listed Rockhampton Botanic Gardens. The Zoo is free and attracts approximately 200,000 visitors per year. It is home to a range of species including chimpanzees, meerkats, otters, gibbons and macaws, as well as an impressive collection of Australian animals including kangaroos, emus, koalas, wombats, dingos, snakes, frogs, lizards, monitors, cassowaries, a wedge tailed eagle, turtles and a variety of birds.

The Zoo holds a special place in the heart of the Region's locals, with many growing up visiting the animals regularly and watching them grow up beside them, in particular the chimpanzees. Being a free Zoo, it also attracts many visitors travelling the coast and now offers a variety of keeper talks, animal encounters and tours to encourage people to stay in the Region longer and to enhance the experience for locals.

The Zoo is run by a highly qualified and experienced team of zookeepers and leaders from within the zoological industry. Most staff hold tertiary and some even post-graduate degrees in their field and are very passionate and committed to the Zoo and the animals.

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The Zoo is an accredited member of ZAA, which is the industry body for Zoos and Aquariums across Australasia. The accreditation process is extremely rigorous to ensure members are providing the best care, safety and welfare to their staff, animals and the public. ZAA provides a community of industry leaders that share best practice and work collaboratively in cooperative breeding programs to ensure species specific social needs are met, as well as ensuring genetic integrity of the regional breeding programs. ZAA also works closely with sister organisations in other regions, such as America and Europe, to import and export animals as required to ensure the required genetic variation is introduced into the programs.

The Zoo industry within Queensland is also highly governed by BQ ensuring permitted zoos are meeting minimum standards in terms of enclosure design, containment, staff skill and expertise, safety and animal welfare.

The Zoo makes a valuable contribution to conservation projects by donating 15% of all funds raised through animal encounters and guest donations. Since this has commenced, the Zoo has supported Australian animals who were affected by the catastrophic bushfires of 2019/2020, projects in Liberia to protect chimpanzees from poachers, assisted in valuable research on koalas in Central Queensland, helped protect otters in the wild, as well as helped with funding of the Central Queensland Turtle program.

Council recognises that the Zoo makes a direct and vital contribution to the prosperity and liveability of the community for both local residents and in attracting tourists to the Region.

To continue its commitment to investing in the Zoo, Council supports the General Manager Community Services, the Manager Parks and the Curator/Director Zoo's decisions to achieve the guiding principles outlined in paragraph 5.2. These decisions, as required, are made in consultation with the Zoo's employees, Council management, industry experts, industry minimum standards, ZAA, BQ and veterinary advisors.

The guiding principles are achieved in line with regulations and industry standards, whilst balancing the needs of Council and the desire to increase visitor numbers and enhance visitor experience.

The General Manager Community Services and Manager Parks are responsible for managing the available budgets and have authority to support the ongoing species management as required in terms of:

- (a) Infrastructure capital expenses;
- (b) Ongoing operational expenses;
- (c) Transfer of animals;
- (d) Training of employees to obtain required, specialised skills;
- (e) Employee travel required for training, animal selection and animal transport; and
- (f) Reporting to Council on relevant Zoo matters.

5.2 Guiding Principles

5.2.1 Animal Welfare

Zoo animal welfare guiding principles include:

- (a) Meet and where possible exceed industry minimum standards for exhibiting animals;
- (b) Provide exceptional husbandry, veterinary and welfare standards for the animals;
- (c) Fulfill animal needs in terms of nutrition, environment, behaviour, physical and mental health;
- (d) Ensure animals are living a high quality of life, physically and mentally; and
- (e) Ensure animals "thrive", not just "survive".

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5.2.2 Employee Welfare

Employee welfare guiding principles include:

- (a) Meet industry standards for zookeepers;
- (b) Provide attractive working conditions for employees including training and development, work-life balance and competitive salary arrangements in accordance with the following policy documents:
 - (i) Training and Professional Development Policy;
 - (ii) Flexible Working Arrangements Policy; and
 - (iii) Attraction and Retention Policy, and
- (c) Provide support, if required, through the Employee Assistance Program.

5.2.3 Species Management

The selection of species held at the Zoo is made by the Curator/Director Zoo after consultation with Zoo employees, LT and industry experts taking into account the following considerations. Not every consideration must be met, but all should be considered as a whole, not in isolation:

- (a) Capital expense to establish;
- (b) Operational ongoing expense;
- (c) Infrastructure required or already available;
- (d) Availability and genetic diversity within and outside of the Region:
 - (i) Availability of animals;
 - (ii) Animals must have high genetic integrity; and
 - (iii) If intending to breed, need unrelated animals in the Region or be prepared to import.
- (e) Displays well/public interest:
 - (i) Are the animals popular?;
 - (ii) Will the animals draw people to the zoo?;
 - (iii) Are the animals active and will keep guests engaged?;
 - (iv) Do they bring activity, colour, social dynamics, auditory and visual stimulation to the zoo?; and
 - (v) Do they complement the current collection?.
- (f) Number of animals that can be housed together;
- (g) Part of a Regional Program through ZAA;
- (h) Conservation status – are they threatened, endangered or critically endangered?;
- (i) Do we have/can we gain the appropriate skills – zookeepers and veterinary?;
- (j) Are they suitable for AVIs?:
 - (i) Can the AVI generate revenue?.
- (k) Are they suitable for education purposes?:
 - (i) Interactive education talks?; and
 - (ii) Display education?

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- (l) Animal welfare considerations:
 - (i) Are they suitable for Rockhampton's climate?;
 - (ii) What area is required?;
 - (iii) What population size is ideal for their welfare?; and
 - (iv) Can we meet their social dynamics?.
- (m) Carrying capacity of proposed enclosure;
- (n) Breeding plans:
 - (i) Are the animals suitable for breeding?;
 - (ii) Can we house the offspring?;
 - (iii) Can we rehome the offspring?; and
 - (iv) Do we have suitable breeding facilities?
 - (v) Population management/contraception – how do we control breeding?;
- (o) Capture, restraint and transport requirements:
 - (i) How do we do this safely?; and
 - (ii) Can we do this easily in an emergency situation?
- (p) Age demographics/succession planning:
 - (i) What are the ages of the current animals housed at the Zoo?;
 - (ii) Can we replace as they reach end of life?; and
 - (iii) Should we be breeding or acquiring?
- (q) Mixed species exhibits – can more than one species be housed in the enclosure to:
 - (i) Reduce capital and operational costs;
 - (ii) Increase animal interactions and activity – more interesting for guests to view; and
 - (iii) Can assist with educational messages if the species would share habitat in the wild.
- (r) Safety:
 - (i) Ensure the highest safety for the animals, the public and the employees.

5.2.4 Contribution to Regional Zoo Programs and ZAA Membership

Contribution to Regional Zoo Programs and ZAA Membership guiding principles include:

- (a) Ongoing membership to ZAA;
- (b) Take an active role in supporting the Australasian zoo community and programs through ZAA;
- (c) Participation in SMPs;
- (d) Participation in ZAA coordinated educational campaigns; and
- (e) Compliance with ZAA Species Coordinator recommendations including breeding recommendations, management and transfers (domestic and international) to support genetic integrity and health within the ZAA region.

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5.2.5 Safety and Compliance

Safety and compliance guiding principles include:

- (a) Care for and interact with animals while ensuring the safety of our guests, employees, volunteers, contractors and animals;
- (b) Meet construction and maintenance standards of infrastructure to ensure the safe and compliant containment of animals and the safety of all;
- (c) Developing and investing in our employees in accordance with the Training and Professional Development Policy to ensure they have the skills to provide the required, specialised care for the animals in a safe and compliant manner;
- (d) Compliance with all relevant Federal, State and local legislation and minimum standards for exhibiting animals; and
- (e) Compliance with ZAA and BQ requirements.

5.2.6 Community Engagement

Community engagement guiding principles include:

- (a) Maintain and foster the local community pride and ownership of the Zoo;
- (b) Provide a destination, experiences and programs that encourage locals to visit the Zoo more regularly;
- (c) Provide a destination and experiences that increase the length of time spent at the Zoo for each visit;
- (d) Provide activities at the Zoo which engage the public in a variety of ways to maintain the repeat visitation and engagement;
- (e) Provide a destination and experiences that attract visitors to the Region and increase their time spent in the Region;
- (f) Maximise Zoo website and various media and social media channels to promote the zoo to increase our public reach and engagement;
- (g) Work cooperatively with other Council units for example, libraries and Rockhampton Museum of Art to cross promote units and customer offerings; and
- (h) Maximise opportunities to raise revenue for Council.

5.2.7 Education

Education guiding principles include:

- (a) Provide experiences that educate, engage and inspire our guests to make a difference in protecting wildlife;
- (b) Participate in research to facilitate education, engagement and inspire action; and
- (c) Participate in research to contribute to the conservation of species.

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5.2.8 Conservation and Sustainability

Conservation and sustainability guiding principles are:

- (a) Actively contribute to the conservation of wildlife and their native habitats through participation in breeding programs, breed and release programs and/or fundraising for conservation programs;
- (b) Actively participate in sustainability initiatives;
- (c) To educate the public and raise awareness of the need to protect wildlife and conserve their natural habitats, and how they can help in the process;
- (d) Educate, engage and inspire the public on how they can contribute to the sustainability of our planet; and
- (e) Participate in research to help support conservation and sustainability.

5.2.9 Acquisition and Disposition of Species

Acquisition and disposition of species guiding principles are:

- (a) To work cooperatively with other zoos for the acquisition of desired species;
- (b) To work cooperatively with ZAA SMP members and follow Species Coordinator recommendations in regard to transfers in and out of the Zoo in accordance with ZAA's Animals Transfer Policy;
- (c) The receiving zoo is responsible for all transport costs unless negotiated otherwise;
- (d) If animals cannot be sourced from zoos, where legal to purchase from breeders, for example, some bird and reptile species, this option may be explored; and
- (e) If an animal's health or quality of life is suffering, and unable to be remedied, euthanasia is considered in accordance with ZAA's Euthanasia Policy and the Zoo's Euthanasia Approval Procedure.

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the Council.

7 Document Management

Sponsor	Chief Executive Officer
Business Owner	General Manager Community Services
Policy Owner	Manager Parks
Policy Quality Control	Legal and Governance



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12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - MAYOR TONY WILLIAMS - RENEWABLE ENERGY

File No: 15167

Attachments: 1. [Notice of Motion](#)

Responsible Officer: Justin Kann – Manager Office of the Mayor

SUMMARY

Mayor Tony Williams has indicated his intention to move a Notice of Motion at the Council meeting on 12 December 2023 regarding Renewable Energy.

MAYOR'S RECOMMENDATION

THAT Council:

1. Acknowledges the global shift towards clean energy and a more sustainable economy;
2. Recognises the important role local government plays in representing the community and supporting long-term economic growth and development;
3. Acknowledges the actions of neighbouring councils to engage with renewable projects and the likelihood that the Rockhampton Region will be left behind should it not engage with the transition;
4. Acknowledges and supports investments being made in the energy transition and the jobs and benefits this can deliver;
5. Supports engagement between Council and government, industry and the community to ensure positive outcomes are secured through energy transition, including:
 - a) Maximising local jobs and content in renewable energy projects
 - b) Decarbonisation of our economy
 - c) Increased community and neighbour benefits
 - d) Strengthened landowner rights through an independent support service and information to help local communities engage with renewable energy projects
 - e) Review and strengthening of environmental protections to recognise unique environmental elements and ensure they meet current needs
 - f) Better understanding of the cumulative impact of the energy transition to regional environments and how to manage this
 - g) Development of a robust circular economy which supports the recycling and recovery of renewable energy components;
6. Supports Council working with State and Federal Government to see new industries and jobs established which align to the renewables sector;
7. Advocate to State and Federal candidates at the upcoming elections to support these aims.

BACKGROUND

There is currently a significant number of renewable energy investments being made across the Central Queensland region, including a number of wind, solar and battery projects in areas around Rockhampton.

These projects provide an opportunity to secure local jobs and content and ensure that the energy transition delivers outcomes for local communities.

There is also a number of current and expected reform initiatives which will be implemented by State and Federal Government.

It is important that Council engage with government, industry and the community to advocate for positive change and support the development of the renewable energy sector which will decarbonize our economy while ensuring the ongoing protection of our natural environment.

With other neighbouring councils and regions actively engaged in the energy transition, it is important that Council works with all groups and stakeholders to ensure the long-term security of local jobs, business and industry.

**NOTICE OF MOTION –
MAYOR TONY WILLIAMS -
RENEWABLE ENERGY**

Notice of Motion

Meeting Date: 11 December 2023

Attachment No: 1



OFFICE OF
THE MAYOR

MAYOR TONY WILLIAMS

ROCKHAMPTON REGIONAL COUNCIL

Evan Pardon
Chief Executive Officer
Rockhampton Regional Council
232 Bolsover Street
Rockhampton, Qld 4700

Dear CEO,

I hereby give notice of my intent to move the following Motion regarding renewable energy at the Council Meeting on 12 December 2023:

“That Council:

- 1. Acknowledges the global shift towards clean energy and a more sustainable economy;**
- 2. Recognises the important role local government plays in representing the community and supporting long-term economic growth and development;**
- 3. Acknowledges the actions of neighbouring councils to engage with renewable projects and the likelihood that the Rockhampton Region will be left behind should it not engage with the transition;**
- 4. Acknowledges and supports investments being made in the energy transition and the jobs and benefits this can deliver;**
- 5. Supports engagement between Council and government, industry and the community to ensure positive outcomes are secured through energy transition, including:**
 - a) Maximising local jobs and content in renewable energy projects**
 - b) Decarbonisation of our economy**
 - c) Increased community and neighbour benefits**
 - d) Strengthened landowner rights through an independent support service and information to help local communities engage with renewable energy projects**
 - e) Review and strengthening of environmental protections to recognise unique environmental elements and ensure they meet current needs**
 - f) Better understanding of the cumulative impact of the energy transition to regional environments and how to manage this**

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- g) Development of a robust circular economy which supports the recycling and recovery of renewable energy components;
- 6. Supports Council working with State and Federal Government to see new industries and jobs established which align to the renewables sector;
- 7. Advocate to State and Federal candidates at the upcoming elections to support these aims.”

Yours faithfully,



Tony Williams
Mayor
Rockhampton Regional Council
5 / 12 / 2023

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS/QUESTIONS

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

15 CLOSURE OF MEETING