



ORDINARY MEETING

MINUTES

28 JULY 2020

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 28 JULY 2020 COMMENCING AT 9:02AM**

1 OPENING

1.1 Acknowledgement of Country

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Deputy Mayor, Councillor N K Fisher
Councillor S Latcham (via video stream)
Councillor A P Williams
Councillor C E Smith (via video stream)
Councillor M D Wickerson
Councillor D Kirkland

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Ms C Bell – Coordinator Environmental Sustainability
Mr T Gardiner – Senior Planning Officer
Ms L Leeder – Senior Committee Support Officer
Ms K Walsh – Committee Support Officer

In Attendance via video stream:

Ms A Cutler – Chief Financial Officer
Mr A Pont – Acting General Manager Community Services
Ms T Sweeney – Executive Manager Workforce and Governance
Mr D Morrison – Manager Office of the Mayor
Mr R Dunkley – Manager Community Assets and Facilities
Mr M Mansfield – Coordinator Media and Communications

*Note: To comply with social distancing measures
the number of people permitted at any one time in Council Chambers is 14
with attendance in the room managed accordingly.*

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 LEAVE OF ABSENCE - COUNCILLOR CHERIE RUTHERFORD

File No: 10072

Responsible Officer: Evan Pardon – Chief Executive Officer

COUNCIL RESOLUTION

THAT Councillor Cherie Rutherford be granted leave of absence for the meeting today, 28 July 2020.

Moved by: Councillor Wickerson

Seconded by: Mayor Strelow

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 14 July 2020 be taken as read and adopted as a correct record.

Moved by: Councillor Kirkland

Seconded by: Councillor Williams

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

7.1 DEPUTATION FROM BRUCE KRENSKE - ELIDA LANE, MOUNT ARCHER WASTE COLLECTION

File No: 8238
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Council has received a deputation request from Mr Bruce Krenske regarding the waste collection in Elida Lane, Mount Archer.

9:04AM The deputation from Mr Bruce Krenske commenced via Webex
9:08AM The deputation concluded

COUNCIL RESOLUTION

THAT the deputation be received.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

8 PRESENTATION OF PETITIONS

Nil

9 COUNCILLOR/DELEGATE REPORTS

9.1 LEAVE OF ABSENCE COUNCILLOR ELLEN SMITH - 10 TO 14 AUGUST 2020

File No: 10072
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Megan Careless - Executive Support Officer

SUMMARY

Councillor Ellen Smith is seeking leave of absence from Monday 10 August 2020 to Friday 14 August 2020 inclusive.

COUNCIL RESOLUTION

THAT Councillor Ellen Smith be granted leave of absence from Monday 10 August 2020 to Friday 14 August 2020 inclusive.

Moved by: Mayor Strelow
Seconded by: Councillor Wickerson

MOTION CARRIED

10 OFFICERS' REPORTS

10.1 FREEHOLD LEASE WITH RED CROSS AUSTRALIA FOR 32 THOMPSON AVENUE MT MORGAN

File No: 1799
Attachments: Nil
Authorising Officer: Richard Dunkley - Manager Community Assets and Facilities
Aaron Pont - Acting General Manager Community Services
Author: Brianna Jahnke - Coordinator Community Assets

SUMMARY

In accordance with Section 236(1)(b)(ii) of the Local Government Regulation 2012 (Qld) a Council resolution is sought for the commencement of a Freehold Lease with the Australian Red Cross for 32 Thompson Avenue Mt Morgan (Lot 2 SP100506).

COUNCIL RESOLUTION

1. THAT pursuant to Section 236(1)(b)(ii) of the *Local Government Regulation 2012* (Qld) Council approve the Freehold Lease for a period of 2 years as identified in the report; and
2. THAT the Chief Executive Officer (Manager Community Assets & Facilities) be authorised to negotiate the terms and conditions Freehold Lease with the Australian Red Cross.

Moved by: Councillor Wickerson

Seconded by: Councillor Kirkland

MOTION CARRIED

10.2 D/280-2011 - REQUEST FOR A MINOR CHANGE TO DEVELOPMENT PERMIT - RECONFIGURING A LOT (ONE LOT INTO FOURTEEN LOTS) AND MATERIAL CHANGE OF USE FOR A HOUSE ON EACH INDIVIDUAL PROPOSED ALLOTMENT

File No: D/280-2011

Attachments:

1. Locality Plan
2. Building Location Envelope Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Doug Scott - Manager Planning and Regulatory Services
Aaron Pont - Acting General Manager Community Services

Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/280-2011

Applicant: Pearlarm Pty Ltd

Real Property Address: Lots 1-14 on SP163932 (Previously known as Lot 2 on SP163918), Parish of Murchison

Common Property Address: 11, 13, 15, 17 and 19 Eucalyptus Crescent, 1, 3, 5, 7, 9, 11, 13, 15, 17 and 19 Amy Court, Norman Gardens (Previously known as 113 Eucalyptus Crescent, Norman Gardens)

Area of Site: 6.087 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone
Environmental Management and Conservation Zone

Planning Scheme Overlays: Bushfire Hazard Overlay
Steep Land Overlay
Biodiversity Overlay

Approval Sought: Amended Decision Notice for Development Permit D/280-2011 for Reconfiguring a Lot (one lot into fourteen lots) and Material Change of Use for a House on each individual proposed allotment

COUNCIL RESOLUTION**RECOMMENDATION A**

THAT in relation to the request for a Minor Change to Development Permit D/280-2011 for Reconfiguring a Lot (one lot into fourteen lots) and Material Change of Use for a House on each individual proposed allotment, Council resolves that:

1. Conditions 2.1, 17.1 and Item 7 be amended and replaced with the following condition:

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

<u>Plan/Document Name</u>	<u>Reference</u>	<u>Dated</u>
Proposed Subdivision – Stage 2: 14 Standard Lots	NR9010B	21 February 2017
Landscaping Plan	1021011-12P (Rev. A)	9 December 2011
Bushfire Management Plan	40498 Version 4	14 August 2011
Layout Plan	1021011-01P (Rev. B)	6 December 2011
Sewer, Water, Electrical	1021011-02P(Rev. B)	6 December 2011
Site Based Stormwater Management Plan	1021011 Revision A	6 December 2011
Stability Assessment	111-10088	July 2011
Building Location Envelope Plan	7738-01-BLE Issue A	26 June 2020

- 17.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Fairfield Estate Stage 2 Covenant	Annexure A	31 November 2011
Proposed Subdivision – Stage 2: 14 Standard Lots	NR9010B	21 February 2017
Bushfire Management Plan	40498 Version 4	14 August 2011
Property Vegetation Management Plan	QU0033P Version 1	5 September 2011
Building Location Envelope Plan	7738-01-BLE Issue A	26 June 2020

2. Conditions 27.1, 27.2, 27.3 and 27.4 be deleted.

RECOMMENDATION B

That to reflect the above changes, Pearlarm Pty Ltd, be issued with an Amended Decision Notice:

PART A – RECONFIGURING A LOT (ONE LOT INTO FOURTEEN LOTS)

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate

- appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 1.6.1 Operational Works:
- (i) Road Works;
 - (ii) Access Works;
 - (iii) Sewerage Works;
 - (iv) Water Works;
 - (v) Stormwater Works;
 - (vi) Inter-allotment Drainage Works;
 - (vii) Landscaping Works; and
 - (viii) Site Works.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 The Survey Plan for Reconfiguring a Lot (one lot into fourteen lots) in Part A of these conditions must be registered with the Titles Office prior to the commencement of works for Material Change of Use for a House on each individual allotment in Part B of the conditions.
- 1.10 An access easement must be registered in accordance with the approved plans for Lot 3 and Lot 13. The access easement servicing lot three must also be extended to the fire trail to provide access for emergency services.
- 1.11 An access easement must be provided along the fire trail shown on the approved plans for emergency services. This easement must be maintained and the growth of vegetation located within the easement restricted by the property owner.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Reference</u>	<u>Dated</u>
Proposed Subdivision – Stage 2: 14 Standard Lots	NR9010B	21 February 2017
Landscaping Plan	1021011-12P (Rev. A)	9 December 2011
Bushfire Management Plan	40498 Version 4	14 August 2011
Layout Plan	1021011-01P (Rev. B)	6 December 2011

Sewer, Water, Electrical	1021011-02P(Rev. B)	6 December 2011
Site Based Stormwater Management Plan	1021011 Revision A	6 December 2011
Stability Assessment	111-10088	July 2011
Building Location Envelope Plan	7738-01-BLE Issue A	26 June 2020

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

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

3.0 ROAD WORKS

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

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

3.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) and road reserve(s) at the time of making the application.

3.4 The proposed new road (Amy Court) must be designed and constructed to an Access Place standard (5.5 metres wide), with kerb and channel and drainage infrastructure.

3.5 Any application for a Development Permit for Operational Works (road works) must be accompanied by a road safety audit on the proposed barrier that adequately demonstrates that it is suitable for its intended function.

3.6 The design and construction of all terminating roads must include a permanent turning area which complies with the relevant performance and technical criteria, and facilitates suitable turning movements for a Council refuse collection vehicle.

3.7 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

3.8 Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.

3.9 Any retaining structures within road reserves must not be constructed unless approved as part of a Development Permit for Operational Works (road works).

3.10 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.

The approved design and/or construction of the retaining walls must not be modified or altered without Council's prior written approval.

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 site.
- 4.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Off Street Car Parking"* and the provisions of a Development Permit for Operational Works (access works).
- 4.3 Access to lots 6, 7 and 8 must be constructed from the edge of the constructed roadway to the property boundary of each lot and positioned in accordance with relevant standards with respect to adequate sight distance. Access to all remaining lots must be constructed as shown on drawing 1021011-01P Revision B prepared by McMurtrie Consulting Engineers. Construction must be either reinforced concrete not less than hundred (100) millimetres deep or a compacted gravel pavement not less than hundred (100) millimetres deep sealed with either twenty-five (25) millimetres of asphaltic concrete, hot sprayed bitumen consisting of a primer and two (2) seal coats, or approved segmental pavers
- 4.4 Any application for Operational Works (access works) must adequately demonstrate that site distance in accordance with the relevant standards is available with respect to the driveways for Lots 6, 7 and 8.

5.0 SEWERAGE WORKS

- 5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 5.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 All lots within the development must be connected to Council's reticulated sewerage network.
- 5.4 Each lot must be provided with its own separate sewer connection point, located wholly within its respective property boundaries and serviced via a gravity connection point to Council's reticulated sewerage network.
- 5.5 Any sewerage access chambers located within a park or reserve, or below a Q10 flood event, must be provided with bolt down lids.
- 5.6 A trafficable cover must be provided on the connection points where they are to be located within a trafficable area.
- 5.7 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

6.0 WATER WORKS

- 6.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 6.2 All lots within the development must be connected to Council's reticulated water supply network. Each lot must be provided with its own separate water connection point, located wholly within its respective property boundaries.

- 6.3 All 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*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 6.4 Adequate domestic and fire fighting protection must be provided to each proposed lot. This may include the provision of pillar hydrant, internal fire hydrant, storage tanks, pumps, etcetera. The domestic and fire fighting protection must be certified by hydraulic consultant.
- 7.0 STORMWATER WORKS
- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 7.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 7.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 7.4 All stormwater works must be generally in accordance with the Site-Based Stormwater Management Plan (refer to condition 2.1), and meet the water quality objectives of *State Planning Policy 4/10 – Healthy Waters*.
- 7.5 The proposed development must not increase peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 7.6 Easements must be provided over all land assessed to be within the one in one hundred year rainfall event (100 year Average Recurrence Interval) inundation area.
- 7.7 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a Stormwater Drainage Report, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:
- 7.7.1 details of any proposed on-site detention / retention systems and associated outlet systems required to mitigate the impacts of the proposed development on downstream lands and existing upstream and downstream drainage systems;
 - 7.7.2 demonstration that the existing downstream stormwater systems are adequately sized to cater for the additional runoff associated with the subject development (where no detention is proposed);
 - 7.7.3 identification and design of all new drainage systems, and modifications to existing drainage systems required to adequately manage stormwater collection and discharge from the proposed development;
 - 7.7.4 identification of the area of land inundated as a consequence of the minor and major design storm events in the catchment for both the pre-development and post-development scenarios;
 - 7.7.5 identification of all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*. All land proposed as major overland flow paths must include appropriate freeboard, access and

maintenance provisions consistent with the *Queensland Urban Drainage Manual*; and

7.7.6 details of all calculations, assumptions and data files (where applicable).

8.0 INTER-ALLOTMENT DRAINAGE

8.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.

8.2 Inter-allotment drainage, must be designed and constructed in accordance with the *Queensland Urban Drainage Manual* and must be provided to any lot where it cannot be satisfactorily demonstrated that roof water drainage associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.

8.3 Inter-allotment drainage systems and overland flow paths must be designed and constructed in accordance with the *Queensland Urban Drainage Manual*.

8.4 Inter-allotment drainage systems and overland flow paths must be wholly contained within a Council easement, with a minimum width of three (3) metres.

9.0 SITE WORKS

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

9.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:

9.2.1 the location of cut and/or fill;

9.2.2 the type of fill to be used and the manner in which it is to be compacted;

9.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;

9.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and

9.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.

9.3 All site works must be carried out generally in accordance with requirements / recommendations of the Stability Assessment (refer to condition 2.1).

9.4 Cut and fill of the subject allotments must only be undertaken in areas where site-specific slope stability assessments have been carried out by a Registered Professional Engineer of Queensland experienced in geotechnical investigations. In this regard, any works must comply with the recommendations of the site-specific assessments as approved by Council.

9.5 Slope stability must be managed as follows:

9.5.1 all engineering drawings/specifications and designs must comply with the requirements of the relevant *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"* and must be approved by a Registered Professional Engineer of Queensland;

9.5.2 site inspections must be undertaken by a Registered Professional Engineer of Queensland to confirm the design; and

9.5.3 full engineering certification must be undertaken by a Registered Professional Engineer of Queensland.

9.6 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

- 9.7 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 9.8 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.
- 9.9 A detailed inspection and 'As Constructed' record must be provided to Council by the consultant Registered Professional Engineer of Queensland prior to acceptance of the works. The consultant must include in the certification confirmation that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.
- 9.10 The detailed inspection and 'As Constructed' record must demonstrate to Council that the wall construction work was closely monitored throughout construction by the Registered Professional Engineer of Queensland including the achieved foundation ground conditions.
- 9.11 The approved design and/or the construction of the retaining walls must not be modified or altered without Council's prior written approval.
- 9.12 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works which are the subject of the Development Permit.
- 9.13 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.
- 9.14 All site works must be undertaken to ensure that there is:
- 9.14.1 no increase in upstream or downstream flood levels for all levels of immunity up to Q100;
 - 9.14.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
 - 9.14.3 a lawful point of discharge to which the developed flows from the land drain. Easements will be required over any other land to accommodate the flows.
- 10.0 **BUILDING WORKS**
- 10.1 All structures, particularly retaining walls must be located a minimum of two (2) meters clear of Council's existing water and sewerage infrastructure in accordance with *Queensland Development Code*.
- 10.2 All works must be undertaken in accordance with Council's Building Over / Adjacent to Local Government Sewerage Infrastructure Policy and any amendments.
- 11.0 **LANDSCAPING WORKS**
- 11.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works on the site.

- 11.2 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:
- 11.2.1 A plan documenting the “Extent of Works” and supporting documentation which includes:
- (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlaid or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be retained shall be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) typical details of critical design elements (stabilisation of batters, retaining walls, fences);
 - (vi) details of landscape structures including areas of deep planting; and
 - (vii) specification notes on mulching and soil preparation.
- 11.2.2 A “Planting Plan” and supporting documentation which includes:
- (i) trees, shrubs and groundcovers to all areas to be landscaped;
 - (ii) position and canopy spread of all trees and shrubs;
 - (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants shall be located within an edged garden; and
 - (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 11.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 11.4 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austrroads ‘Guide to Traffic Engineering Practice’* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 11.5 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).
- 12.0 **ELECTRICITY AND TELECOMMUNICATIONS**
- 12.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 12.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of the Compliance Certificate for the Survey Plan.
- 13.0 **ASSET MANAGEMENT**
- 13.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

- 13.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.
- 13.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.
- 14.0 ENVIRONMENTAL
- 14.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:
- (i) water quality and drainage;
 - (ii) erosion and silt/sedimentation management;
 - (iii) acid sulphate soils;
 - (iv) fauna management;
 - (v) vegetation management and clearing;
 - (vi) top soil management;
 - (vii) interim drainage plan during construction;
 - (viii) construction programme;
 - (ix) geotechnical issues;
 - (x) weed control;
 - (xi) bushfire management;
 - (xii) emergency vehicle access;
 - (xiii) noise and dust suppression; and
 - (xiv) waste management.
- 14.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) objectives;
 - (ii) site location / topography;
 - (iii) vegetation;
 - (iv) site drainage;
 - (v) soils;
 - (vi) erosion susceptibility;
 - (vii) erosion risk;
 - (viii) concept;
 - (ix) design; and
 - (x) implementation, for the construction and post construction phases of work.

- 14.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 14.4 The development must be undertaken in accordance with the recommendations in the approved Bush Fire Management Plan (refer to condition 2.1).
- 14.5 The maintenance of the fire management trail must be the responsibility of the owner of the land (developer) until the subdivision is accepted by Council as being 'off defects' whereupon it must be the responsibility of the relevant property owners. All future owners of the proposed lots must be advised by the developer in writing of their responsibility to comply with the requirements of the approved Bush Fire Management Plan (refer to condition 2.1).
- 14.6 All future buildings on the proposed lots must be constructed in compliance with *Australian Standard AS2959 "Construction in Bushfire Prone Areas"* and the approved Bush Fire Management Plan (refer to condition 2.1).
- 15.0 OPERATING PROCEDURES
- 15.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in any public road.

PART B – MATERIAL CHANGE OF USE FOR A HOUSE ON EACH INDIVIDUAL ALLOTMENT

16.0 ADMINISTRATION

- 16.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 16.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 16.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 16.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use.
- 16.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use.
- 16.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
- 16.6.1 Plumbing and Drainage Works; and
 - 16.6.2 Building Works.
- 16.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 16.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

17.0 APPROVED PLANS AND DOCUMENTS

- 17.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Fairfield Estate Stage 2 Covenant	Annexure A	31 November 2011
Proposed Subdivision – Stage 2: 14 Standard Lots	NR9010B	21 February 2017
Bushfire Management Plan	40498 Version 4	14 August 2011
Property Vegetation Management Plan	QU0033P Version 1	5 September 2011
Building Location Envelope Plan	7738-01-BLE Issue A	26 June 2020

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

- 17.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the commencement of the use.

18.0 ACCESS WORKS

- 18.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 17.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 “Off Street Car Parking”* and the provisions of a Development Permit for Operational Works (access works).

19.0 SEWERAGE WORKS

- 19.1 All houses must be connected to Council’s reticulated sewerage network.

- 19.2 Should the sewerage connection point be located within a trafficable area, it must be raised or lowered to suit the driveway finished surface levels and provided with a trafficable brass cover.

- 19.3 All works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, and *Plumbing and Drainage Act*.

- 19.4 All sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act*.

20.0 WATER WORKS

- 20.1 All houses must be connected to Council’s reticulated water network.

- 20.2 Should the water meter be located within a trafficable area, it must be raised or lowered to suit the driveway finished surface levels and provided with a heavy duty steel lid.

- 20.3 All works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, and *Plumbing and Drainage Act*.

- 20.4 All internal plumbing works must be in accordance with regulated work under the *Plumbing and Drainage Act*.

21.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 21.1 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 21.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

22.0 SITE WORKS

- 22.1 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works which are the subject of the Development Permit.
- 22.2 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.

23.0 BUILDING WORKS

- 23.1 All works must be undertaken in accordance with Council's Building Over / Adjacent to Local Government Sewerage Infrastructure Policy and any amendments.
- 23.2 The proposed building envelope must be located outside of the easement areas located within Lot 12. The existing easements are located adjacent to the western and southern boundaries.

24.0 LANDSCAPING WORKS

- 24.1 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 24.2 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

25.0 ELECTRICITY AND TELECOMMUNICATIONS

- 25.1 Underground electricity and telecommunication connections must be provided to each dwelling house to the standards of the relevant authorities.

26.0 ASSET MANAGEMENT

- 26.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 26.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

27.0 ENVIRONMENTAL

- 27.1 Deleted
- 27.2 Deleted
- 27.3 Deleted

- 27.4 Deleted
- 27.5 The development must be undertaken in accordance with the recommendations in the approved Bush Fire Management Plan (refer to condition 17.1).
- 27.6 The maintenance of the fire management trail must be the responsibility of the relevant property owners. All future owners of the proposed lots must be advised by the relevant property owners in writing of their responsibility to comply with the requirements of the approved Bush Fire Management Plan (refer to condition 17.1).
- 27.7 All future buildings on the proposed lots must be constructed in compliance with *Australian Standard AS2959 "Construction in Bushfire Prone Areas"* and the approved Bush Fire Management Plan (refer to condition 17.1).
- 28.0 OPERATING PROCEDURES
- 28.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in any public road.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under *Section 23 of the Aboriginal Cultural Heritage Act*, 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 Environment and Resource Management website www.derm.qld.gov.au

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

The *Workplace Health and Safety Act* 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. Adopted Infrastructure Charges Notice

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

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

10.3 COMMUNITY ASSISTANCE PROGRAM: ENVIRONMENT AND SUSTAINABILITY SCHEME - JULY 2020 COMMUNITY INITIATIVES

File No: 12535

Attachments:

1. Assessment summary - current round
2. Project update - FY2018-19 grants
3. Project update - FY2019-20 grants

Authorising Officer: Alicia Cutler - Chief Financial Officer
Ross Cheesman - Deputy Chief Executive Officer

Author: Christine Bell - Coordinator Environmental Sustainability

SUMMARY

This report tables the latest round of community-based initiatives submitted for consideration under Council's Community Assistance Program – Environment and Sustainability Scheme. The report also provides an update on the outcomes of community initiatives that have been recently completed.

COUNCIL RESOLUTION

That Council approves funding and support for the following community-led environment and sustainability initiatives (all figures are GST exclusive):

- Central Queensland Indigenous Development Limited – Community garden and sustainable living program (capacity building workshops), \$3,000 grant;
- Bundara Kindergarten Incorporated – *Encouraging sustainability through play* (practical waste management project), \$1,000 grant; and
- Capricorn Conservation Council – *Citizen science: Introduction to environmental DNA* (scientific data collection and community awareness workshops), \$3,000 grant.

Moved by: Councillor Kirkland

Seconded by: Councillor Wickerson

MOTION CARRIED

10.4 ROLLING RENEWABLE ENERGY PROGRAM

File No: 1174
Attachments: Nil
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Doug Scott - Manager Planning and Regulatory Services
Author: Christine Bell - Coordinator Environmental Sustainability
Richard Dunkley - Manager Community Assets and Facilities

SUMMARY

This report tables an opportunity to invest in renewable energy solutions that reduce both Council's long-term operating costs and carbon emissions.

COUNCIL RESOLUTION

THAT the matter be referred to a Councillor Workshop.

Moved by: Councillor Kirkland

Seconded by: Mayor Strelow

MOTION CARRIED

**10.5 PROPOSED MOTION TO LGAQ ANNUAL CONFERENCE 19-21 OCTOBER 2020
AND ANNUAL GENERAL MEETING 2020**

File No: 11092
Attachments: 1. Proposed Motion
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The LGAQ Annual Conference and Annual General Meeting will be held from 19-21 October 2020 and motions will be accepted up to 10 August 2020. It is proposed that a motion be put forward to revert the recent changes to the filling a vacancy of the Mayor to its previous status.

COUNCIL RESOLUTION

THAT the Local Government Association of Queensland Inc lobby the Queensland Government to revert the changes in the *Electoral & Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* with regards to filling vacancies for Mayors and Councillors to the former requirements of the *Local Government Act 2009*.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher

MOTION CARRIED UNANIMOUSLY

11 NOTICES OF MOTION

Nil

12 QUESTIONS ON NOTICE

Nil

13 URGENT BUSINESS\QUESTIONS

Nil

14 CLOSED SESSION

As Item 15.1 has been withdrawn from the agenda there are no items for discussion in Closed Session.

15 CLOSURE OF MEETING

There being no further business the meeting closed at 9:46am.

SIGNATURE

CHAIRPERSON

DATE