



ORDINARY MEETING

AGENDA

13 DECEMBER 2022

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

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

CHIEF EXECUTIVE OFFICER
9 December 2022

Next Meeting Date: 24.01.23

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 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 22 November 2022

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

9.1 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 24 NOVEMBER 2022

RECOMMENDATION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 24 November 2022 as circulated, be received and that the recommendations contained within these minutes be adopted.

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

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.1 ACTION PROGRESS REPORT

File No: 5207
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

The twice yearly Action Progress Report is provided as per the Local Government Regulation S207 & S211.

COMMITTEE RECOMMENDATION

THAT the Action Progress report be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.2 CUSTOMER SERVICE REQUEST REVIEW

File No: 5207
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

The planned review of Customer Service/Requests is presented for the information of the committee. A final report is attached for information and action.

COMMITTEE RECOMMENDATION

THAT the Customer Service Request Review be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.3 INTERNAL AUDIT AND ENTERPRISE RISK MANAGEMENT UPDATE

File No: 8563
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

An update has been provided on non-audit related work undertaken by the Internal Audit Section.

COMMITTEE RECOMMENDATION

THAT the report be received and any changes noted.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.4 ENTERPRISE RISK MANAGEMENT POLICY AND FRAMEWORK

File No: 8780
Authorising Officer: John Wallace - Chief Audit Executive
Ross Cheesman - Deputy Chief Executive Officer
Author: Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Council's Enterprise Risk Management Policy, and Framework documents have undergone review and are presented for the information of the Committee and recommendation that Council adopts them.

COMMITTEE RECOMMENDATION

THAT the Audit and Business Improvement Committee receive both documents:

- Enterprise Risk Management Policy
- Enterprise Risk Management Framework

and recommend their adoption by Council after the documents have been amended to reflect the 2018 Standard version.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.5 ANNUAL SELF-ASSESSMENT BY AUDIT AND BUSINESS IMPROVEMENT COMMITTEE - 2021-2022 FINANCIAL YEAR

File No: 7678
Authorising Officer: John Wallace - Chief Audit Executive
Author: John Wallace - Chief Audit Executive

SUMMARY

Audit and Business Improvement Committee's annual self-assessment for the 2021-22 financial year is presented for the information of the committee.

COMMITTEE RECOMMENDATION

THAT the completed annual Audit and Business Improvement Committee's self-assessment, covering the 2021-22 financial year, as attached to this report, be received and the members' comments be noted for improvement or action where relevant and appropriate.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

**9.1.6 QUEENSLAND AUDIT OFFICE LOCAL GOVERNMENT SECTOR REPORTS AND
THEIR RELEVANCE TO ROCKHAMPTON REGIONAL COUNCIL**

File No: 4932
Responsible Officer: John Wallace

COMMITTEE RECOMMENDATION

THAT a process be implemented to advise the Audit and Business Improvement Committee on Rockhampton Regional Council's approach to relevant Queensland Audit Office recommendations from their Local Government Sector reports.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.7 CEO UPDATE

File No: 13900
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Chief Executive Officer providing an update on matters of importance.

COMMITTEE RECOMMENDATION

THAT the CEO's update be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.8 FINAL MANAGEMENT REPORT

File No: 8151
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

Following the certification of the Financial Statements for the period ended 30 June 2022, the Final Management Report was received from the Queensland Audit Office (signed by Thomas Noble & Russell as delegate).

COMMITTEE RECOMMENDATION

THAT the Final Management Report for the 2021/2022 financial audit of Rockhampton Regional Council be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.9 QAO BRIEFING PAPER

File No: 9509
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

A Briefing Paper from the Queensland Audit Office is provided for Committee review.

COMMITTEE RECOMMENDATION

THAT the Queensland Audit Office Briefing Paper be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.10 AUDITED FINANCIAL STATEMENTS INCLUDING INDEPENDENT AUDITOR'S REPORT

File No: 8151
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The certified Financial Statements for the period ended 30 June 2022 are presented.

COMMITTEE RECOMMENDATION

THAT the certified Financial Statements for the period ended 30 June 2022 be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

**9.1.11 CAPITALISATION OF CAPITAL WORKS IN PROGRESS - UPDATE
NOVEMBER 2022**

File No: 5960
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer providing an update regarding the capitalisation of capital works in progress.

COMMITTEE RECOMMENDATION

THAT the Capitalisation of Capital Works in Progress report be received and continued to be presented to each committee meeting moving forward.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.12 FINANCE SECTION UPDATE

File No: 8148
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

Chief Financial Officer providing a Finance Section Update on matters to date for the 2022/2023 Financial Year.

COMMITTEE RECOMMENDATION

THAT the Finance Section Update be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.13 SAFETY UPDATE

File No: 4868
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Damon Morrison - Manager Workforce and Governance

SUMMARY

Manager Workforce and Governance presenting an update on safety matters for the information of the committee.

COMMITTEE RECOMMENDATION

THAT the Safety Update report be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.14 INVESTIGATION AND LEGAL MATTERS PROGRESS REPORT

File No: 1830
Authorising Officer: Damon Morrison - Manager Workforce and Governance
Author: Travis Pegrem - Coordinator Workforce Relations and Ethics

SUMMARY

Coordinator Workforce Relations and Ethics presenting an update of financial year to date Investigative Matters and the current Legal Matters progress report.

COMMITTEE RECOMMENDATION

THAT the update of Investigative and Legal matters for Rockhampton Regional Council be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.15 LOSS / THEFT ITEMS - JULY TO OCTOBER 2022

File No: 3911
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

Presenting details of the Loss / Theft register for the period 1 July to 31 October 2022.

COMMITTEE RECOMMENDATION

THAT the Committee receives the Loss/Theft Report for the period 1 July to 31 October 2022.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.16 COUNCIL'S INSURANCE COVER

File No: 1902, 1903
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 Council's insurance cover.

COMMITTEE RECOMMENDATION

THAT the Committee receives the report and notes that a supplementary report responding to questions raised at this committee be supplied at the next Audit and Business Improvement Committee meeting.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.17 CYBER RISK REPORT

File No: 12177
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Megan Younger - Manager Corporate and Technology Services

SUMMARY

The Cybermetrix Cyber Risk Report is provided for committee review.

COMMITTEE RECOMMENDATION

THAT the Cybermetrix Cyber Risk Report be received.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.18 ASSET MANAGEMENT

File No: 13900
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Martin Crow - Manager Infrastructure Planning

SUMMARY

Manager Infrastructure Planning will be presenting a verbal update on Asset Management matters

COMMITTEE RECOMMENDATION

THAT the verbal update on Asset Management matters be 'received'.

Recommendation of the Audit and Business Improvement Committee, 24 November 2022

9.1.19 RESPONSE TO BUSHFIRE PREVENTION GOVERNANCE REVIEW - PARKS

File No: 5207

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

This report provides a response and progress update in response to the Bushfire Prevention Governance Review – Parks presented to Audit and Business Improvement Committee on 14 July 2022.

COMMITTEE RECOMMENDATION

THAT the Response to the Bushfire Prevention Governance Review – Parks report be received.

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 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 2021 to 31 October 2022

OFFICER'S RECOMMENDATION

THAT Council receives the annual goods and services spend analysis for the period 1 November 2021 to 31 October 2022.

COMMENTARY

Council's longstanding *Local Preference Policy* continues to benefit the region's economy by providing clear direction to buy local and support the local economy. The criteria within the Policy which directly influence the positive results include:

- 12% local preference weighting (reducing to 5% for projects greater than \$1M); and
- The Tenderer Local Content weighting of 10% 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.

BACKGROUND

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 2021 to 31 October 2022.

Goods and Services Spend Analysis

During the reporting period, Council spent **\$165.5M** on goods and services. Of that amount, **\$122.8M** has been spent within the RRC boundaries. That is, **74%** of Council's goods and services have been acquired from local businesses. An additional \$3M was spent with businesses established within the Central Queensland Regional of Councils:

- Banana Shire Council;
- Central Highlands Regional Council;
- Gladstone Regional Council;
- Livingstone Shire Council; and
- Woorabinda Aboriginal Shire Council.

Plant Hire, Trade Services and Roadmaking Materials

Further analysis of Council's goods and services expenditure in the areas of Hire of Construction Plant and Equipment, Trade Services and Roadmaking Materials shows that we have spent a total of \$19M, with **\$18.2M** (96%) spent on local businesses and locally supplied materials. These business 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 14 – Oct 15	\$95.1M	\$63.8M	67%	\$5.4M	\$23.7M	\$21.8M (92%)	\$1.9M
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

* NB: Results influenced by T.C. Marcia cleanup/recovery.

Breakdown and Analysis of Total Spend

Summary breakdown of the total good and services spend:

- Local (Rockhampton Region): \$122,795,617
- CQ: \$3,050,282
- Rest of QLD: \$17,802,550
- Interstate & Overseas: \$21,887,495
- **Total Spend: \$165,535,944**

Some of the larger projects, goods/services and suppliers within the Rest of QLD and Interstate spend includes:

- Water and waste water infrastructure upgrades including:
 - Upgrade of the North Rockhampton Sewage Treatment Plant;
 - Glenmore Water Treatment Plant Upgrade;
 - Dewatering of Sludge Lagoons at Sewage Treatment Plants; and
 - Consultancy services to support the upgrades.
- Bulk supply of water treatment chemicals;
- Slurry seal works; and
- Rockynats.

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

The goods and services spend analysis for the twelve months, 1 November 2021 to 31 October 2022, demonstrates Council’s continued commitment to supporting the region’s economy with \$122.8M (74%) spent locally; including \$18.2M (96%) on hire of construction plant and equipment, trade services and roadmaking material.

11.2 PURCHASE OF ADDITIONAL TEMPORARY FLOOD BARRIER COMPONENTS

File No: 1743
Attachments: Nil
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Cornelius Claassen - Acting Manager Civil Operations

SUMMARY

This report details the purchase of additional temporary flood barrier components to enable Rockhampton Regional Council to mitigate flood events impacting upon Rockhampton residents in the North Rockhampton Flood Management Area (NRFMA). The purpose of the report is to seek Council approval for the flood barrier components to be supplied by the sole supplier in accordance with Section 235(b) of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

THAT pursuant to Section 235(b) of the *Local Government Regulation 2012*, Council approve Hydro Response Ltd as the sole supplier of the Geodesign Barrier flood barrier components.

BACKGROUND

Rockhampton Regional Council relies on the installation of a temporary flood barrier on Water Street, Berserker during river flood events to mitigate the impact of flood waters upon residents in the North Rockhampton Flood Management Area (NRFMA).

The initial design of the temporary flood barrier was based on flood modelling completed in 2015. Current modelling indicates that the predicted flood levels have increased, resulting in the removal of all the available freeboard.

The road levels for the reconstruction of Water Street, where the barrier will be erected during flood events, were based on providing a 1.8m high barrier with 300mm freeboard. The next increment in the flood barrier system is a 2.4m height barrier. To reinstate the freeboard, an increase in barrier height from 1.8m to 2.4m is required.

By increasing the barrier height to 2.4m, failure of the barrier system will not occur at Water Street, but instead along Lakes Creek Road. Therefore, Council maximise the protection offered by the NRFMA.

The current temporary barrier system is a Geodesign Barrier system. The additional components are required to be compatible with the existing barrier system.

The supply and delivery of the existing barrier components, purchased under Contract 11510 – Supply and Delivery of Temporary Removable Flood Barrier, is no longer active.

Quotes for the supply of the extra components required was recently requested from the original supplier Hydro Response Ltd and Flooding Solutions Ltd, who also tendered a Geodesign Barrier system for Contract 11510 in 2015. Flooding Solutions have advised they no longer supply Geodesign Barrier components.

PREVIOUS DECISIONS

Not applicable.

BUDGET IMPLICATIONS

The procurement of the barrier system at an amount of \$301,100.00 will be funded from the Civil Operations contingency budget

LEGISLATIVE CONTEXT

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

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

“(a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or

(b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders,”

LEGAL IMPLICATIONS

Not applicable.

STAFFING IMPLICATIONS

There will be no staffing implications.

RISK ASSESSMENT

Not having the additional components for the temporary flood barrier system increases the risk of the NRFMA system overtopping prematurely.

CORPORATE/OPERATIONAL PLAN

The additional components provide a higher level of service to the community protected by the NRFMA.

CONCLUSION

By approving Hydro Response as the sole supplier, Rockhampton Regional Council can ensure that Council provides the designed level of protection for the NRFMA.

11.3 2023 AUSTRALIA DAY COMMUNITY GRANTS

File No: 5095
Attachments: Nil
Authorising Officer: John Webb - Manager Communities and Culture
Alicia Cutler - General Manager Community Services
Author: Mark Millett - Coordinator Major Venues

SUMMARY

In 2013 Council resolved to establish an Australia Day Community Grants Program to assist local organisations in coordinating community-based Australia Day celebrations across the region. Results of 2023 Australia Day Community Grant applications are presented to Council for endorsement.

OFFICER'S RECOMMENDATION

THAT Council endorse the following Australia Day Community Grants:

Applicant	Description of Event	Grant Recommended
Bouldercombe Progress Association Inc.	To host a function for Bouldercombe community members. Free food, non-alcoholic drinks, tea and coffee will be provided. Traditional games and activities will be staged, particularly for younger community members. A local historian will mount a display featuring information and memorabilia related to the Bouldercombe area, and local market stallholders of various items are encouraged to attend as an added attraction. Event Activity 10.00am – 1.00pm	\$2,000.00
Gracemere Mens Shed Inc.	Community sausage sizzle free to all residents in Gracemere and surrounding areas celebrating Australia Day 2023. The Gracemere Men's Shed will provide a stall with suitable cooking and cold storage. Providing an opportunity for residents to participate in an Australia Day event within the Gracemere locality and celebrate the strengths binding our community together. Event Activity 9.00 am – 12.00 pm	\$1,500.00
Rockhampton Water Ski Club	Water Ski Club Open Day Including free water skiing, wakeboarding, knee boarding, barefooting & tubing. Free sausage sizzle, soft drinks and bottled water. Free game of cricket, and lawn badminton, free camping night of 25/01/23. Event Activity 9.00 am – 5.00 pm	\$1,000.00

Stanwell Progress Association Incorporated	Australia Day on the Lawn. Free entry. Includes: Thong throwing competition, amusement rides, jumping castle, sausage eating competition, Best Dressed (adult & child), BBQ lunch from 12noon. Event Activity 12.00 pm – 6.00 pm	\$5,000.00
Upper Ulam Recreation Grounds Inc	Australia Day celebrations, including kids jumping castle, hay bale throwing, boot throwing and tug of war. Event Activity 11.00 am - 5.00 pm	\$800.00

COMMENTARY

Completed applications were received for five (5) organisations. These being:

- Bouldercombe Progress Association Inc.
- Gracemere Mens Shed Inc.
- Rockhampton Water Ski Club
- Stanwell Progress Association inc.
- Upper Ulam Recreation Grounds Inc.

All applications meet the criteria for approval and total \$10,300.00

BACKGROUND

A media release calling for applications for funding was released on 21 October 2022, with press advertising in CQ Today on Saturday 22 October and Saturday 29 October 2022. Further Facebook posts promoting the community grant program occurred from 21 October 2022 to 28 October with applications closing on Sunday 14 November. Additionally, past recipients of the Australia Day Community Grant were contacted and encouraged to apply for 2023.

PREVIOUS DECISIONS

In February 2021 the Council retrospectively approved the decision to fund two organisations for Australia Day Community Grants 2021 totalling \$5,500.00.

BUDGET IMPLICATIONS

An approved allocated budget of \$15,500.00 is made available for the Australia Day Community Grants Program.

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

Nil

STAFFING IMPLICATIONS

Nil

RISK ASSESSMENT

N/A

CORPORATE/OPERATIONAL PLAN

Corporate plan:

"We encourage diversity of community events and innovative use of our places and spaces"

Operational Plan:

2.2.2 *"We provide Opportunities for people to contribute to their communities"*

2.2.3 *"We support our people and community groups through our programs and resources"*

CONCLUSION

The Australia Day Community Grants Program received five applications. The five applications total \$10,300.00 which is within the allocated budget and recommended for endorsement

11.4 FEES AND CHARGES CITY CHILD CARE CENTRE

File No:	7816
Attachments:	1. Summary of Proposed Changes ↓
Authorising Officer:	Alicia Cutler - General Manager Community Services
Author:	John Webb - Manager Communities and Culture

SUMMARY

The intention of this report is to submit an amendment to Council's Fees and Charges Schedule for the 2023 calendar year specific to the City Child Care Centre.

OFFICER'S RECOMMENDATION

THAT in accordance with the requirements of the *Local Government Act 2009* Council adopts the amended fees for City Child Care Centre for the 2023 calendar year.

COMMENTARY

Rockhampton Regional Council operates the City Child Care Centre adjacent to the Rockhampton Regional Library.

Council aims to operate this service against identified cost in a relatively cost neutral manner while taking into account market conditions.

The proposed changes for City Child Care Centre are:

- Alteration of Fee 11 Nursery from \$110 to \$115 per day (increase of 4.5%)
- Alteration of Fee 12 Toddler from \$110 to \$115 per day (increase of 4.5%)
- Alteration of Fee 13 Preschool from \$105 to \$110 per day (increase of 4.7%)

BACKGROUND

Council has a long commitment to the operation of the City Child Care Centre, which has a comparatively small capacity of 42 children across three rooms: eight in Nursery, fourteen in Toddlers and twenty in Pre-school.

This Centre provides childcare to a typically even mix of families from Council staff and the wider community.

Previous fee increases have been as follows

- 18/19 and 19/20 increase of 1.6% to 2.8% per group
- 20/21 increase of 3.2% delayed until November 2020 at Federal government direction
- 21/22 increase was restricted to 1% due to delay of increase to November 2020
- In December 2021, the Centre changed its fee review cycle from financial year to calendar year. Fee increases were between 11-13% percent, to cover some of the losses of the COVID pandemic (due to free childcare and fee freezes) and increased staffing costs. Federal government childcare subsidies typically meet 50% of the fee costs dependent on the family circumstance.

PREVIOUS DECISIONS

Previous fees and charges decisions have occurred during the annual end of financial year cycle. As of December 2021, fee increases moved to a calendar year cycle.

BUDGET IMPLICATIONS

The fees and charges will offset the identified operating costs for the City Child Care Centre Centre.

LEGISLATIVE CONTEXT

The fees and charges in the schedules may be amended at any time throughout the year in accordance with legislation.

LEGAL IMPLICATIONS

No legal implications.

STAFFING IMPLICATIONS

There are no implications to Council permanent staffing levels arising from this report.

RISK ASSESSMENT

Risk limited to non-acceptance of fees by comparatively small customer base.

CORPORATE/OPERATIONAL PLAN

This recommendation responds to corporate plan objective –

5.3.1 Efficient and effective management of Council's finances

CONCLUSION

The fees for City Centre Child Care should be increased as indicated to ensure management of Council budget position.

FEES AND CHARGES CITY CHILD CARE CENTRE

Summary of Proposed Changes

Meeting Date: 13 December 2022

Attachment No: 1

SUMMARY OF PROPOSED CHANGES 2022-2023

Community Services

Childcare

Council aims to operate this service against identified cost in a relatively cost neutral manner while taking into account market conditions.

The proposed changes for City Child Care Centre are:

Alteration of Fee 11 Nursery from \$110 to \$115 per day (increase of 4.5%)

Alteration of Fee 12 Toddler from \$110 to \$115 per day (increase of 4.5%)

Alteration of Fee 13 Preschool from \$105 to \$110 per day (increase of 4.7%)

Current fees

SECTION:		City Child Care Centre					
Fee number	Item name	Fee Type	GST Authority	2022/2023 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
10	Council Long Day Care - Daily Sessional Fee						
11	Nursery	Commercial	GST Free	\$110.00	per day	Local Government Act 2009	Part 6 S262 (3)(c)
12	Toddler	Commercial	GST Free	\$110.00	per day	Local Government Act 2009	Part 6 S262 (3)(c)
13	Preschool	Commercial	GST Free	\$105.00	per day	Local Government Act 2009	Part 6 S262 (3)(c)

Proposed fees

SECTION:		City Child Care Centre					
Fee number	Item name	Fee Type	GST Authority	2022/2023 Current Fee (incl GST)	Charge basis per unit (Optional)	Legislative Authority	Governing Specific Legislation
10	Council Long Day Care - Daily Sessional Fee						
11	Nursery	Commercial	GST Free	\$115.00	per day	Local Government Act 2009	Part 6 S262 (3)(c)
12	Toddler	Commercial	GST Free	\$115.00	per day	Local Government Act 2009	Part 6 S262 (3)(c)
13	Preschool	Commercial	GST Free	\$110.00	per day	Local Government Act 2009	Part 6 S262 (3)(c)

11.5 DIGITAL WATER CURTAIN REMEDIATION OPTION

File No:	2043
Attachments:	1. Digital Water Curtain Quote (Confidential)
Authorising Officer:	Alicia Cutler - General Manager Community Services
Author:	Emma-Jane Dwyer - Manager Community Assets and Facilities

SUMMARY

The Digital Water Curtain on the Riverbank, Quay Street, requires repairs due to age and failed components. This report details a plan to repair the asset.

OFFICER'S RECOMMENDATION

THAT Council authorises the Chief Executive Officer (Manager Community Assets and Facilities) to reinstate the Digital Water Curtain on the Riverbank.

COMMENTARY

The Digital Water Curtain (DWC) on the Riverbank, Quay St, is currently non-operational due to replacement electronics fountain components being no longer available. To reinstate the DWC all the electronic components and associated software need replacing with modern alternatives.

The DWC is an interactive feature wall that creates falling images using water droplets and was originally installed as part of the Riverbank redevelopment. The water curtain is not an interactive wet play feature.

The same components are required regardless of whether the DWC acts as a single water fall or operates with words and images as the components requiring replacement control the opening and closing of valves and the lighting.

The cost to replace the electronic components is expected to be approximately \$25,000 in parts and \$18,000 in labour, which covers a combination of both contractor specialists and RRC electricians. Total cost is expected to be \$43,000.

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

There is sufficient budget allocation in the 2022-2023 Capital program for the replacement of the Digital Water Curtain components. Works are anticipated to be completed in time for Rockhampton Riverfest 2023.

LEGAL IMPLICATIONS

Nil foreseen

STAFFING IMPLICATIONS

There are adequate resources within Community Assets and Facilities

RISK ASSESSMENT

Council manages all works in accordance with the relevant Service Agreement. Delivery partners develop a detailed risk assessment for each works project and must comply with all relevant workplace health and safety laws, standards, codes of practice, Council policies and procedures.

CORPORATE/OPERATIONAL PLAN

1.1.18 – Develop and implement three year forward community assets and facilities works program (renewals).

CONCLUSION

It is recommended that Council reinstate the Digital Water Curtain on the Riverbank.

11.6 EAST STREET FEATURE LIGHTING

File No:	1973
Attachments:	1. RGB Fairy Light Quote (Confidential)
Authorising Officer:	Alicia Cutler - General Manager Community Services
Author:	Emma-Jane Dwyer - Manager Community Assets and Facilities

SUMMARY

The feature lighting along East Street requires replacing. This report details options for replacement.

OFFICER'S RECOMMENDATION

THAT Council authorises the Chief Executive Officer (Manager Community Assets and Facilities) to replace the existing fairy lights in East Street with RGB up lights as detailed in Option 1 in the report.

COMMENTARY

The existing fairy lights along East Street require removal to allow for tree restoration and growth to ensure the long-term health and structural integrity of the trees. These lights were installed in 2015 and are no longer in a serviceable condition and once removed will need replacing with new.

There are currently 19 trees illuminated with the feature lighting.

Three options for replacement lights are considered below. All three options require statutory electrical upgrades, which has been factored into the pricing.

Option 1

Option 1 is to replace the existing fairy lights with RGB up lights. The up lights may appear to have less impact from a distance compared to wrapping the trees in fairy lights however, there are many benefits of this style of lights.

These benefits include:

- Underlighting of trees will highlight the whole tree and foliage
- East street lighting can be colour themed similar to Quay St
- Up lights are less prone to vandalism
- Up lights do not impact on tree growth
- Up lights do not impact on tree maintenance
- If any tree is damaged in weather event there is less chance of lighting being damaged

The cost of this option is approximately \$171,000, or \$9,000 per tree.

The expected life of the RGB up lights before full replacement is required is 10-15 years in ideal conditions.

Option 2

Option 2 is to replace the existing fairy lights with like for like style fairy lights to achieve a better overall visual impact when all are fully functional. These lights are very difficult and costly to maintain due to being prone to vandalism and damage. If multiple lights in a string are damaged, it can take out the lights over the entire string, reducing the effectiveness.

As this style of lights are required to be wrapped around the tree they will require ongoing maintenance (yearly to loosen the wrapping to promote tree growth) and any emergency tree maintenance may require the lights to be removed. This work, in some cases, will require road closures and may affect local businesses if unable to be performed outside business hours.

The cost of this option is approximately \$180,500, or \$9,500 per tree and slightly more than the RGB up light option due to the additional labour required to wrap each tree.

The expected life of the fairy lights before full replacement is required is 7-10 years in ideal conditions.

Option 3

Option 3 is to replace the existing fairy lights with RGB fairy lights. This style of lights have the same restrictions as option 2 but can be colour themed similar to option 1.

The cost of RGB fairy lights is \$256,450, or approximately \$13,500 per tree.

The expected life of RGB fairy lights before full replacement is required is 7-10 years in ideal conditions.

PREVIOUS DECISIONS

Nil

BUDGET IMPLICATIONS

There is sufficient budget allocation in the 2022-2023 Capital program for the replacement of lights with option 1 & 2.

Works are anticipated to be completed in time for Rockhampton Riverfest 2023.

LEGAL IMPLICATIONS

Nil foreseen

STAFFING IMPLICATIONS

There are adequate resources within Community Assets and Facilities

RISK ASSESSMENT

Council manages all works in accordance with the relevant Service Agreement. Delivery partners develop a detailed risk assessment for each works project and must comply with all relevant workplace health and safety laws, standards, codes of practice, Council policies and procedures.

CORPORATE/OPERATIONAL PLAN

1.1.18 – Develop and implement three year forward community assets and facilities works program (renewals).

CONCLUSION

It is recommended that Council replace the East St feature lighting with RGB up lights as per option 1 in this report. These lights are enabled to be colour themed to suit and are more resistant to vandalism and require less maintenance over the expected life than fairy lights.

11.7 D/52-2022 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR INTENSIVE ANIMAL INDUSTRY (36,500 SCU) AND ENVIRONMENTALLY RELEVANT ACTIVITY 2 - INTENSIVE ANIMAL FEEDLOTING

File No: D/52-2022

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Doug Scott - Manager Planning and Regulatory Services
Alicia Cutler - General Manager Community Services

Author: Brendan Standen - Principal Planning Officer

SUMMARY

Development Application Number: D/52-2022

Applicant: Mort and Co Lot Feeders Pty Ltd

Real Property Address: Lot 21 on PN81, Lot 3 on SP230297 and Lot 2 on RP614103

Common Property Address: 802, 1009 and Lot 2 Thirsty Creek Road, Gogango

Area of Site: Lot 21 – 761.606ha
Lot 3 – 360.059ha
Lot 2 – 363.859ha

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

Planning Scheme Zone: Lot 21 – Rural Zone
Lot 3 – Rural Zone (Cropping and Intensive Horticulture Precinct)
Lot 2 – Rural Zone (Cropping and Intensive Horticulture Precinct)

Planning Scheme Overlays: Agriculture Land Classification Overlay;
Airport Environs Overlay;
Biodiversity Areas Overlay;
Bushfire Hazard Overlay;
Character Overlay;
Flood Hazard Overlay; and
Steep Land Overlay.

Existing Development: Lot 21 – Extractive Industry and Dwelling House
Lot 3 – Vacant
Lot 2 – Vacant

Approval Sought: Development Permit for a Material Change of Use for Intensive Animal Industry (36,500 SCU) and Environmentally Relevant Activity 2 - Intensive Animal Feedlotting

Level of Assessment:	<i>Impact Assessable</i>
Submissions:	<i>1,373 properly made submissions</i>
Referral Agency:	<i>Department of State Development Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department)</i>

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Material Change of Use for Intensive Animal Industry (36,500 SCU) and Environmentally Relevant Activity 2 - Intensive Animal Feedlotting, made by Mort and Co Lot Feeders Pty Ltd, located at 802, 1009 and Lot 2 Thirsty Creek Road, Gogango, described as Lot 21 on PN81, Lot 3 on SP230297 and Lot 2 on RP614103, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	Material Change of Use for Intensive Animal Industry (36,500 SCU) and Environmentally Relevant Activity 2 - Intensive Animal Feedlotting
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"> • Strategic Framework; • Rural Zone Code; • Access, Parking and Transport Code; • Landscape Code; • Stormwater Management Code; • Waste Management Code; • Water and Sewer Code; • Flood Hazard Overlay Code; • Biodiversity Overlay Code; and • Bushfire Hazard Overlay Code.
Compliance with assessment	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the

benchmarks	exceptions listed below.	
	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	Rural Zone Code	<p>6.7.4.2 (2)(g)(vii)</p> <p>The proposed development does not comply with overall outcome (2)(g)(vii) because the development is for Intensive Animal Industry on land identified on the agricultural land classification (ALC) overlay map. The feedlot over Lot 21 is partially located over an area of land mapped on the ALC overlay, as are the proposed effluent utilisation areas and dryland areas over lots 2 and 3.</p> <p>Despite this, the conflict is considered low-level as the ALC overlay over Lot 21 is only a small, isolated area partially affected by the development, and the ALC overlay over lots 2 and 3 where effluent will be disposed of may be partially used for ancillary cropping, which is an activity consistent with that overlay.</p> <p>Further, the proposed development is deemed to comply with the balance of outcomes sought for intensive animal industry in the Rural Zone. Specifically, the proposal:</p> <ul style="list-style-type: none"> • Is located on a site large enough to provide appropriate buffering to sensitive land uses and townships. The nearest sensitive receptor (not owned on land forming part of this approval) to the proposed development is approximately 3.5 kilometres to the south-west. The nearest township is Gogango approximately eight (8) kilometres to the south. • Will not cause adverse impacts to sensitive land uses in relation to traffic, noise and air quality. Traffic impacts of the proposed development have been assessed by both Council and State and conditions imposed to ensure the development does not undermine the safety or efficiency of the road network. The State has also imposed conditions as part of the Environmental Authority that sets noise and air quality objectives that must be complied with. These objectives seek to remove or limit impacts on nearby sensitive receptors. • Will not cause adverse impacts on water quality. The proposed feedlot has

		<p>been designed in accordance with all current standards and regulations, including Meat and Livestock (MLA) Feedlot Design and Construction Manual, the National Guidelines for Beef Cattle Feedlots in Australia and the National Beef Cattle Feedlot Environmental Code of Practice. The State has considered potential impacts on water quality as part of the application for an Environmental Authority and imposed conditions accordingly.</p> <ul style="list-style-type: none"> • Will not diminish the productive capacity of other land nearby. While the proposed development does limit the ability of sensitive uses to establish nearby, it does not limit the ability of uses anticipated in Rural Zone, such as cropping, from occurring. <p>On this basis, the proposed development is a low-level conflict and on balance complies with the outcomes sought for intensive animal industry activities in the Rural Zone Code.</p>
	<p>Biodiversity Overlay Code</p>	<p>PO7</p> <p>The proposed development does not comply with AO7.1 as it will require works within a mapped waterway.</p> <p>Despite this, it is noted that:</p> <ul style="list-style-type: none"> • The Applicant will be submitting a request for a waterway determination to the State to have the mapped waterway redefined as a drainage line. • The waterway in its current form includes the characteristics of a drainage line and is unlikely to have significant environmental value. • As a State interest the waterway is mapped as being '1 – Low' for the purpose of Queensland waterways for the waterway barrier works. • To the extent the waterway is not redefined, the Applicant will be required to submit a subsequent development application seeking a Development Permit for Operational Works for Waterway Barrier Works to the State. At this point it will be assessed to ensure it does not result in any adverse impacts. <p>On this basis, it is considered the proposed development will not ultimately conflict with</p>

		PO7.
Relevant Matters	Nil	
Matters raised in submissions	Issue	How matter was dealt with
	Animal welfare	<p>Submitters raised concern about the impacts of the proposed activity on animal welfare. Concerns included the high concentration of animals increasing the risk of disease, that animals would have inadequate access to their normal diet (grass) and that intensive animal industries are inconsistent with contemporary community expectations.</p> <p>There are no assessment benchmarks contained in the Planning Scheme that expressly require Council to consider animal welfare standards in the assessment of the development application. Further, the regulation of animal welfare, including the design of facilities such as feedlots and ultimate care of animals, occurs separately through legislation (<i>Animal Care and Protection Act 2001</i>) and guidelines (<i>Australian Animal Welfare Standard and Guidelines for Cattle 2016</i>) and is administered by the Department of Agriculture and Fisheries (DAF).</p>
	Pollution and environmental impacts	<p>The submitters raised concerns about the potential for pollution and adverse environmental impacts because of the proposed development. Concerns included pollution to the Fitzroy River and Great Barrier Reef (GBR) and risk of pollution from spillage or overtopping of holding and sediment ponds.</p> <p>The potential for pollution and adverse environmental impacts is minimised through the design of the proposed development and through conditions of approval, which predominantly fall under the Environmental Authority. The Feedlot Assessment Report, prepared by AgDSA, outlines measures employed to mitigate environmental impacts.</p> <p>The proposed feedlot has been designed and will be constructed such that it complies with all relevant regulatory requirements and standards. The design of the feedlot has been assessed by all relevant referral agencies including the Department of Environment and Science (DES) and DAF. Notable design methods employed to minimise the risk of adverse environmental impacts include pens being constructed with a clay liner to reduce permeability, locating</p>

		<p>the feedlot in a controlled drainage area (CDA), which ensures all clean water is diverted around the feedlot and effluent holding ponds that exceed the minimum volume beyond that required by DAF.</p> <p>Conditions imposed by the State under the Environmental Authority also require the Applicant to undertake routine monitoring of water courses, land (where effluent is disposed of) and groundwater. There are also conditions imposed around how and where any contaminants must be released.</p>
	Water supply	<p>Submitters raised concern the quantum of water calculated by the Applicant to be provided per 1,000 head of cattle is inadequate. The Applicant has calculated 20 megalitres (ML) of water a year per 1,000 head, where the National Guidelines for Beef Cattle Feedlots in Australia recommends 24ML.</p> <p>The Applicant calculated water usage per 1,000 head through a combination of <i>Davis, Wiedemann and Watts (2008) Quantifying the water and energy usage of individual activities within Australian feedlots – Part A report: water usage at Australian feedlots</i>, which recommends 17ML, and the abovementioned Guideline.</p> <p>The allocation of water is largely an operational matter, and ultimately the capacity of the feedlot would be throttled through the ability of the operator to access water. Notwithstanding this, it is understood water will be supplied from the Rookwood Weir under a contract that may be varied depending on feedlot requirements.</p>
	Vegetation buffering and screening	<p>The submitter raised concern about visual screening of the feedlot along the north-eastern boundary where the site adjoins the unformed road reserve.</p> <p>In response to the submission the Applicant agreed to conditions requiring vegetation screening along that boundary. Conditions of approval have been included to this effect.</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 Intensive Animal Industry (36,500 SCU) and Environmentally Relevant Activity 2 - Intensive Animal Feedlotting, made by Mort and Co Lot Feeders Pty Ltd, located at 802, 1009 and Lot 2 Thirsty Creek Road, Gogango, described as Lot 21 on PN81, Lot 3 on SP230297 and Lot 2 on RP614103, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The owner and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 1.3.1 to Council's satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the commencement of the use unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
- (i) Road Works;
- (ii) Site Works;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works:
- (i) 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 The approved development is for a beef cattle feedlot with a maximum capacity of 36,500 Standard Cattle Units (SCU).

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>

Property Plan (Aerial Image)	Agricultural Development Services Australia	11 July 2022	A001	Rev E
Property Plan	Agricultural Development Services Australia	11 July 2022	A002	Rev E
Concept Plan	Agricultural Development Services Australia	11 July 2022	A003	Rev E
Design Plan	Agricultural Development Services Australia	11 July 2022	A004	Rev E
Controlled Drainage Area Plan	Agricultural Development Services Australia	11 July 2022	A005	Rev E
Typical Pen Layout	Agricultural Development Services Australia	11 July 2022	A006	Rev E
Effluent Management System	Agricultural Development Services Australia	11 July 2022	A007	Rev E
Typical Basin Weir & Overflow System	Agricultural Development Services Australia	11 July 2022	A008	Rev E
Administration Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-AB-01	B
Amenities Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-AM-01	B
Chemical Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-CB-01	B
Feed Mill & Commodity Building Proposed Plan	Mort & Co	31 March 2022	2236-MMS-FM01	B
Feed Mill & Commodity Building Proposed Elevations	Mort & Co	31 March 2022	2236-MMS-FM-02	B
Fertiliser Building Proposed Floor Plan	Mort & Co	31 March 2022	2236-MMS-FB-01	B
Fertiliser Building Proposed Elevations 1 of 2	Mort & Co	31 March 2022	2236-MMS-FB-02	B

Fertiliser Building Proposed Elevations 2 of 2	Mort & Co	31 March 2022	2236-MMS-FB-03	B
Hay Processing Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-HP-01	B
Hay Storage Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-HS-01	B
Hospital Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-HB-01	B
Site Office Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-SE-01	B
Stables Building Proposed Plan & Elevations	Mort & Co	31 March 2022	2236-MMS-SB-01	B
Stables Building Proposed Elevations	Mort & Co	31 March 2022	2236-MMS-SB-02	B
Workshop Building Proposed Floor Plan	Mort & Co	31 March 2022	2236-MMS-WB-01	B
Workshop Building Proposed Elevations	Mort & Co	31 March 2022	2236-MMS-WB-02	B
Pavement Impact Assessment	RMA Engineers	24 October 2022	-	Rev 2
Traffic Impact Assessment	RMA Engineers	6 April 2022	17063	Rev 1

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

3.0 STAGED DEVELOPMENT

3.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:

3.1.1 Stage 1 – Capacity of 22,870 SCU (63% of total capacity)

3.1.2 Stage 2 – Capacity of 13,630 SCU (37% of total capacity)

The stages are not required to be undertaken in chronological order.

3.2 Stage 1 and Stage 2 must commence within six (6) years after the approval starts to have effect or the development approval will lapse.

3.3 Unless otherwise expressly stated, the conditions must be read as being applicable only to the particular stages(s) being developed.

4.0 ROAD WORKS

- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.
- 4.2 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 *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 The Owner must pay an annual maintenance contribution of \$8.97 per B-Double movement and \$11.80 per A-Double movement. Each payment amount relates to an in and an out movement combined. Details of the number of movements must be provided to Council to inform the annual contribution amount. The maintenance contribution amounts identified above are relevant for the September 2022 quarter (All Groups Brisbane 130.2). These amounts will be recalculated in future years adjusted each year by the Consumer Price Index (All Groups Brisbane).
- 4.4 The localised road widening to Third Street and Thirsty Creek Road shown in the Traffic Impact Assessment by RMA Engineers dated 6 April 2022 must be completed prior to commencement of the use. The widening must accommodate the swept path of a 36-metre-long A-Double Type 1 road train without crossing the road centre-line.
- 4.5 A Dilapidation Report (or applicable Culvert Inspection Report) must be carried out for the large cross-drainage structure on Thirsty Creek Road at Chainage 2.9km. The initial assessment must be carried out post-construction and prior to commencement of the use for the initial stage, with the follow-up assessment to be performed twenty-four (24) months after the commencement of the use for the initial stage. Any required upgrades or repairs that are identified must be carried out at the full cost of the Owner within six (6) months of the date of the report.
- 4.6 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

5.0 WATER WORKS

- 5.1 Construct, retain and maintain the water pipeline providing water and the proposed feedlot property (Lot 21 on PN81) generally in accordance with the approved plans (refer Condition 2.1).
- 5.2 The water pipeline linking Lot 2 on RP614103 and Lot 3 on SP230297 (effluent irrigation properties) and the proposed feedlot property (Lot 21 on PN81) (*“the referenced properties”*) must be wholly located within the referenced properties and/or Thirsty Creek Road reserve. In the circumstance that detailed design of the water pipeline alignment results in a variation to the pipeline alignment that means it must traverse any other freehold land other than the referenced properties, the water pipeline alignment must be secured via an easement, licence or other suitable agreement between the development proponent and the affected land-owner(s) prior to commencement of the use.

Note: A Works in Road Reserve Permit will be required for any construction works within Council's road reserve.

- 5.3 On-site water supply for domestic and fire-fighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each.

6.0 PLUMBING AND DRAINAGE WORKS

- 6.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 6.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal*

Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

- 6.3 On-site sewerage treatment and disposal must be provided in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies. The on-site sewerage treatment and disposal area must not be located within an existing water course or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.
- 6.4 Structures must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distances, in accordance with the *Queensland Plumbing and Wastewater Code*.
- 6.5 The effluent pipeline between the feedlot storage areas and the irrigation areas must be constructed generally in accordance with the approved plans.

Note: A Works in Road Reserve Permit will be required for any construction works within Council's road reserve.

7.0 STORMWATER WORKS

- 7.1 Stormwater 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.

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"*.

9.0 BUILDING WORKS

- 9.1 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.
- 9.2 Structures must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distances, in accordance with the *Queensland Plumbing and Wastewater Code*.

10.0 VEGETATION BUFFER

- 10.1 Submit to Council for approval, prior to commencement of use, a Vegetation Screening Plan prepared by a suitably qualified person that:
- 10.1.1 Identifies areas around the boundaries of, and/or pens and supporting infrastructure within, Lot 21 on PN81 that will provide suitable vegetation screening of the development from adjoining lots and road reserve.
 - 10.1.2 Includes as a minimum:

- (a) The location, size and species of existing vegetation within the screening areas.
 - (b) Vegetation to be retained and removed within the screening areas.
 - (c) The indicative location, number, size and species of vegetation proposed within the screening areas.
- 10.2 The approved Vegetation Screening Plan must be implemented prior to commencement of use.
- 10.3 The vegetation within the screening areas must be subject to:
 - 10.3.1 a watering and maintenance plan during the establishment phase; and
 - 10.3.2 an ongoing maintenance and replanting programme.
- 11.0 ELECTRICITY
- 11.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 12.0 TELECOMMUNICATIONS
- 12.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.
- 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 undertaken and completed at no cost to Council.
- 13.2 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the *Asset Design and As Constructed Manual (ADAC)*.
- 14.0 ENVIRONMENTAL
- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:
 - (i) objectives;
 - (ii) site location and topography;
 - (iii) vegetation;
 - (iv) site drainage;
 - (v) soils;
 - (vi) erosion susceptibility;
 - (vii) erosion risk;
 - (viii) concept;
 - (ix) design; and
 - (x) implementation,for the construction and post-construction phases of work.

15.0 OPERATING PROCEDURES

- 15.1 Operations on the development site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 15.2 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.
- 15.3 All waste storage areas must be:
- 15.3.1 kept in a clean and tidy condition; and
 - 15.3.2 maintained in accordance with *Environmental Protection Regulation 2019*.

16.0 CONTINGENCY PLAN

- 16.1 Prepare and keep on-site for inspection a Contingency Plan that demonstrates the subject development will not increase the flood debris loading of flood waters nor result in environmental harm. The Plan should also include details of how and where the irrigation equipment will be relocated prior to a flood event. The principles of the Contingency Plan will be entered against Lot 2 on RP614103 and Lot 3 on SP230297 as a property note.

Note: Council does not accept any liability for loss of or damage to property, or injury, or loss of life as a result of any person using or relying on the Contingency Plan or failing to use the Contingency Plan during a flood event.

It is the responsibility of the owner or occupier of the land from time to time to implement the Contingency Plan during a flood event or if there is a risk of flooding near the land.

ADVISORY NOTESNOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. 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. Licensable Activities

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

NOTE 4. 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 5. Property Note (Contingency Plan)

A complete copy of the Development Approval and any documents conditioned by this development approval (including the Contingency Plan or an updated Contingency Plan) must be given to the proposed purchaser when entering into a contract of sale or to the new registered proprietor upon any transfer of land for this lot.

NOTE 6. Infrastructure Charges Notice

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

NOTE 7. Duty to Notify of Environmental Harm

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Rockhampton Regional Council.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use for Intensive Animal Industry and Environmentally Relevant Activity 2 - Intensive Animal Feedlotting, made by Mort and Co Lot Feeders Pty Ltd, located at 802, 1009 and Lot 2 Thirsty Creek Road, Gogango, described as Lot 21 on PN81, Lot 3 on SP230297 and Lot 2 on RP614103, Council resolves to issue an Infrastructure Charges Notice for the amount of \$47,299.89.

PROPOSAL - OVERVIEW

The proposal is for a beef cattle feedlot over three (3) lots in the rural locality of Gogango with a maximum capacity of 36,500 standard cattle units (SCU¹). The *National Beef Cattle Feedlot Environmental Code of Practice* defines a 'Beef cattle feedlot' as:

A beef cattle feedlot is a confined yard area with watering and feeding facilities where cattle are completely hand- or mechanically-fed for the purpose of beef production.

This definition includes covered and uncovered yards.

This definition does not include the feeding or penning of cattle in the following situations:

- *for weaning, dipping or similar husbandry practices*
- *for milk production*
- *at a depot operated exclusively for the assembly of cattle for live export*
- *for drought or emergency feeding purposes*
- *at a slaughtering facility*
- *in recognised saleyards.*

The proposed development will occur in two (2) discrete stages:

- Stage 1 – Capacity of 22,870 SCU (63% of total capacity)
- Stage 2 – Capacity of 13,630 SCU (37% of total capacity)

For the purpose of this section the proposed development will be discussed in its ultimate form, however infrastructure will be constructed in line with the requirements for each stage.

¹ 'Standard cattle unit' is defined under Schedule 19 of the *Environmental Protection Regulation 2019* as 'A **standard cattle unit** is a unit of measurement based on the live weight of cattle.' One (1) SCU equates to an animal with a liveweight of 550 kilograms (kg) to 600 kg.

The development is proposed over three lots, including Lot 21 on PN81, Lot 3 on SP230297 and Lot 2 on RP614103. Lot 21 will be used for the feedlot pens, along with all associated buildings and structures. Lots 2 and 3 will be used for effluent and manure disposal. Lot 21 is not contiguous to lots 2 and 3. Lots 2 and 3 are located approximately two (2) kilometres to the west of Lot 21.

Lot 21 –

The proposed feedlot pens, along with all associated buildings and structures, are located centrally within Lot 21. Broadly, this includes approximately 200 pens, being a combination of larger (66m x 53m) and smaller (44m x 53m) pens with an average stocking density of 15.4 m²/SCU. The area immediately to the north of the pens includes the majority of supporting buildings and structures, including but not limited to office and staff amenities, commodity shed, feed mill and storage, workshop, horse stables, chemical storage, hospital, grain bunkers and silage pits. The combined floor area of all buildings and structures is 13,111.14m².

A “turkey nest” (water supply source) with a capacity of 165 megalitres (ML), which equates to 70 days storage at the maximum proposed SCU capacity, is proposed immediately to the north-west of the pens. Sedimentation basins, effluent holding pond and manure pad area are proposed immediately to the south of the pens. The purpose of the sedimentation basins and effluent holding pond are to capture sediments and effluent from the pens before they are disposed of over Lots 2 and 3. The capacity of the effluent holding pond is beyond that required by DAF to minimise the risk of any uncontrolled effluent disposal during extreme rain events.

The majority of all development described above, aside from some buildings and structures, grain bunkers and “turkey nest”, sit within a ‘controlled drainage area’ (CDA), which seeks to ensure all clean water is diverted around areas that may risk exposure of it to contaminants. A clay liner is also proposed within the CDA to reduce the risk of contaminants being released into groundwater.

Lots 2 and 3 –

Effluent from the effluent holding pond described above will be irrigated as required to maintain available capacity. An effluent transfer pipeline will be constructed within the road reserve between the feedlot and effluent utilisation areas. Effluent will be irrigated over the proposed irrigation areas in accordance with the conditions of the Environmental Authority. Complimentary cropping may occur within these effluent areas. Dryland manure utilisation areas are located adjoining the effluent disposal areas. The Applicant anticipates all manure will ultimately be removed off-site.

PROPOSAL – TRAFFIC

Vehicles will access the site via Thirsty Creek Road, which extends from Capricorn Highway, Third Street and Riverslea Road. Access to the site is approximately ten (10) kilometres north of the Thirsty Creek Road-Capricorn Highway intersection. The largest design vehicle accessing the feedlot will be road trains, but vehicle types will also include B-doubles and semi-trailers. The Applicant anticipates most cattle trucks will come from the West along the Capricorn Highway, and will exit east toward abattoirs in Rockhampton. The application material anticipates approximately 24 vehicles per day (48 movements), with lighter vehicle movements associated with employees who are likely to be based in the Gogango township.

Localised road widening is proposed to Third Street and Thirsty Creek Road. The widening will need to accommodate the swept path of a 36-metre-long A-Double Type 1 road train without crossing the centre line. No other road works on Council controlled roads are proposed by the Applicant.

PROPOSAL – ACCESS AND PARKING

This access was constructed as part of the existing quarrying activities as it was necessary to relocate the previous access point due to safety concerns. The Applicant has advised that suitable areas for passenger and heavy vehicle parking will be provided on site.

It is expected that each of the main staffing areas will include a gravel parking area adjacent to the building entrances for staff and contractors, with heavy vehicle parking / loading areas provided as necessary. The large rural nature of the site can easily facilitate additional parking areas as required.

PROPOSAL – OPERATIONAL DETAILS

Operations will generally take place between 3:00am and 9:00pm. Because of animal welfare requirements staff and general operations may still occur 24 hours a day, seven days a week.

Approximately 64 employees will be employed as part of the operation of the feedlot. It is the Applicant's preference these employees reside in the township of Gogango. No on-site staff accommodation is proposed as part of this development application.

SITE AND LOCALITY

The site includes Lot 21 on PN81, Lot 3 on SP230297 and Lot 2 on RP614103 in Gogango. The site is located approximately ten (10) kilometres to the north of the Gogango township and 52 kilometres to the west of Rockhampton City. Rookwood Weir is approximately 3.5 kilometres to the north of the site.

Lot 21 is a large, irregularly configured rural lot. The lot is generally bound by Thirsty Creek Road to the west, unimproved rural land to the south and east and unformed road reserve to the north. The lot is improved by two (2) quarry pits in the northern extent, with the larger pit established in 2020 to support the construction of the Rookwood Weir. A dwelling house and rural outbuildings are located approximately 600 metres to the south-east of the pits. The lot includes several waterways and is in part undulating, which supports the natural drainage of the pens.

Lots 2 and 3 are located approximately two (2) kilometres to the west of Lot 21, accessed via Thirsty Creek Road and Dunphy Road. Both lots are large, irregularly configured rural lots that directly adjoin the Fitzroy River. Both lots are generally level and contain tracts of regulated vegetation. Both lots are flood affected.

The broader area is characterised by large rural lots that currently accommodate modest rural pursuits. It is expected with the completion of the Rookwood Weir and subsequent water allocations that more intensive rural activities will begin to establish in the surrounding area. There are very few sensitive receptors existing in the area. The nearest sensitive receptor to the proposed development is approximately 3.5 kilometres to the south-west. The proposed development has been sited to ensure appropriate setbacks are provided to all existing sensitive receptors.

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 following themes of the Strategic Framework, including the Strategic Outcomes and Specific Outcomes, have been considered in the assessment of the proposed development:

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

However, as the proposed development does not present any significant conflicts with the applicable Planning Scheme codes, an assessment against the Strategic Framework is not considered necessary.

Rural Zone

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

(1) *The purposes of the rural zone code is to:*

- (a) *ensure that land with productive capacity is maintained for a range of existing and emerging rural uses that are significant to the economy of the planning scheme area;*
- (b) *recognise that different types of rural land are suited to specific uses such as animal industries, horticulture, cropping, intensive animal industries, intensive grazing and extractive industries;*
- (c) *prevent the establishment of development which may limit the productive capacity of the land;*
- (d) *provide for diversification of rural industries where impacts can be managed;*
and
- (e) *maintain the environmental values of all rural land.*

(2) ***The purpose of the zone will be achieved through the following outcomes:***

- (a) *development in the zone accommodates predominantly rural uses;*
- (b) *development:*
 - (i) *does not detract from the scenic landscape features of rural land including the Fitzroy River, floodplains, lagoons, wetlands, salt pans, mountains and ridges and the coastline;*
 - (ii) *is responsive to the environmental characteristics and constraints of the land, and minimises impacts on natural features such as waterways, wetlands and remnant vegetation;*

- (iii) *has legal and practical access to the road hierarchy;*
- (iv) *is serviced by infrastructure that is commensurate with the needs of the use; and*
- (v) *maximises energy efficiency and water conservation;*
- (c) *non-rural uses may be appropriate where they do not detract from the productivity or residential amenity of rural areas and can demonstrate:*
 - (i) *a direct relationship with the rural use in the immediate locality; or*
 - (ii) *the potential to make a contribution to primary production or the diversification of rural industries; or*
 - (iii) *a need to be remote from urban uses as a result of their impacts; or*
 - (iv) *they cannot be located in an urban area (for example, due to land area requirements);*
- (d) *transport and freight uses, which do not meet the definition of a home-based business, are not established in the rural zone;*
- (e) *development does not alienate or impact on the productive agricultural capacity of rural areas and agricultural land is protected from incompatible development;*

Editor's note—Agricultural land classified as Class A or Class B is identified on the agricultural land classification overlay map OM-13.

- (f) *all rural land is maintained in large land holdings to protect the agricultural production capacity. In this regard, the reconfiguration of land only occurs when lot size is 100 hectares unless otherwise stated in a precinct;*
- (g) *animal keeping (being kennels and catteries), intensive animal industries, intensive horticulture, aquaculture and rural industries establish where they:***
 - (i) *are located on sites that are large enough to accommodate appropriate buffering to sensitive land use(s), residential, township and emerging community zones. Intensive animal industries are preferred in proximity to the lower Fitzroy River, west of Ridgeland;***
 - (ii) *do not cause adverse impacts on sensitive land use(s) in relation to traffic, noise and air quality;***
 - (iii) *do not cause a negative impact on water quality;***
 - (iv) *protect natural, scenic and environmental values;***
 - (v) *do not diminish the productive capacity of other land nearby;***
 - (vi) *gain access from roads which are constructed to accommodate the traffic generated by the use; and***
 - (vii) *are not located in areas identified on the agricultural land classification (ALC) overlay maps (except for intensive horticulture);***
- (h) *Rural workers' accommodation is appropriate where:*
 - (i) *directly associated with the primary rural use undertaken at the site;*
 - (ii) *compatible with the rural character of the zone;*
 - (iii) *not compromising the existing or potential future operation of rural uses on adjoining lots; and*
 - (iv) *not located in areas identified on the agricultural land classification (ALC) overlay maps;*
- (i) *urban and rural residential development is contained within the designated growth areas and does not expand into the rural zone;*
- (j) *sensitive land use(s) are adequately separated from animal keeping (being kennels and catteries), intensive animal industry, aquaculture, rural industry, and industrial zoned areas (including the Gracemere industrial area, Stanwell power station, Bajool explosives reserve and Bouldercombe brickworks);*

- (k) renewable energy facilities are located on sites that are large enough to accommodate appropriate buffering from sensitive land use(s) and minimise adverse impacts on the natural environment;*
- (l) extractive industries (including Marmor limeworks) on rural land are protected from encroachment by incompatible uses;*
- (m) extractive industry minimises environmental and traffic impacts. Once the operation has ceased the site is rehabilitated;*
- (n) aquaculture activities may be integrated with horticulture operations, where benefits of diversification are evident and there are no adverse impacts on amenity, ecological values and existing fish habitats; and*
- (o) the establishment of two (2) precincts within the zone where particular requirements are identified:*
 - (i) Alton Downs precinct; and*
 - (ii) Cropping and intensive horticulture precinct.*

Cropping and intensive horticulture precinct

- (4) The following overall outcomes of the cropping and intensive horticulture precinct are additional to those of the rural zone and take precedence in the event of a conflict:*
 - (a) the productive capacity of this land is maximised and development is primarily for or associated with rural uses such as animal husbandry, animal keeping, cropping or intensive horticulture;*
 - (b) permanent plantations do not occur within the precinct; and*
 - (c) reconfiguration of a lot only occurs if it results in new rural lots that:*
 - (i) reflect the ability to operate viable rural enterprises on smaller rural lots; and*
 - (ii) have a minimum area of forty (40) hectares.*

Complies in Part – The proposed development complies with the Purpose of the Zone Code, except for (2)(g)(vii). A response to this non-compliance is provided in Statement of Reasons contained in Recommendation A of this report.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Rural Zone Code;
- Access, Parking and Transport Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code;
- Water and Sewer Code;
- Flood Hazard Overlay Code;
- Biodiversity Overlay Code; and
- Bushfire Hazard Overlay Code.

Based on a performance assessment of the abovementioned codes, it is determined that the proposal is acceptable and wholly complies with the relevant Acceptable Outcomes or has otherwise been conditioned to comply.

INFRASTRUCTURE CHARGES

Charges Resolution (No. 1) of 2022 for non-residential development applies to the application. The Infrastructure Charges are as follows:

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	
High Impact Rural	Intensive Animal Industry	21.85	-	\$116,486.94
Base Charge				\$116,486.94
Charge (including PPI)				\$117,575.69
Credit				\$61,355.30
Less Credit (including PPI)				\$61,928.76
Total Charge				\$55,646.93
LEVIED CHARGE (15% discount applied)				\$47,299.89

This is based on the following calculations (including PPI):

- (a) A charge of \$117,575.69 for Gross Floor Area being 5,331.21 square metres (Administration Building, Chemical Building, Feed Mill Control Room, Feed Mill Amenities Building, Fertiliser Building, Fertiliser Office, Fertiliser Laboratory, Fertiliser Amenities, Site Office Building, Stables Building, Amenities Building and Workshop Building);
- (b) An Infrastructure Credit of \$61,928.76 made up as follows:
- (i) \$61,928.76 - Infrastructure Credit applicable for two (2) lots (credit for one of the lots is consumed by the dwelling house)

In accordance with Development Incentives Policy, section 3.5 of the Charges Resolution (No. 1) of 2022, the levied charge will be 85 per cent of the amount calculated.

Therefore, a total charge of \$47,299.89 is payable and will be reflected in an Infrastructure Charges Notice for the development.

It is understood all buildings comprising GFA will be constructed as part of Stage 1 and therefore a single charge has been levied. Where buildings are to be constructed in a staged manner, the owner will need to request an amended Infrastructure Charges Notice.

CONSULTATION

The proposal was the subject of public notification between 29 August and 19 September 2022 in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules. 1,373 properly made submissions were received. 95 submissions were received after the notification period and therefore were not properly made. A summary of the submissions lodged, with Council officer comments, is contained in Recommendation A of this report.

REFERRALS

The application was referred to the State Development Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department) as a Concurrence Agency. The development application was referred for the following matters:

- Development application for a material change of use involving a non-devolved environmentally relevant activity.
- Development application for a material change of use impacting on state transport infrastructure.

In relation to the first matter, the State (DES) provided an Environmental Authority that regulates all environmental aspects of the proposed development. This includes air, water, noise, land and waste. On this basis, Council has not sought to duplicate any environmental conditions under the Development Permit.

In relation to the second matter, the State provided a response that, among other things, notably requires the Applicant to undertake road works to the intersection of Third Street and the Capricorn Highway to ensure the intersection can facilitate a Type 1 Road Train.

CONCLUSION

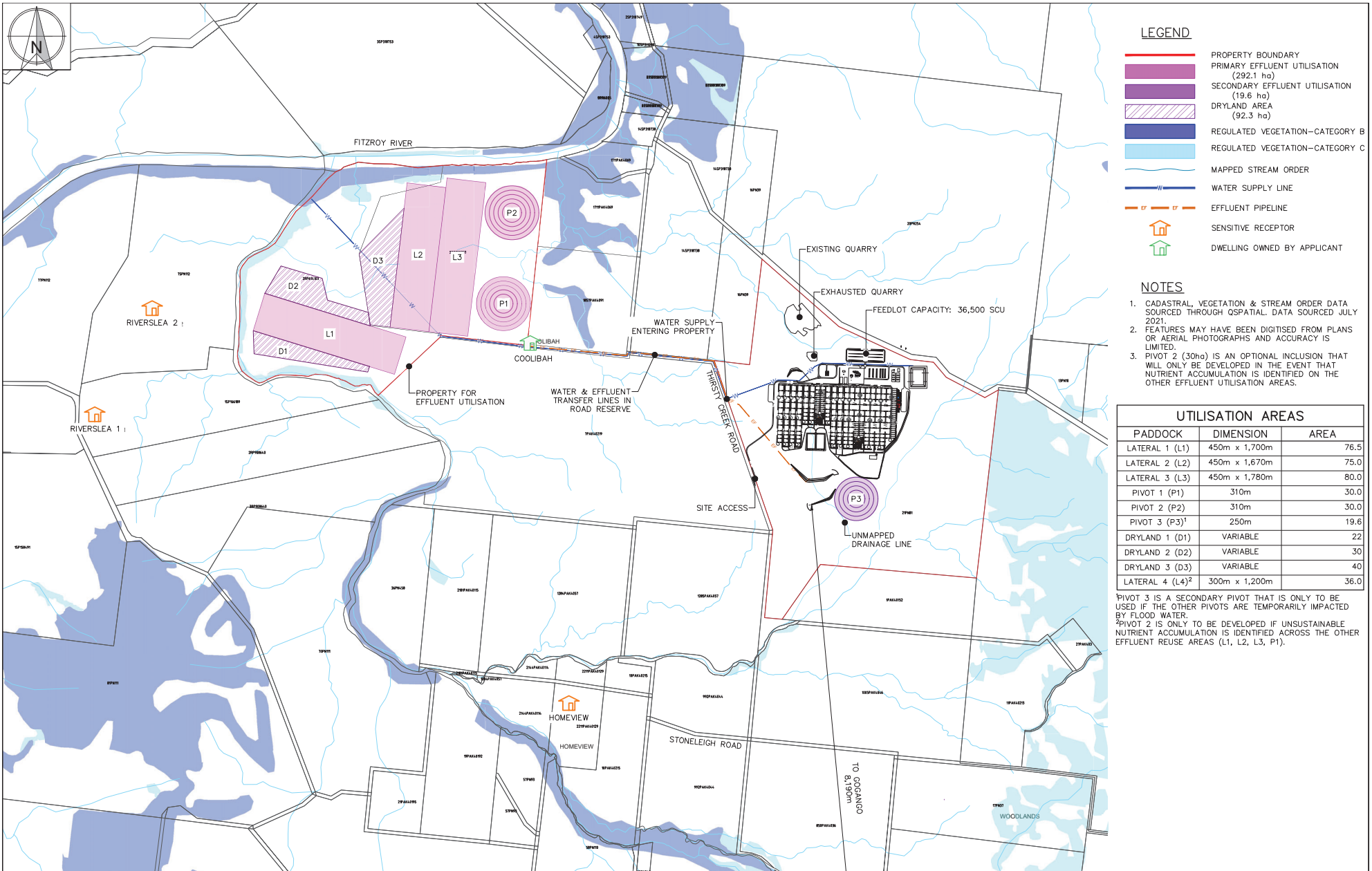
That the proposed development is not anticipated to compromise the Strategic Framework of *Rockhampton Region Planning Scheme 2015*. Furthermore, the proposal generally complies with the provisions included in the applicable codes. The proposal is therefore, recommended for approval in accordance with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

**D/52-2022 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR INTENSIVE
ANIMAL INDUSTRY (36,500 SCU) AND
ENVIRONMENTALLY RELEVANT
ACTIVITY 2 - INTENSIVE ANIMAL
FEEDLOTING**

Locality Plan

Meeting Date: 13 December 2022

Attachment No: 1



LEGEND

- PROPERTY BOUNDARY
- PRIMARY EFFLUENT UTILISATION (292.1 ha)
- SECONDARY EFFLUENT UTILISATION (19.6 ha)
- DRYLAND AREA (92.3 ha)
- REGULATED VEGETATION—CATEGORY B
- REGULATED VEGETATION—CATEGORY C
- MAPPED STREAM ORDER
- WATER SUPPLY LINE
- EFFLUENT PIPELINE
- SENSITIVE RECEPTOR
- DWELLING OWNED BY APPLICANT

NOTES

1. CADASTRAL, VEGETATION & STREAM ORDER DATA SOURCED THROUGH GPSATIAL. DATA SOURCED JULY 2021.
2. FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.
3. PIVOT 2 (30ha) IS AN OPTIONAL INCLUSION THAT WILL ONLY BE DEVELOPED IN THE EVENT THAT NUTRIENT ACCUMULATION IS IDENTIFIED ON THE OTHER EFFLUENT UTILISATION AREAS.

UTILISATION AREAS

Paddock	Dimension	Area
LATERAL 1 (L1)	450m x 1,700m	76.5
LATERAL 2 (L2)	450m x 1,670m	75.0
LATERAL 3 (L3)	450m x 1,780m	80.0
PIVOT 1 (P1)	310m	30.0
PIVOT 2 (P2)	310m	30.0
PIVOT 3 (P3) ¹	250m	19.6
DRYLAND 1 (D1)	VARIABLE	22
DRYLAND 2 (D2)	VARIABLE	30
DRYLAND 3 (D3)	VARIABLE	40
LATERAL 4 (L4) ²	300m x 1,200m	36.0

¹PIVOT 3 IS A SECONDARY PIVOT THAT IS ONLY TO BE USED IF THE OTHER PIVOTS ARE TEMPORARILY IMPACTED BY FLOOD WATER.
²PIVOT 2 IS ONLY TO BE DEVELOPED IF UNSUSTAINABLE NUTRIENT ACCUMULATION IS IDENTIFIED ACROSS THE OTHER EFFLUENT REUSE AREAS (L1, L2, L3, P1).

CLIENT
MORT & CO LOT FEEDERS PTY LTD

PROJECT
‘ROOKWOOD’ FEEDLOT DEVELOPMENT

LOCATION
THRISTY CREEK ROAD, GOGANGO, QLD 4702

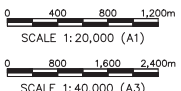
SHEET TITLE
PROPERTY PLAN



AGRICULTURAL DEVELOPMENT SERVICES AUSTRALIA

PO BOX 292
TOOWOOMBA QLD 4350
PH: +61 415 446 245
E: contact@agdsa.com.au

SCALE



SCALE 1:20,000 (A1)
SCALE 1:40,000 (A3)



DESIGNED TJS	FOR APPROVAL			JOB CODE MCO-005
CHECKED MRN				DATE
PROJECT MANAGER MRN	11/07/2022	E	FINAL RFI RESPONSE	TJS
	31/03/2022	D	FINAL FOR SUBMISSION	TJS
	18/03/2022	C	FINAL DRAFT BEFORE SUBMISSION	TJS
	05/02/2022	B	FINAL DRAFT FOR CONSULTATION	TJS
	18/01/2022	A	ORIGINAL ISSUE	TJS
				APP
				REVISIONS

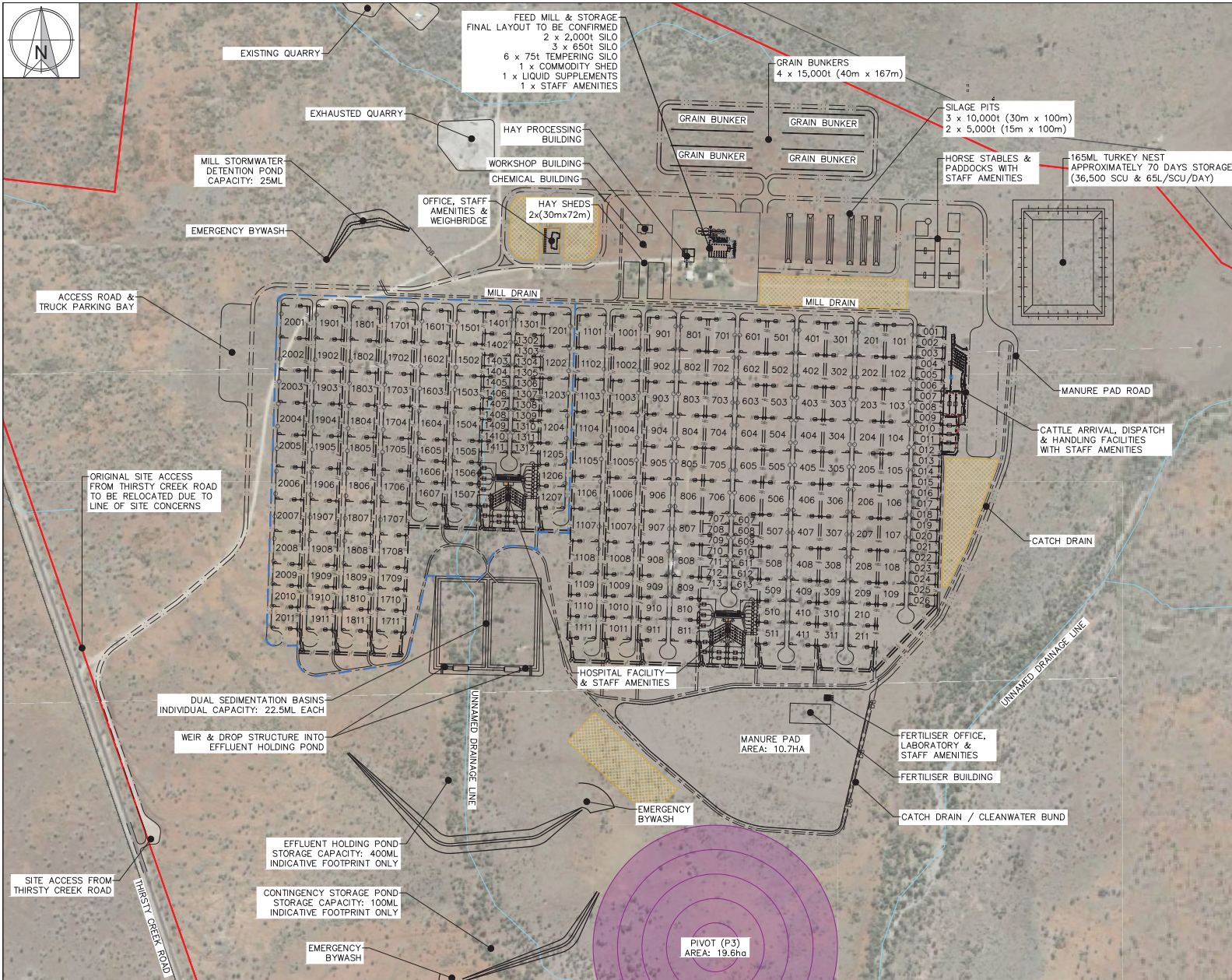
SHEET NUMBER A002
CURRENT REVISION E

**D/52-2022 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR INTENSIVE
ANIMAL INDUSTRY (36,500 SCU) AND
ENVIRONMENTALLY RELEVANT
ACTIVITY 2 - INTENSIVE ANIMAL
FEEDLOTING**

Site Plan

Meeting Date: 13 December 2022

Attachment No: 2



- ### LEGEND
- CONTOUR - EXISTING (5.0m)
 - CONTOUR - EXISTING (1.0m)
 - PROPERTY BOUNDARY
 - CADASTRAL BOUNDARY
 - PEN FENCE
 - CATTLE LANE
 - FEED BUNK
 - EFFLUENT DRAIN
 - FEED ROAD
 - DIVERSION BANK
 - STAGE 2 CONSTRUCTION BOUNDARY
 - MAPPED STREAM ORDER
 - SECONDARY EFFLUENT UTILISATION (19.6 ha)
 - STP UTILISATION AREA (1.8ha EACH)

- ### NOTES:
- AERIAL IMAGE SOURCED FROM QLD GLOBE. IMAGE ACCESS DATE 18/01/2022.
 - CONTOURS HAVE BEEN GENERATED USING LIDAR INFORMATION AVAILABLE FROM THE ELVIS PORTAL & LIDAR INFORMATION FLOW BY AIRBORNE RESEARCH AUSTRALIA ON BEHALF OF RFM.
 - FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.
 - ALL CAPACITIES ARE BASED ON A STOCKING DENSITY OF 15.4m²/SCU.
 - THE REQUIRED SEDIMENTATION BASIN CAPACITY & EFFLUENT HOLDING POND HAVE BEEN CALCULATED TO EXCEED THE MINIMUM CAPACITIES DETERMINED USING THE FEEDLOT ASSESSMENT SPREADSHEET - VERSION 8.6 - APRIL 2019.

- ### DESIGN: GENERAL FACILITY
- FEED ROAD WIDTH = 7.70 m
 - BUNK WIDTH = 1.15 m
 - CATTLE LANE/DRAIN WIDTH = 5.0 m

- ### DESIGN: FEEDLOT PENS
- STOCKING DENSITY = 15.4m²/SCU
 - BUNK SPACE = 291mm/SCU
 - SHADE PROVISION = 2.5m²/SCU
 - LARGE (66.0m x 53.0m) = 3,500m²/PEN
 - LARGE PEN CAPACITY = 227 SCU @ 15.4m
 - SHADED AREA = 565m²/PEN
 - TOTAL LARGE PENS = 128
 - SMALL (44.0m x 53.0m) = 2,330m²/PEN
 - SMALL PEN CAPACITY = 151 SCU @ 15.4m
 - SHADED AREA = 375m²/PEN
 - TOTAL SMALL PENS = 49
 - HANDLING (22.0m x 53.0m) = 1,170m²/PEN
 - HANDLING PEN CAPACITY = 75 SCU @ 15.4m²
 - SHADED AREA = 185m²/PEN
 - TOTAL HANDLING PENS = 60
 - PRODUCTION CAPACITY = 36,500 SCU
 - HANDLING/HOSPITAL CAPACITY = 4,500 SCU (12.4% CAPACITY ABOVE PRODUCTION)

- ### DESIGN: STAGE FEEDLOT CAPACITY
- STAGE 1 (63%)
 - PRODUCTION CAPACITY = 22,870 SCU
 - HANDLING CAPACITY = 3,000 SCU
 - STAGE 2 (37%)
 - PRODUCTION CAPACITY = 13,630 SCU
 - HANDLING CAPACITY = 1,500 SCU

CLIENT
MORT & CO LOT FEEDERS PTY LTD

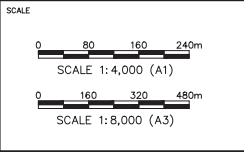
PROJECT
'ROOKWOOD' FEEDLOT DEVELOPMENT

LOCATION
THRISTY CREEK ROAD, GOGANGO, QLD 4702

SHEET TITLE
CONCEPT PLAN

AgDSA
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MRN	31/03/2022	D	FINAL FOR SUBMISSION	TJS
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	DATE	REV	DESCRIPTION	APP
			REVISIONS	

SHEET NUMBER
A003

CURRENT REVISION
E

11.8 D/130-2021 - REQUEST FOR A NEGOTIATED DECISION TO DEVELOPMENT PERMIT D/130-2021 FOR A MATERIAL CHANGE OF USE FOR UTILITY INSTALLATION (WASTE MANAGEMENT SERVICE)

File No: D/130-2021

Attachments:

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

Authorising Officer: Doug Scott - Manager Planning and Regulatory Services
Alicia Cutler - General Manager Community Services

Author: Amanda O'Mara - Coordinator Development Assessment

SUMMARY

Council at its meeting on 10 May 2022, approved a Development Application for a Utility Installation (Waste Management Service) located at 334 Leichhardt Street, Parkhurst - Lot 28 on CP849910.

In accordance with section 75 of the Planning Act 2016, the applicant has made 'change representations' about a matter stated in the development approval. The applicant has proposed to make the following changes to the development approval:

- *Amendment to timing of the Operational Works application/s;*
- *Revised Site Plan; and*
- *Change of operating hours.*

Development Application Number: D/130-2021

Applicant: KB Waste Group Pty Ltd

Real Property Address: Lot 28 on CP849910

Common Property Address: 334 Leichhardt Street, Parkhurst

Area of Site: 6,300 square metres

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

Planning Scheme Zone: Low Impact Industry Zone

Planning Scheme Overlays: Acid Sulfate Soils Overlay
Airport Environs Overlay
Flood Hazard Overlay

Approval Sought: Negotiated Decision Notice for Development Permit D/130-2021 for a Material Change of Use for Utility Installation (Waste Management Service)

Referral Agency(s): Not Applicable

OFFICER'S RECOMMENDATION

THAT to reflect the above changes, KB Waste Group Pty Ltd, be issued with a Negotiated Decision Notice:

1.0 ADMINISTRATION

1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.

- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 1.3.1 to Council’s satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the commencement of the use,
unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
- (i) Road Works;
- (ii) Access and Parking Works; and
- (iii) Roof and Allotment Drainage;
- 1.5.2 Building Works.
- 1.6 All conditions, works, or requirements of this development approval must be undertaken and completed by obtaining the Development Permit for Operational Works by lodging the application/s within six (6) months of the date of this development approval, and completion of the works within six (6) months from date of the approval of those 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.

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>
Proposed Site Plan	Design + Architecture	24 November 2022	SK-001	22
Technical memorandum	McMurtrie Consulting Engineers	28 October 2021	038-19-19	-
Environmental Report	Steer Environmental Consulting	17 September 2021		

- 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*, *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 3.3 Leichhardt Street must be upgraded for the full frontage of the development site to Industrial Access standard in accordance with *Capricorn Municipal Development Guidelines*. Kerb and channel and drainage infrastructure must be included. This non-trunk infrastructure is condition under section 145 of the *Planning Act 2016*.

Note: In order to appropriately integrate the Leichhardt Street works with Sturt Street it must be necessary to return the kerb for a distance along Sturt Street and seal a portion of the intersection.

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

4.0 ACCESS 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"*, the provisions of a Development Permit for Operational Works (access and parking works).
- 4.3 All access, parking, vehicle manoeuvring and vehicle storage areas must be paved or sealed to Council's satisfaction.
- 4.4 All the existing access from Leichhardt Street to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.5 The existing access to the development from Sturt Street must be closed.
- 4.6 All vehicular access to and from the development must be via Leichhardt Street only.
- 4.7 All vehicles must ingress and egress the development in a forward gear.
- 4.8 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
- 4.9 A minimum of fourteen (14) parking spaces must be provided on-site.
- 4.10 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).
- 4.11 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.
- 4.12 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"*.
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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* and 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 water networks.

5.3 The existing water connection point(s) must be retained, and upgraded if necessary, to service the development.

5.4 Adequate domestic and firefighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.

Note: No Fire Hydrant is available in close proximity to the development site for firefighting purpose.

5.5 The existing on-site sewerage facilities must be adequate for the proposed development. Should the existing on-site sewerage facilities not be adequate; an upgrade of the system must be provided by the developer at no cost to Council. The upgrade must be in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies.

5.6 Structures, parking spaces and vehicle storage areas must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distances, in accordance with the *Queensland Plumbing and Wastewater Code*.

5.7 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

6.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any roof and allotment drainage works on the development site.

6.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines* and sound engineering practice.

6.3 All roof and allotment runoff from the development must be directed 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 a 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 A drainage easement(s) must be registered, in favour of Council, over the development site assessed to be within a one percent (1%) Annual Exceedance probability defined flood / storm event inundation area.

7.0 SITE WORKS

7.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.

7.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

8.0 BUILDING WORKS

- 8.1 A Development Permit for Building Works must be obtained for a change of building classification for the 'existing office' and 'existing residence' as shown on the approved plans (refer to condition 2.1).
- 8.2 Note: Council records indicate this building was established as a Class 1A Dwelling House and that this classification remains current. Therefore, this building will need to be reclassified to a Class 4 Dwelling and a Class 5 Office.
- 8.3 A Development Permit for Building Works (acoustic barrier) assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.
- 8.4 The acoustic barrier must consist of a screen fence with a minimum height of two (2) metres and a maximum height of three (3) metres and be in accordance with the Proposed Site Plan (refer to condition 2.1).

9.0 LANDSCAPING WORKS

- 9.1 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).
- 9.2 Planting types used within the landscaping areas (refer to condition 2.1) must include either trees, shrubs or groundcovers, or any combination of these plantings types. These plantings must be established and maintained at a minimum of the following density rates:
- 9.2.1 trees at five (5) metre intervals;
 - 9.2.2 shrubs at two (2) metre intervals; and
 - 9.2.3 groundcovers at one (1) metre intervals.
- 9.3 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency.
- 9.4 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.
- 9.5 The landscaped areas must be subject to:
- 9.5.1 a watering and maintenance plan during the establishment moment; and
 - 9.5.2 an ongoing maintenance and replanting programme.

10.0 ELECTRICITY

- 10.1 Electricity services must be provided to the development 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. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.

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.

- 12.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the *Asset Design and As Constructed Manual (ADAC)*.

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.

- 13.2 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.

14.0 ENVIRONMENTAL HEALTH

- 14.1 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"*.

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

- 14.3 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 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 Leichhardt Street or Sturt Street.

- 15.2 The hours of operations for the development site (waste management service) must be limited to:

15.2.1 0600 hours to 1900 hours on Monday to Saturday, with no operations on Sundays or Public Holidays.

- 15.3 All waste storage areas must be:

15.3.1 kept in a clean and tidy condition; and

15.3.2 maintained in accordance with *Environmental Protection Regulation 2019*.

- 15.4 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2019* and must be:

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

- 15.4.2 surrounded by at least a 1.8 metre high screen fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
- 15.4.3 of a sufficient size to accommodate commercial type bins, plus clearances around the bins for manoeuvring and cleaning;
- 15.4.4 setback a minimum of two (2) metres from any road frontage; and
- 15.4.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2018*.
- As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.
- 15.5 Storage (vehicles, bins etc) are not permitted within the existing flood extent areas on the development site.
- 15.6 The number of heavy rigid vehicles to be stored on the development site is restricted to a total of seven (7) heavy rigid vehicles at any given time.
- 15.7 Heavy Rigid Vehicle movements (to and from the development site) are limited to a maximum of five (5) trips per day.
- Note: One (1) trip equals arriving to and departing the development site or vice versa.
- 15.8 The Utility Installation (Waste Management Service) must not accept or manage regulated waste or putrescible waste (general household waste) on site.
- 15.9 The Containers for Change (Queensland's used container refund scheme) must cease on site prior to the commencement of the Utility Installation (Waste Management Service).
- 15.10 All operations of the Utility Installation (Waste Management Service) must be undertaken in accordance with the Environmental Report (refer to Condition 2.1).

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. 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 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.

BACKGROUND

Council at its meeting on 10 May 2022, approved a Development Application for a Utility Installation (Waste Management Service) located at 334 Leichhardt Street, Parkhurst - Lot 28 on CP849910.

In accordance with section 75 of the *Planning Act 2016*, the applicant has made 'change representations' about a matter stated in the development approval. The applicant has proposed to make the following changes to the development approval:

- Amendment to timing of the Operational Works application/s;
- Revised Site Plan; and
- Change of operating hours.

PLANNING ASSESSMENT**TOWN PLANNING COMMENTS**

The applicant has requested the following conditions be either amended or deleted or included:

CONDITION 1.6

All conditions, works, or requirements of this development approval must be undertaken and completed by obtaining the Development Permit for Operational Works by lodging the application/s within three (3) months of the date of this development approval, and completion of the works within six (6) months from date of the approval of those works.

Summary of request:

The Applicant has requested the condition be amended to extend the three (3) month timeframe to six (6) months. This additional time is requested due to the existing extended timeframes by engineering consultants to undertake and deliver design work due to the demand for engineering services in the region.

Recommendation:

This Condition is to be amended to the following:

All conditions, works, or requirements of this development approval must be undertaken and completed by obtaining the Development Permit for Operational Works by lodging the application/s within six (6) months of the date of this development approval, and completion of the works within six (6) months from date of the approval of those works.

CONDITION 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>
Proposed Site Plan	Design + Architecture	24 September 2021	SK-001	18
Technical memorandum	McMurtrie Consulting Engineers	28 October 2021	038-19-19	-
Environmental Report	Steer Environmental Consulting	17 September 2021		

Summary of request:

Applicant has requested the condition be amended to include a revised proposed site plan that allows an acoustic barrier with a maximum height of three (3) metres and to identify the existing office on the site.

Recommendation:

This Condition is to be amended to the following:

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>
Proposed Site Plan	Design + Architecture	24 November 2022	SK-001	22
Technical memorandum	McMurtrie Consulting Engineers	28 October 2021	038-19-19	-
Environmental Report	Steer Environmental Consulting	17 September 2021		

BUILDING WORKS CONDITIONS

A Development Permit for Building Works must be obtained for a change of building classification for the 'existing office' and 'existing residence' as shown on the approved plans (refer to condition 2.1).

Note: Council records indicate this building was established as a Class 1A Dwelling House and that this classification remains current. Therefore, this building will need to be reclassified to a Class 4 Dwelling and a Class 5 Office.

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

The acoustic barrier must consist of a screen fence with a minimum height of two (2) metres and a maximum height of three (3) metres and be in accordance with the Proposed Site Plan (refer to condition 2.1).

Recommendation:

Due to the proposed office and the height of the acoustic barrier the above Building Works conditions must be added.

CONDITION 1.5

The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:

Operational Works:

- (i) Road Works;
- (ii) Access and Parking Works;
- (iii) Roof and Allotment Drainage;

Recommendation:

This Condition is to be amended to include Building Works:

The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:

Operational Works:

- (iv) Road Works;
- (v) Access and Parking Works;
- (vi) Roof and Allotment Drainage;

Building Works.

CONDITION 14.2

The hours of operations for the development site (waste management service) must be limited to:

- a) 0700 hours to 1900 hours on Monday to Saturday, with no operations on Sundays or Public Holidays.

Summary of request:

Applicant has requested an increase in the hours of operation as the subject site does not adjoin land in a residential zone or an existing sensitive land use not located within an industrial zone.

Recommendation:

This Condition is to be amended to the following:

The hours of operations for the development site (waste management service) must be limited to:

- a) 0600 hours to 1900 hours on Monday to Saturday, with no operations on Sundays or Public Holidays.

MATTERS FOR CONSIDERATION

This request has been assessed by Council's planning officers and other technical staff, as required. The assessment has been conducted in accordance with the provisions of the *Planning Act 2016* and Development Assessment Rules. Regard has been given to the relevant State Planning Policy; Council's Planning Scheme; and other general policies, procedures and documents as considered relevant.

An assessment of the Change Representations has been undertaken and it has been determined that the proposed changes are generally consistent with the original approval, legislative requirements, and the assessment benchmarks prescribed in the statutory instrument which were in effect when the development application for the development approval was properly made.

CONCLUSION

The applicant's change representations are considered reasonable and recommended for approval.

**D/130-2021 - REQUEST FOR A
NEGOTIATED DECISION TO
DEVELOPMENT PERMIT D/130-2021
FOR A MATERIAL CHANGE OF USE
FOR UTILITY INSTALLATION
(WASTE MANAGEMENT SERVICE)**

Locality Plan

Meeting Date: 13 December 2022

Attachment No: 1

D/130-2021 - Locality Plan



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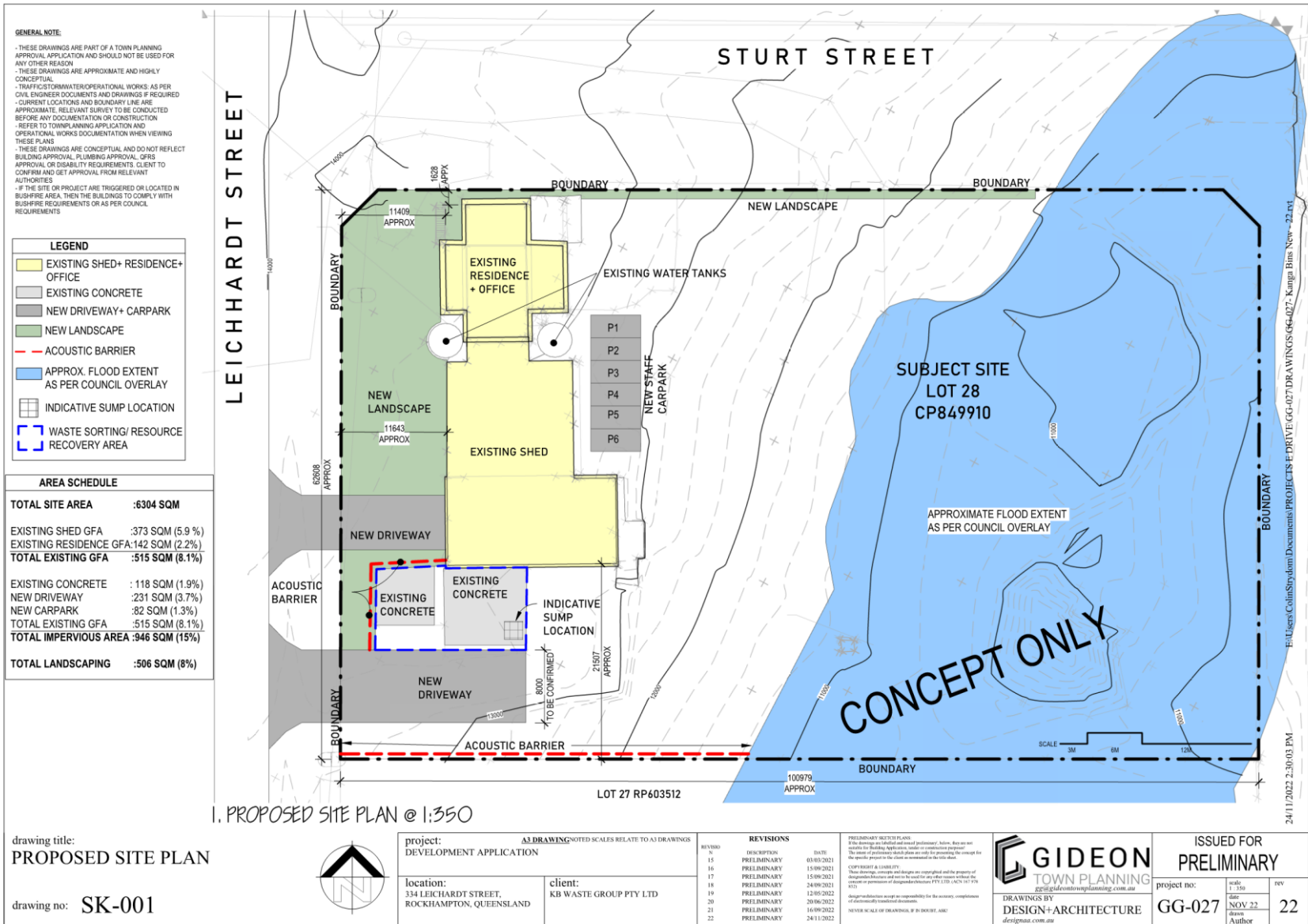


**D/130-2021 - REQUEST FOR A
NEGOTIATED DECISION TO
DEVELOPMENT PERMIT D/130-2021
FOR A MATERIAL CHANGE OF USE
FOR UTILITY INSTALLATION
(WASTE MANAGEMENT SERVICE)**

Site Plan

Meeting Date: 13 December 2022

Attachment No: 2



11.9 D/19-2022 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR OUTDOOR SALES (CARAVAN AND RECREATIONAL VEHICLE SALES)

File No: D/19-2022

Attachments: 1. [Approved Plans](#)
2. [Locality Plan](#)

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Doug Scott - Manager Planning and Regulatory Services
Alicia Cutler - General Manager Community Services

Author: Aidan Murray - Planning Officer

SUMMARY

Development Application Number: D/19-2022

Applicant: Roxborough (Qld) Pty Ltd

Real Property Address: Lot 43 on LN1499 and Lot 1 on CP848924

Common Property Address: 3 Glenmore Road, Park Avenue

Area of Site: 11,450 square metres

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

Planning Scheme Zone: Sport and Recreation Zone

Planning Scheme Overlays: Acid Sulfate Soils Overlay;
Airport Environs Overlay;
Biodiversity Areas Overlay;
Coastal Protection Overlay;
Flood Hazard Overlay; and
Steep Land Overlay.

Previous Development: Outdoor Sport and Recreation (Sports Club)

Approval Sought: Development Permit for Material Change of Use for Outdoor Sales (Caravan and Recreational Vehicle Sales)

Level of Assessment: Impact Assessable

Submissions: 70 Submissions

Referral Agency: Nil

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Material Change of Use for Outdoor Sales (Caravan and Recreational Vehicle Sales), made by Roxborough (Qld) Pty Ltd, located at 3 Glenmore Road, Park Avenue, described as Lot 43 on LN1499 and Lot 1 on CP848924, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	Material Change of Use for Outdoor Sales (Caravan and Recreational Vehicle Sales)	
Reasons for Decision	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 some aspects of the planning scheme (zone purpose and strategic framework).	
Assessment Benchmarks	<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Strategic Framework; • Sport and Recreation Zone Code; • Acid Sulfate Soils Overlay Code; • Airport Environs Overlay Code; • Biodiversity Areas Overlay Code; • Coastal Protection Overlay 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
	Flood Hazard Overlay Code PO1	Acceptable Outcome AO1.1 requires that, for non-residential development, at least 30% of gross floor area of all new buildings and structures be located 500 millimetres above the defined flood level. The proposed development does not achieve this as the proposed new workshop building is located fully within the high flood hazard category (H3) for riverine flooding. The new workshop building is proposed as a replacement for an existing building being demolished and will be

		<p>located on the same part of the land as the previous building. The application included a flood impact investigation report for the development, prepared by Registered Professional Engineer of Queensland (RPEQ). Council officers have reviewed the flood impact investigation report and deemed that flood risk and potential impacts to the site and surrounding area are not worsened by the development in comparison to the existing situation and pre-development scenario, generally in accordance with Acceptable Outcome AO1.2. Furthermore, the development can achieve Performance Outcome PO1 subject to a suitable contingency plan / emergency management plan being adopted by the operator. The level of risk can be considered acceptable subject to reasonable and relevant conditions as implemented by this development permit.</p>
	<p>Flood Hazard Overlay Code PO4</p>	<p>The proposed development includes the construction of a new workshop building, replacing an existing building which is to be demolished, located fully within the high flood hazard category (H3) for riverine flooding. The proposal does not fully comply with Acceptable Outcome AO4.1. While it does not increase the gross floor area (compared to the previous building), the finished floor level is not 500 millimetres above the defined flood level. The new workshop building is proposed as a replacement for an existing building being demolished and will be located on the same part of the land as the previous building. Based on these factors and a review of the submitted flood impact investigation report, the development does not result in increased risk to people and property and is therefore deemed to generally comply with Performance Outcome PO4.</p>
	<p>Sport and Recreation Zone Code PO12</p>	<p>The proposed development does not comply with Performance Outcome PO12 as the outdoor sales (caravan and RV sales) land use is not ancillary to or in support of a primary use on the site for a sport and recreation use. In this instance, consideration has been given to the relevant matters detailed below which are deemed to outweigh the conflict with Performance Outcome PO12.</p>
	<p>Sport and Recreation Zone Code 6.4.1.2 Purpose (1) (c), (d) and (e) (2) (a) and (b)</p>	<p>The proposed development is for an Outdoor Sales land use involving Caravan and RV Sales, which is not consistent with the purpose of the Zone, particularly purpose provisions (1)(c), (d) and (e) and overall outcomes (2)(a) and (2)(b). The outdoor</p>

		sales land use is not ancillary to nor does it directly support sport and recreation uses on the subject site or within the zone. In this instance, consideration has been given to the relevant matters detailed below which are deemed to outweigh the conflict with the purpose and overall outcomes of the Sport and Recreation Zone Code.
	<p>Strategic Framework</p> <p>3.3 Settlement Pattern</p> <p>3.3.1 (11)</p> <p>3.3.3 Element – Nature conservation, open space and natural corridor or link</p> <p>3.3.3.1 (1)</p> <p>3.3.8 Element – Urban and new urban</p> <p>3.3.8.1 (8)</p> <p>3.3.11 Element – Centres</p> <p>3.3.11.1 (2)</p> <p>3.3.12 Element – Specialised centres</p> <p>3.3.12.1 (4)</p>	<p>The proposed development was seen as representing a potential conflict to the settlement pattern and centres hierarchy as detailed by the Strategic Framework in Council's planning scheme. In support of the centres hierarchy, consideration was also given towards the Rockhampton Region Commercial Centres Study adopted by Council in 2021. In order to address, justify and overcome these conflicts, the applicant sought to rely on relevant matters by providing an economic impact assessment (EIA) prepared by a qualified economist in accordance with <i>the Economic impact assessment planning scheme policy (SC6.9)</i> adopted under Council's planning scheme. Council engaged an independent economist consultancy to conduct a peer review of the EIA. Assessment and peer review of the application material recommended that the EIA demonstrates sufficient economic, community and planning need for the proposed development based on the growing demand for caravan and RV sales in the region, the large economic catchment which stretches beyond the local government boundaries. Therefore, the land use of outdoor sales (caravan and RV sales) is not performing a local needs function and is unlikely to impact upon the already established centres in Rockhampton. Trading would be undertaken with clientele both within Rockhampton and the wider region. As a result, it is established that the proposal has an economic need to be located in Rockhampton. The expansion of the proposed facility is deemed to have a limited impact on the centres hierarchy or competitor facilities. Therefore, sufficient justification exists for the proposal based on the land use of outdoor sales, specifically for the sale of caravans and RVs.</p>
Relevant Matters	<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> An economic impact assessment (EIA) demonstrates sufficient economic, community and planning need for the proposed development as it identifies a growing demand for caravan and RV sales in Central Queensland, which is best met in the Central 	

	<p>Queensland context by being located in Rockhampton.</p> <ul style="list-style-type: none"> • The expansion of the proposed facility would have limited impacts on the centres hierarchy and competitor facilities and will provide positive benefits to the local tourism industry and support associated activities. • Whilst the proposed facility would be ideally located in the Specialised Centre Zone (Musgrave Street Precinct – Outdoor Sales and Services Sub-Precinct), or on other sites not located in the Sport and Recreation Zone, there are reasons these sites do not represent suitable alternatives for the proposed use. Typically, potential alternative sites that would be appropriately zoned do not sufficiently meet the operational requirements of the proposed use and their clientele or are otherwise unavailable for development (e.g. through sale or lease). 	
Matters raised in submissions	Issue	How matter was dealt with
	All submissions received by Council were in support of the proposed development and no issues were raised that needed to be addressed.	
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 Outdoor Sales (Caravan and Recreational Vehicle Sales), made by Roxborough (Qld) Pty Ltd, located at 3 Glenmore Road, Park Avenue described as Lot 43 on LN1499 and Lot 1 on CP848924, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council’s satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:

- (i) Access and Parking Works;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works:
 - (i) Demolition Works; and
 - (ii) Building Works.
- 1.6 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All conditions, works, and requirements of this development approval relating to Access and Parking Works must be undertaken and completed by submitting a development application to Council seeking a Development Permit for Operational Works. The Operational Works application must be lodged with Council within six (6) months of the date of this development approval taking effect. The works must not commence prior to a Development Permit for Operational Works being issued by Council for the works and must be completed within six (6) months from the date of that development approval taking effect, unless otherwise agreed in writing by Council.
- 1.8 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.9 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.
- 1.10 Lot 1 CP848924 and Lot 43 LN1499 must be amalgamated and registered as one lot within 6 months of this development approval taking effect.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/Issue</u>
Site Plan	Designtek	24 February 2022	2012-04 A01	A
Proposed Floor Plan	Designtek	24 February 2022	2012-04 A02	A
Perspective Views	Designtek	24 February 2022	2012-04 A03	A
Perspective Views	Designtek	24 February 2022	2012-04 A04	A
Flood Impact Investigation	TriCAD Design	15 March 2022	55H01	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 ACCESS AND PARKING WORKS

- 3.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works required by this development approval.
- 3.2 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).

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- 3.3 Internal vehicle access and manoeuvring area 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).
 - 3.4 All vehicles must ingress and egress the development in a forward gear.
 - 3.5 A minimum of twenty-two (22) parking spaces must be provided on-site.
 - 3.6 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"*.
 - 3.7 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).
 - 3.8 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"*.
 - 3.9 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.
 - 3.10 All access, parking and vehicle manoeuvring areas must be constructed, 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.
 - 4.0 **PLUMBING AND DRAINAGE WORKS**
 - 4.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.
 - 4.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
 - 4.3 The development must be connected to Council's reticulated sewerage and water networks.
 - 4.4 The existing sewerage and water connection point(s) must be retained, and upgraded, if necessary, to service the development.
 - 4.5 Adequate firefighting protection must be provided to the development and must be certified by a hydraulic engineer or other suitably qualified person.
 - 4.6 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
 - 4.7 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2018* and Council's Plumbing and Drainage Policies.
 - 4.8 All sanitary drainage works must comply with *Australian Plumbing and Drainage Standard AS3500 Part 2 section 3 and 4* for flood affected areas.
 - 5.0 **STORMWATER WORKS**
 - 5.1 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*,
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Capricorn Municipal Development Guidelines and sound engineering practice.

- 5.2 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.

6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 6.1 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines* and sound engineering practice.
- 6.2 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.

7.0 SITE WORKS

- 7.1 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.

8.0 BUILDING WORKS

- 8.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any new building works on the site.
- 8.2 A Development Permit for Building Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 8.3 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2019* and must be:
- 8.3.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 8.3.2 screened so as not to be visible from a public space;
 - 8.3.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning.
- 8.4 All non-habitable areas subjected to flood inundation during a one per cent (1%) Annual exceedance probability flood event, must be designed and constructed using suitable flood resilient materials.
- 8.5 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability flood level.
- #### 9.0 LANDSCAPING WORKS
- 9.1 The existing landscaping in all areas shown on the approved plans (refer to condition 2.1) must be retained and maintained by the owner.
- 9.2 Any new landscaping works must be designed in accordance with the requirements of *Australian Standard AS 1428 — Design for access and mobility*.
- 9.3 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency and must comply with the following requirements:

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- 9.3.1 Plant species are chosen from sources recommended in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*; and
 - 9.3.2 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.
 - 9.4 Shade trees must comply with the following requirements:
 - 9.4.1 Be planted clear of services and utilities;
 - 9.4.2 Be planted clear of park furniture and embellishments;
 - 9.4.3 Not obstruct pedestrian or bicycle traffic; and
 - 9.4.4 Comply with crime prevention through environmental design principles.
 - 9.5 Shade trees shown on the approved plans (refer to condition 2.1) must be retained and maintained.
 - 9.6 Landscaping, or any part thereof, upon reaching full maturity, must not:
 - 9.6.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
 - 9.6.2 adversely affect any road lighting or public space lighting; or
 - 9.6.3 adversely affect any Council infrastructure, or public utility plant.
 - 9.7 The landscaped areas must be subject to:
 - 9.7.1 a watering and maintenance plan during the establishment moment; and
 - 9.7.2 an ongoing maintenance and replanting programme.
 - 10.0 ELECTRICITY
 - 10.1 Electricity services must be provided to the development 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 HEALTH
 - 13.1 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"*.
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- 13.2 Operations on the development site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise, odour or dust.
- 13.3 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.
- 13.4 The ancillary workshop must have an impervious floor that is adequately bunded and drained to a holding tank.
- 14.0 OPERATING PROCEDURES
- 14.1 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 Glenmore Road.
- 14.2 The standard hours of operations for the use must be limited to:
- 14.2.1 0700 hours to 1800 hours on Monday to Friday, and
- 14.2.2 0700 hours to 1300 hours on Saturday,
- with no operations on Sundays or Public Holidays.
- 14.3 Approval of the outdoor sales land use includes the hosting of occasional ancillary events in support of the primary use that are intended to promote new product launches. In this context, the ancillary events:
- Must be directly related to the primary outdoor sales land use and associated sale products;
 - May host no more than 100 guests;
 - Must not occur more frequently than once every six (6) months;
 - May occur later than the standard operating hours but must not occur later than 2200 hours; and
 - Must not include any accommodation or overnight caravan stays of guests.
- 14.4 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera) in accordance with the approved plans (refer to condition 2.1). The owner of the land must ensure that:
- 14.4.1 the area is kept in a clean and tidy condition;
- 14.4.2 fences and screens are maintained; and
- 14.4.3 no waste material is stored external to the waste storage area.
- 14.5 No panel beating, spray-painting or any body works must be carried out on-site.
- 14.6 No washdown area is approved for the development. 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.
- 14.7 A Contingency Plan / Emergency Management Plan must be provided to Council prior to the issue of the Development Permit for Building Works. The plan must demonstrate that the subject development will not increase the flood debris loading of flood waters nor result in environmental harm. The Plan must also include details of how the owner or occupier of the land will clear the site and vacate the property in a flood event. The principles of the Contingency Plan will be entered against Lot 1 on CP848924 and Lot 43 on LN1499 as a property note.

NOTE: Council does not accept any liability for loss of or damage to property, or

injury, or loss of life as a result of any person using or relying on the Contingency Plan or failing to use the Contingency Plan during a flood event.

- 14.8 It is the responsibility of the owner or occupier of the land from time to time to implement the Contingency Plan / Emergency Management Plan during a flood event or if there is a risk of flooding near the land.
- 14.9 A review and amendment of the Contingency Plan / Emergency Management Plan must be undertaken with any change in the owner or occupier of the land to demonstrate appropriate evacuation routes and preparation procedures during a flood event or if there is a risk of flooding near the land.

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. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. Licensable Activities

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

NOTE 5. General Safety Of Public During Construction

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

NOTE 6. Property Note (Contingency Plan)

A complete copy of the Development Approval and any documents conditioned by this development approval (including the Contingency Plan or an updated Contingency Plan) must be given to the proposed purchaser when entering into a contract of sale or to the new registered proprietor upon any transfer of land for this lot.

NOTE 7. Infrastructure Charges Notice

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

NOTE 8. Advertising Devices

Any Advertising device associated with or attached to the development must be carried out in accordance with the applicable Advertising Devices Code in the Council Planning Scheme.

NOTE 9. Building Works

A Building Works Permit for a change of building classification may be required in accordance with the *Building Act 1975*.

NOTE 10. 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 Outdoor Sales (Caravan and Recreational Vehicle Sales), made by Roxborough (Qld) Pty Ltd, located at 3 Glenmore Road, Park Avenue, described as Lot 43 on LN1499 and Lot 1 on CP848924, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$86,479.02**.

PROPOSAL IN DETAIL

The proposal is seeking a development permit for Material Change of Use for Outdoor Sales (Caravan and Recreational Vehicle Sales) at 3 Glenmore Road, Park Avenue, described as Lot 43 on LN1499 and Lot 1 on CP848924. The application proposes redevelopment of an abandoned former bowls club facility with the intention of formalising the Capricorn Caravan Centre business that has been established on the subject site.

Land Use Activities and Building Work

The redevelopment of the former club building, which has a gross floor area of 1,013m², includes a proposed sales floor, management and admission offices and general amenities of the business. This building comprises a foyer that leads to the sales and showroom space, staff areas, a sales / retail area, and an outdoor rest area for guests that faces the road frontage. The existing bowling green on the south-eastern side of the main building has been repurposed as an outdoor display area for the caravans, with an area of approximately 1,000m². The existing clubhouse and caretakers' residence located to the southeast of the main building are proposed to be demolished and replaced with a new workshop building with a gross floor area of 354m². This workshop and the existing storeroom (183m²) will be used for service and maintenance of caravans and trailers as an ancillary activity to the primary land use of caravan and RV sales.

A second open area, measuring 1,554m², is located to the south-east and is accessible through the workshop. This former bowling green area will be used for secure parking and storage of caravans. A covered drive-thru between the main building and the workshop is also proposed which will provide vehicle access to each of the eastern open areas that respectively accommodate the main outdoor display and storage of caravans. The proposed building work will not increase the overall gross floor area of buildings on the site and will be consistent with the visual appearance and design aesthetic of the existing buildings being retained.

Regular Operating Hours

The applicant has advised that the proposed outdoor sales land use will operate from 8am to 5pm Monday to Friday and 7am to 1pm on Saturdays, with staff generally arriving and departing within 30 minutes before and after opening and closing times.

Ancillary Event Nights

In addition to the primary land use activities and regular operating hours detailed above, the applicant is proposing to host occasional information and training events for members. The applicant has advised that these events:

- are intended to promote new product launches (e.g. new caravan or camper models);
- will be hosted approximately once every six (6) months;
- would accommodate an estimated 50-100 guests;
- finish no later than 10pm; and
- would involve no accommodation or overnight caravan stays of guests.

Vehicle Access and Parking

The development retains the existing access driveway located along the northern property boundary with frontage and direct access to Glenmore Road as well as the existing parking spaces and internal manoeuvring areas. The Access, Parking and Transport Code of the *Rockhampton Region Planning Scheme 2015 (version 2.2)* prescribes a car parking ratio for outdoor sales of one (1) space per 100 square metres of total use area with a minimum of five (5) spaces. The development therefore requires the minimum provision of twenty-two (22) parking spaces. The existing site provides seventy-seven (77) onsite car parking spaces, exceeding the minimum parking required to service the development.

Landscaping

The proposal maintains the existing landscape throughout the site, resulting in a total landscaping area of 2,417m². This includes landscape strips and green open space buffers along the northern (road frontage), eastern and southern boundaries. The western boundary does not have a dedicated landscape strip but is shared with undeveloped green space.

Environmental Impacts and Waste Management

The caravan servicing and repair work involves low noise equipment and controlled quantities of lubricants. Waste bins will be stored within a designated waste storage area within the south-western of the existing store room. Private waste management contractors will be used to service the development and remove commercial waste.

SITE AND LOCALITY

Subject Site and History

The subject site is located at 3 Glenmore Road in Park Avenue, described as Lot 43 on LN1499 and Lot 1 on CP848924, and located in the Sport and Recreation Zone. Historically, the subject site housed the North Rockhampton Bowls Club. This facility contained bowling greens, function areas, dining and bar facilities as well as a gaming room. The subject site contains existing buildings and infrastructure which are proposed to be repurposed and renovated to accommodate the operations of the Capricorn Caravan Centre, as detailed in the proposal section of this report.

Flooding

The subject site is affected by the Flood Hazard Overlay under the *Rockhampton Regional Planning Scheme 2015 (version 2.2)*. The application was further considered against updated flood modelling from 2018 as per the Planning Scheme Major Amendment - Local Catchment and Riverine Flood Mapping currently undergoing the major amendment process to be adopted into Council's planning scheme. Assessment of the application against the Flood Hazard Overlay and modelling has been addressed within the Statement of Reasons (Recommendation A).

Surrounding Land Uses

While the subject site is located within the Sport and Recreational Zone, surrounding local area comprises a diverse mix of zoning and land uses within an area bounded by Toft Street, Queen Elizabeth Drive, Moores Creek Road, and the Fitzroy River. This area contains a diverse mix of non-recreational land uses that include a place of worship (Oasis Church), educational establishment (Kingsley College), short-term accommodation (Neville Bonner Hostel), tourist park (Riverside Caravan Park), service station, and residential dwellings.

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

No objections, subject to conditions.

Public and Environmental Health Comments

No objections, subject to conditions.

Strategic Planning Comments

No objections, subject to conditions. Comments have been incorporated into the assessment against the Strategic Framework.

Third Party Referral Comments

The economic impact assessment (EIA) submitted with the application was referred to an economist consultant for peer review. The results of this review are detailed within the report.

TOWN PLANNING COMMENTS

State Planning Policy 2017

Section 2.1 of *Rockhampton Region Planning Scheme 2015* notes 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

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Sport and Recreation Zone Code;
 - Acid Sulfate Soils Overlay Code;
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- Airport Environs Overlay Code;
- Biodiversity Areas Overlay Code;
- Coastal Protection Overlay 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.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the majority of relevant Performance Outcomes and Acceptable Outcomes or has otherwise been conditioned to comply. Where the application is in conflict with the Acceptable Outcome/s, an assessment of the Performance Outcome/s is outlined within the Statement of Reasons (refer to Recommendation A).

However, there is a significant conflict with Performance Outcome PO12 of the Sport and Recreation Zone Code and the proposed development cannot achieve compliance with this assessment benchmark. The proposed development does not comply with Performance Outcome PO12 as the outdoor sales (caravan and RV sales) land use is not ancillary to or in support of a primary use on the site for a sport and recreation use. Due to the identified conflict, the application was also assessed against higher order provisions of the planning scheme, the purpose and overall outcomes of the zone as well as the Strategic Framework. Ultimately, relevant matters have been relied upon to inform the recommendation. This assessment is further detailed against those relevant provisions.

Sport and Recreation Zone

The subject site is situated within the Sport and Recreation Zone under the *Rockhampton Region Planning Scheme 2015 (version 2.2)*. The purpose and overall outcomes of the Sport and Recreation Zone identifies that:

- (1) *The purpose of the sport and recreation zone code is to:*
 - (a) ***provide for a range of sport and recreation uses, well distributed throughout the urban areas and easily accessible by all members of the community;***
 - (b) ***facilitate the collocation and concentration of sporting, recreation and cultural facilities in nodes of activity;***
 - (c) ***protect important sport and recreation sites from the establishment of inappropriate land uses;***
 - (d) ***provide for ancillary uses where they support the development of the zone for sport and recreation uses;***
 - (e) ***minimise land use conflict and ensure that facilities are sited, designed and operated to minimise adverse impacts on surrounding land; and***
 - (f) ***ensure that development within the zone has appropriate standards of infrastructure and essential services.***
- (2) *The purpose of the zone will be achieved through the following overall outcomes:*
 - (a) ***development within the zone primarily provides for the following uses:***

- (i) indoor sport and recreation;*
- (ii) outdoor sport and recreation; and*
- (iii) park;*
- (b) land uses such as caretaker's accommodation, club, community care centre, community use, educational establishment, food and drink outlet or function facility, occur where they:***
 - (i) are small-scale and ancillary uses; and*
 - (ii) are compatible with and support the development of the zone for sport and recreation uses;*
- (c) development has a scale, height and bulk that reflects the operational, functional and locational needs of the use without unduly impacting on the character and amenity of the surrounding area;*
- (d) development is designed to respond to the region's climate, local heritage features, natural landscape features and environmental constraints;*
- (e) development is easily accessible to the majority of the population and is well located in relation to public and active transport networks;*
- (f) development is serviced by infrastructure that is commensurate with the needs of the use; and*
- (g) the establishment of one (1) precinct within the zone where particular requirements are identified:*
 - (i) Rockhampton major sports precinct.*

This application seeks to establish and formalise an Outdoor Sales land use involving Caravan and RV Sales, which is not consistent with the purpose and overall outcomes of the Zone. The outdoor sales land use is not ancillary to nor does it directly support sport and recreation uses on the subject site or within the zone. In order to address and justify these conflicts, the applicant has provided an economic impact assessment (EIA) prepared by a qualified economist in accordance with the *Economic impact assessment planning scheme policy (SC6.9)* included in Council's planning scheme. Council engaged an independent economic consultant to conduct a peer review of the EIA. The findings of this peer review have been summarised within this report (refer to Strategic Framework and relevant matters sections). It is acknowledged that despite these conflicts, the development is consistent with some aspects of the zone purpose and overall outcomes, such as providing easy accessibility, being serviced by appropriate infrastructure and being unlikely to generate significant adverse amenity impacts to surrounding land uses.

Strategic Framework

The following themes of the Strategic Framework, including the Strategic Outcomes and Specific Outcomes, have been considered in the assessment of the proposed development:

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

As the proposed development presents conflicts with certain Acceptable Outcomes (assessment benchmarks) in the applicable Planning Scheme Codes, which cannot otherwise be justified against the related Performance Outcomes or Overall Outcomes, an

assessment against certain elements of the Strategic Framework is necessary. Relevant Strategic Outcomes and/or Specific Outcomes have been highlighted and considered below.

Element	Officer Comment
Settlement pattern theme	
<p>(3.3.1) Strategic outcomes</p> <p>(11) The centres hierarchy is maintained and the role and function of designated centres service the planning scheme area. Centres provide a mix of land uses, including residential development that supports each centres viability and activity.</p>	<p>The proposed development was seen as representing a potential conflict to the settlement pattern and centres hierarchy as detailed by the strategic framework in Council's planning scheme. The applicant has sought to justify the proposal through relevant matters and, to this end, has provided an economic impact assessment (EIA) prepared by a qualified economist. This EIA was peer reviewed through a third party referral. The EIA was assessed against Council's <i>Economic Impact Assessment Planning Scheme Policy (SC6.9)</i> and the Rockhampton Region Commercial Centres Study, adopted by Council in 2021. This assessment has been relied on by Council officers as a relevant matter to support the recommendation. A summary of the assessment is detailed below in relation to the specific outcomes of the relevant elements and area designations of the centres hierarchy.</p>
<p>(3.3.3) Element - Nature conservation, open space and natural corridor or link</p> <p>(3.3.1.1) Specific outcomes</p> <p>(1) Nature conservation and open space areas contain national parks, public open space, environmentally significant areas (including corridors) as shown on strategic framework maps (SFM-1 to SFM-4) and other important ecological and landscape values. These areas are protected from urban development.</p>	<p>The site is strategically located adjoining the Fitzroy River and Moores Creek which is designated as a natural corridor / link within the strategic framework settlement pattern. It is important that sites located adjacent to major waterway corridors such as the Fitzroy River allow for access and provide a continual link for public access (where practical). The proposed development and associated building work does not impose additional restrictions (e.g. fencing, structures or buildings) on accessibility to the Fitzroy River when compared to the pre-existing state of the site. The site is encompassed on the Fitzroy River and Moores Creek sides by reserve land under Council's custodianship which allows for the necessary linkage and public access to the Fitzroy River. This arrangement will not be adversely impacted by the proposed development.</p>
<p>(3.3.8) Element – Urban and new urban</p> <p>(3.3.8.1) Specific outcomes</p> <p>(8) Urban and new urban areas (excluding neighbourhood centres) contain existing land uses that provide for a localised service function such as small-scale food and drink outlets, community uses and services. These land uses can continue; however, the expansion of these uses or the establishment of new uses must function to service the</p>	<p>As the development proposal for outdoor sales (caravan and RV sales) conflicts with the zone purpose, the application must address the specific outcomes of the relevant areas within the settlement pattern (see left column). This requirement is to ensure proper consideration can be given to the location of the proposed use outside the designated centres within the planning scheme. As a result, the applicant was requested to undertake economic need and impact assessment that addresses <i>Economic Impact Assessment Planning Scheme Policy (SC6.9)</i>. This included demonstrating an economic and planning need for the development as well as validating that the proposed use will not compromise the centres hierarchy as established in the planning scheme.</p> <p>The Rockhampton Region Commercial Centres Study,</p>

needs of the immediate local residential community, not conflict with sensitive land use(s), not compromise the role and function of designated centres and be consistent with the relevant zone code.

(3.3.11) Element – Centres

(3.3.11.1) Specific outcomes

(2) The centres hierarchy is maintained to ensure a concentration of employment and business activity that services the planning scheme area. This concentration of activities will ensure:

(a) efficient use of existing infrastructure provided by both the public and private sectors;

(b) efficient means of undertaking activities within the one area, reducing the need for multiple trips;

(c) co-location of activities to promote choice for users and competition between businesses;

(d) public transport networks, based around a concentration of critical mass of activities and people, are supported;

(e) business activity is maintained and vacancies and low levels of amenity are reduced; and

(f) increased confidence in investment decisions.

(3.3.12) Element – Specialised centres

(3.3.12.1) Specific outcomes

(4) Further expansion of these centres into adjacent residential zones and outside the designated centre areas (including ribbon development along roads) will not occur. This is to ensure the redevelopment of existing

prepared by CDM Smith and Rough Plan was adopted by Council in 2021 to provide analysis of current and future trends (including COVID-19), to inform the future direction of commercial centres and to guide policy outcomes for the planning scheme. While the outcomes of this study are yet to be incorporated into the planning scheme, being the most up to date study undertaken (since the 2010 commercial centres study) the outcomes are an important consideration when assessing development applications against the planning scheme and relevant matters. The commercial centres study undertaken in 2021 identified that no further expansion of commercial land was required: *“Apart from suggested rationalisation of some centre zone boundaries mentioned above, continue to articulate strong policies to prevent expansion of existing centres beyond zone land.”*

The applicant provided an Economic Need and Impact Assessment (EIA) prepared by an economic expert, to support the development application. To appropriately assess the application against the hierarchy of centres, Council sought an external review of the EIA by an economic expert. In relation to the proposed land use (outdoor sales for caravan and RV sales), the trading area was likely to be extended beyond the Rockhampton Regional Council Local Government Area. This determination was confirmed by both economic experts. Therefore, the land use of outdoor sales is not performing a local needs function and is unlikely to impact upon the already established centres in Rockhampton. Trading would be undertaken with clientele both within Rockhampton and the wider region. As a result, it is established that the proposal has an economic need to be located in Rockhampton.

In relation to other more appropriate sites for the proposed development, the argument has been made by the applicant that there are no other suitable sites large enough within the existing zoned areas to accommodate the facility. This issue is debatable and while the applicant mentioned that certain individual sites could not accommodate the facility, it is important to recognise that for larger commercial land uses such as retail showroom, outdoor sales and shopping centre a multiple number of sites may be required to accommodate the activity. The acquisition of sites is a common practice by developers and something that needs to be encouraged to achieve infill and renewal development within the current centres.

The recommendation was made by an external economic expert that the application material has demonstrated sufficient economic, community and planning need for the proposed development based on the growing demand for caravan and RV sales in the region. Whilst it was acknowledged that the proposed facility would be ideally located either in the specialized centre zone or within the commercial centres, the expansion of the proposed facility is deemed to have a limited impact on the centres hierarchy or competitor facilities.

buildings and vacant land within these centres occurs and to mitigate against impacts where adjoining residential areas.	Given the advice from economic expert it would be difficult not to support the proposed development. Therefore, sufficient justification exists for the proposal based on the land use of outdoor sales, however this assessment and determination specifically relates to the sale of caravans and RVs. It is recommended that the development approval be specifically for sale of caravans and recreational vehicles and would not apply to other potential activities that could be categorised under the land use definition for outdoor sales.
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The performance assessment of the proposal against the strategic framework demonstrates that the development will not compromise the strategic outcomes of *Rockhampton Region Planning Scheme 2015 (version 2.2)*.

INFRASTRUCTURE CHARGES

Charges Resolution (No. 1) of 2022 for non-residential development applies to the application. The Infrastructure Charges are as follows:

- (a) A charge of \$237,770.00 for Gross Floor Area being 1,550 square metres (main building, workshop and store);
- (b) A charge of \$68,130.90 for proposed Impervious Area being 6,222 square metres (roof area, hardstand areas, access and parking areas); and
- (c) An Infrastructure Credit of \$205,103.00 made up as follows:
 - (i) \$141,757.25 (\$76.75 per square metres) - Infrastructure Credit applicable for Gross Floor Area (GFA) of the previous Club (1,847 square metres); and
 - (ii) \$63,345.75 - Infrastructure Credit applicable for existing impervious area being 5,785 square metres (roof area, hardstand areas, access and parking areas).

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; and

In accordance with Development Incentives Policy, section 3.5 of the *Charges Resolution (No. 1) of 2022*, the levied charge will be 85 per cent of the total charge calculated.

The automatic increase and development incentive calculations are reflected in the below table:

Column 1 Use	Column 2 Infrastructure Charge (\$)	Column 3 Unit	Column 4 Calculated Charge
Commercial (bulk goods) – Outdoor Sales	153.40	Per m ² of Gross Floor Area (GFA)	\$237,770.00
	\$10.95	Per m ² of impervious area	\$68,130.90
Total Base Charge			\$305,900.90
Charge (including PPI)			\$308,760.03
Total Base Credit			\$205,103.00
Less Credit (including PPI)			\$207,020.01
TOTAL CHARGE			\$101,740.02
LEVIED CHARGE (15% discount applied)			\$86,479.02

Therefore, a total charge of **\$86,479.02** is payable for the development.

CONSULTATION

The proposal was the subject of public notification between 19 September 2022 and 12 October 2022, in accordance with the requirements of the *Planning Act 2016* and the *Development Assessment Rules*, and 70 submissions were received, all of which were supportive of the development.

The following is a summary of the relevant matters raised in the submissions, with Council officer comments:

Matters raised by submitters	
Accessibility	Many submitters stated anecdotally that the development is easily accessible, being located close to Moores Creek Road and Queen Elizabeth Drive Street without being impacted by or contributing to the high traffic volume and congestion associated with those higher order state-controlled roads.
Parking	Submissions highlighted the large number of parking spaces available on-site with many submitters commenting on how the large parking area allowed for easy parking of long vehicles (e.g. cars towing caravans) in comparison to the old business location on Musgrave Street.
Sufficient Need	Many submissions commented on a perceived need for the development in the Rockhampton region. Submitters indicated that without the development, they would need to travel a significant distance outside of the Rockhampton region to purchase a caravan.
Other matters	Submissions highlighted that the original land use (North Rockhampton Bowls Club) had been abandoned for several years and many submitters believe that the development for Outdoor Sales (Caravan and Recreational Vehicle sales) has revitalised the subject site.

CONCLUSION

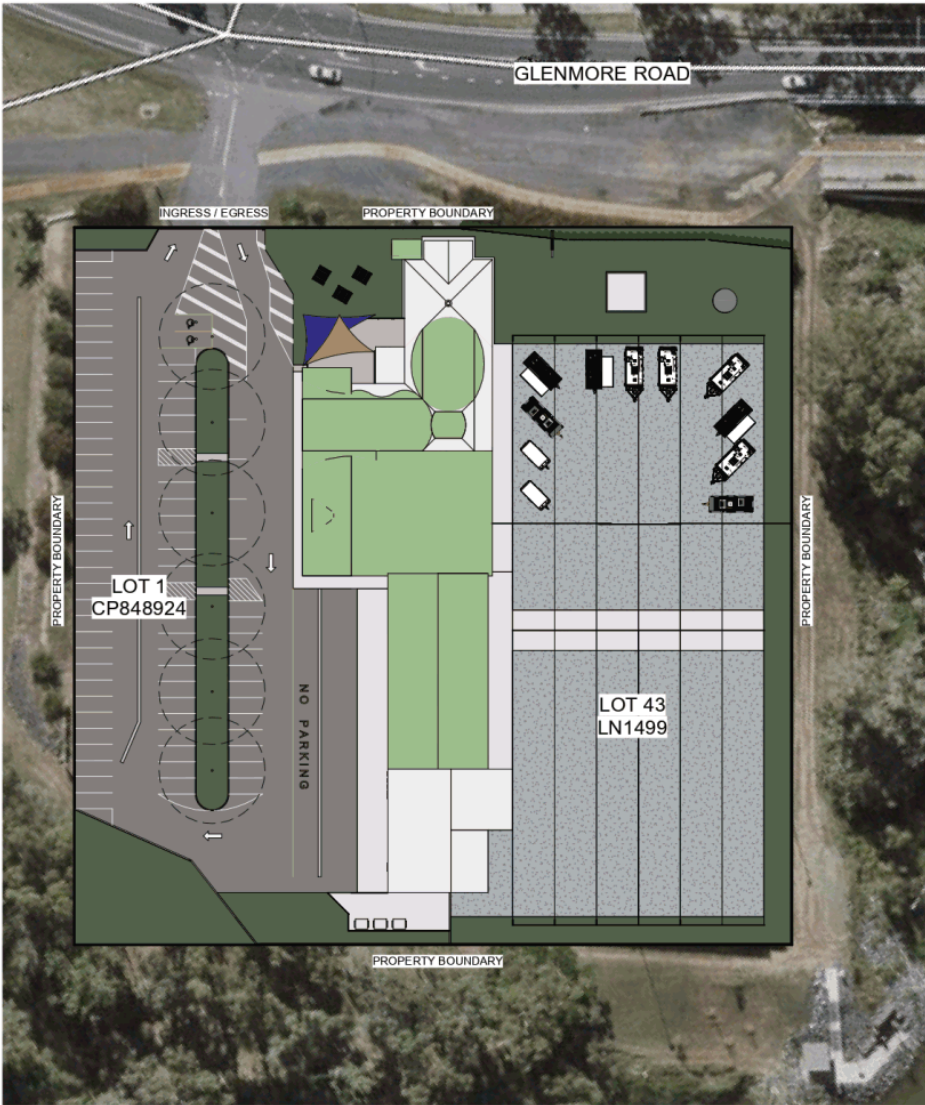
THAT the proposed development is not anticipated to compromise the Strategic Framework of *Rockhampton Region Planning Scheme 2015 (version 2.2)*. Furthermore, the proposal generally complies with the provisions included in the applicable codes and any inconsistencies have been noted and addressed within the body of this report. The proposal is therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

**D/19-2022 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR OUTDOOR
SALES (CARAVAN AND
RECREATIONAL VEHICLE SALES)**

Approved Plans

Meeting Date: 13 December 2022

Attachment No: 1



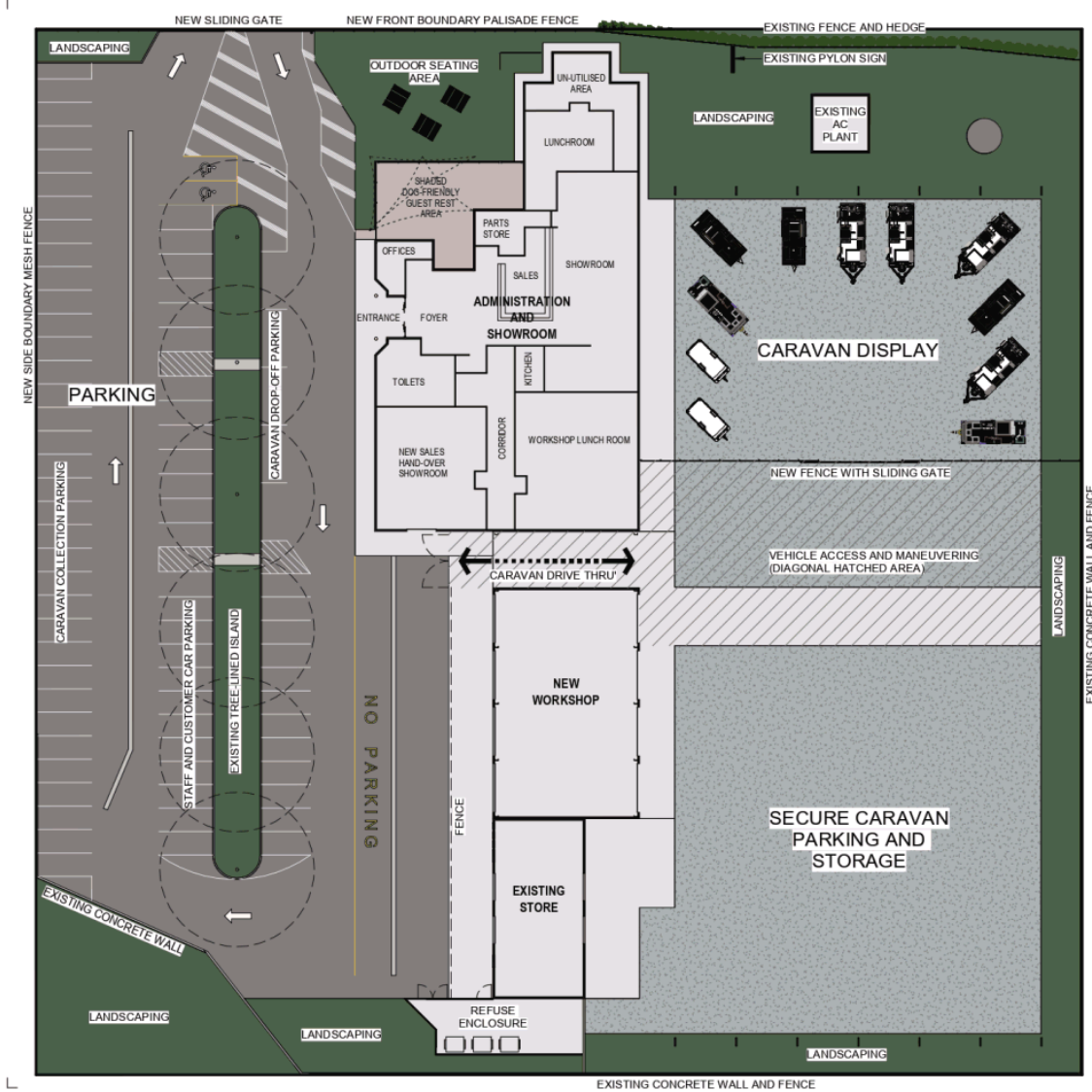
SCHEDULE OF AREAS	
EXISTING -	SQM
• EXTERNAL DRIVEWAY AND CARPARK	3105
• EXTERNAL GREENS AND LANDSCAPING	5553
• EXTERNAL PATHWAYS	1130
• MAIN CLUB BUILDING	1013
• REAR BAR AND CARETAKER RESIDENCE	651
• STORE	183
• WATER TANK AND AC PLANT	46
• TOTAL	11681
• SITE AREA	11450



SITE PLAN
1 : 600

project: PROPOSED CARAVAN SALES AND REPAIR CENTRE	
client: CAPRICORN CARAVAN CENTRE	
 Shop 5/10 Denham St Rockhampton QLD, 4700 p 0749 222880 building design - documentation	
 QBCC MEM. NO # 1123040 BDAQ MEM. NO # 0000761	
title: SITE PLAN	
scale: As indicated	project no: 2012-04
drawn: EM	drawing no rev: A01 A

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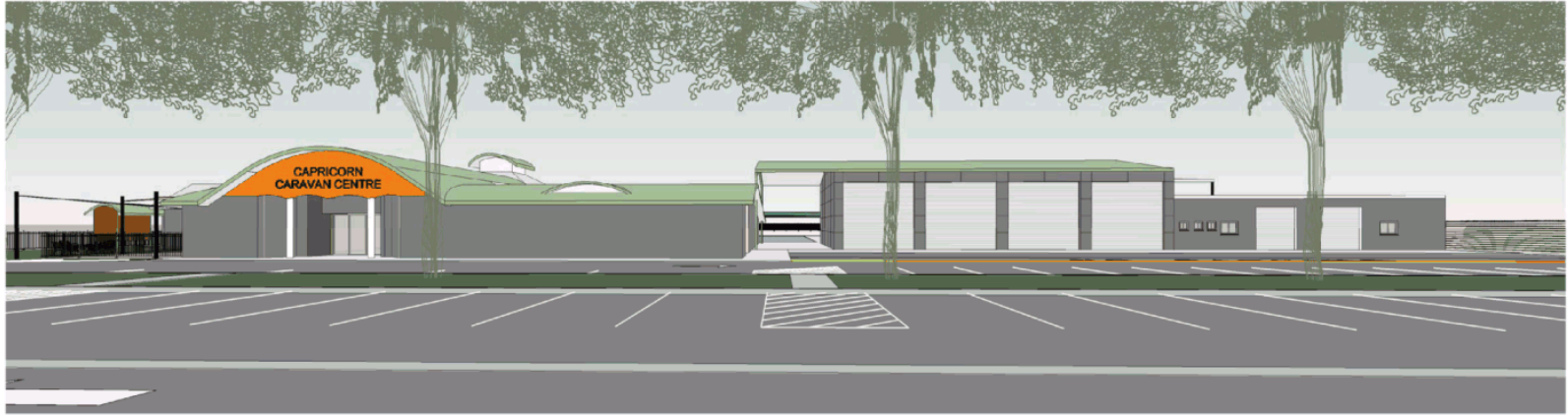
SCHEDULE OF AREAS	
PROPOSED -	SQM
• DRIVEWAY AND CARPARK	3105
• LANDSCAPING	2417
• EXTERNAL PATHWAYS	676
• CARAVAN DISPLAY	1000
• SECURE CARAVAN PARKING AND STORAGE	1554
• VEHICLE ACCESS AND MANEUVERING	891
• OUTDOOR GUEST REST AREA	120
• MAIN BUILDING	1013
• OFFICES	22
• SHOWROOM AND SALES	517
• AMENITIES	54
• STORES	78
• CORRIDOR	73
• LUNCH ROOMS	199
• UNUTILISED	70
• WORKSHOP	354
• EXISTING STORE	183
• WATER TANK AND AC PLANT	46
• REFUSE ENCLOSURE	91
• TOTAL	11450
PARKING	
• PROVIDED (EXISTING)	77



FLOOR PLAN
1 : 400

project: PROPOSED CARAVAN SALES AND REPAIR CENTRE	
client: CAPRICORN CARAVAN CENTRE	
 Shop 5/10 Denham St Rockhampton QLD, 4700 p 0749 222880 building design - documentation	
QBCC MEM. NO # 1123040 BDA MEM. NO # 0000761	
title: PROPOSED FLOOR PLAN	
scale: As indicated	project no: 2012-04
drawn: EM	drawing no rev: A02 A

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PERSPECTIVE VIEW FROM PARKING AREA



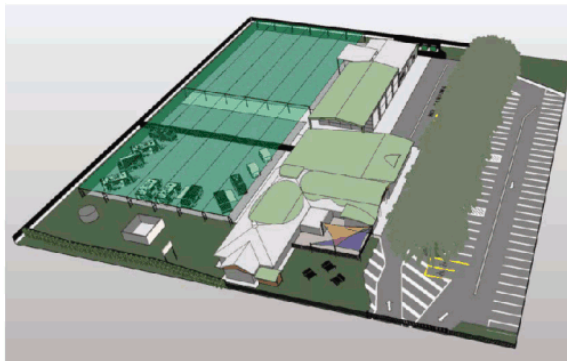
PERSPECTIVE VIEW FROM FITZROY RIVER

project: PROPOSED CARAVAN SALES AND REPAIR CENTRE	
client: CAPRICORN CARAVAN CENTRE	
 Shop 5/10 Denham St Rockhampton QLD, 4700 p 0749 222880 building design - documentation	
 QBCC MEM. NO # 1123040  BDAQ MEM. NO # 0000761	
title: PERSPECTIVE VIEWS	
scale:	project no: 2012-04
drawn: EM	drawing no rev: A03 A

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PERSPECTIVE VIEW FROM GLENMORE ROAD



PERSPECTIVE AERIAL VIEW

project: PROPOSED CARAVAN SALES AND REPAIR CENTRE		
client: CAPRICORN CARAVAN CENTRE		
Shop 5/10 Denham St Rockhampton QLD, 4700 designtek p 0749 222880 building design - documentation		
QBCC MEM. NO # 1123040 BDAQ MEM. NO # 0000761		
title: PERSPECTIVE VIEWS		
scale:	project no: 2012-04	
drawn: EM	drawing no: A04	rev: A

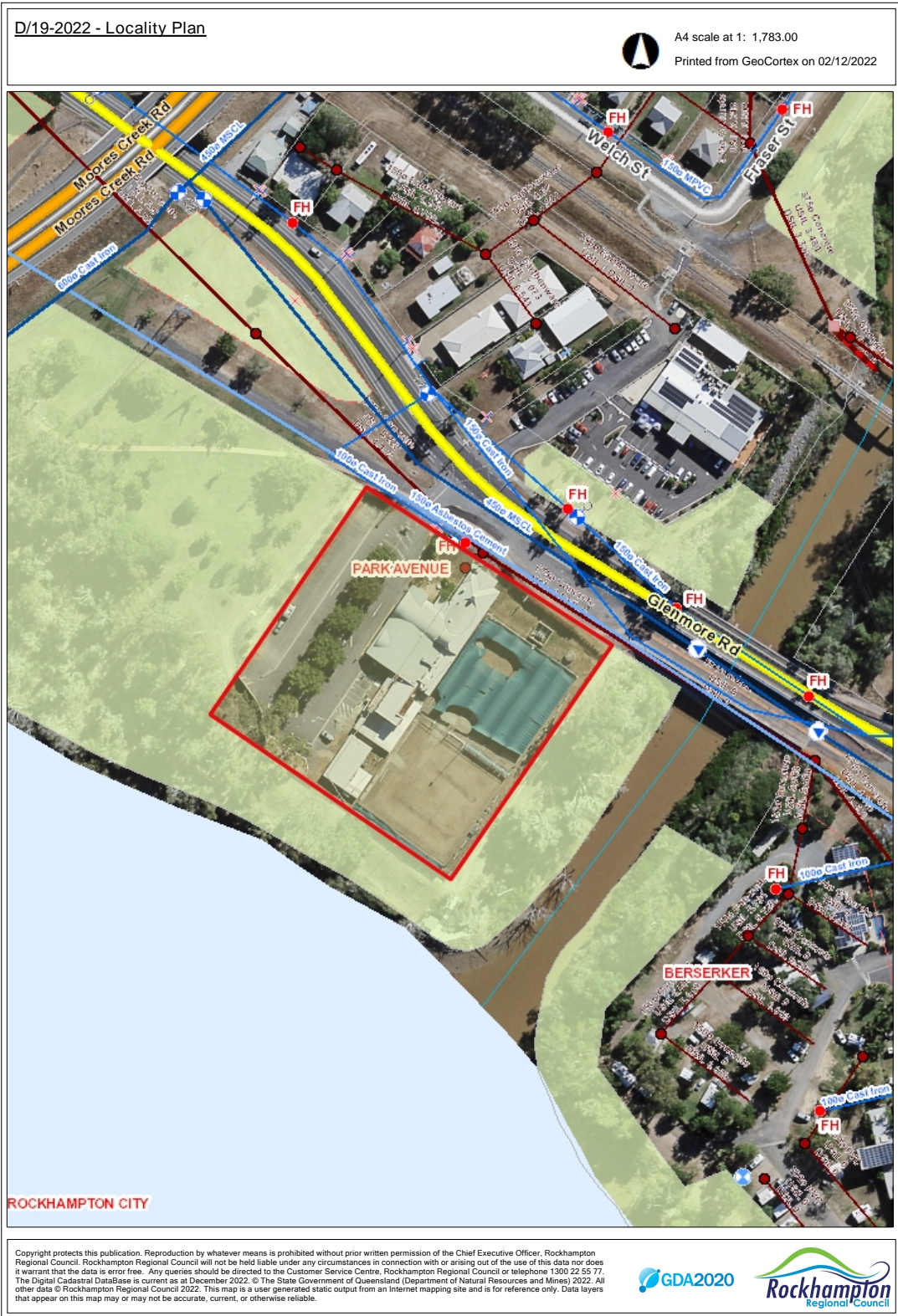
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**D/19-2022 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR OUTDOOR
SALES (CARAVAN AND
RECREATIONAL VEHICLE SALES)**

Locality Plan

Meeting Date: 13 December 2022

Attachment No: 2



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

File No:	12660
Attachments:	Nil
Authorising Officer:	Ross Cheesman - Deputy Chief Executive Officer Damon Morrison - Manager Workforce and Governance
Author:	Shannon Jennings - Acting 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 2022 to January 2023 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 14 December 2022 until 23 January 2023, 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*, *Development Assessment Rules* and transitional provisions under the *Planning Act 2016* in relation to the former *Sustainable Planning Act 2009*:

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.

LEGISLATIVE CONTEXT

The *Planning Act 2016* identifies Council as the Assessment Manager for certain types of development. The *Planning Act 2016*, 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*.

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.

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*.

11.11 DRAFT COMMUNITY ENGAGEMENT FRAMEWORK

File No:	54
Attachments:	1. Draft Community Engagement Framework ↓
Authorising Officer:	Matthew Mansfield - Coordinator Media and Communications Evan Pardon - Chief Executive Officer
Author:	Skye Michaels - Senior Communications Officer

SUMMARY

This report proposes the adoption of a Community Engagement Framework to guide Council's Community Engagement efforts to increase engagement with the Rockhampton Region community as an integral part of Council's planning and decision-making processes.

OFFICER'S RECOMMENDATION

THAT Council:

1. Adopts the draft Community Engagement Framework as detailed in the report; and
2. Approves officers to revise policy and procedure for further consideration by Council.

COMMENTARY

A key component of serving the Rockhampton Region community is understanding its needs, priorities and expectations.

Community Engagement is a key role of Council whereby working alongside organisations, stakeholders and community can assist to solve problems and/or shape decisions.

It helps inform Council's vision, strategic direction, planning, and decision making, while also providing Council with a better understanding of community priorities.

The attached draft Community Engagement Framework seeks to establish and formalise the process by which Community Engagement is undertaken at Council, and ensure that the organisation's approach is consistently efficient, effective, and proactive.

BACKGROUND

The proposed Community Framework has previously been workshopped by Council, and outlines:

- A framework that is supported by departmental toolkits, policy, and procedure
- The benefits to effective community engagement
- The International Association of Public Participation (IAP2) spectrum of engagement
- The best practice approach to the engagement process and;
- The principles that will underpin Council's community engagement activities

Ongoing actions will be undertaken to advance the development of the departmental toolkits including a whole of Council calendar of engagements. A revised policy and procedure will also be developed and subject to a further report to Council for consideration and adoption.

PREVIOUS DECISIONS

No previous decisions have been endorsed by Council.

BUDGET IMPLICATIONS

The adoption of the framework itself carries no additional budget implications. The implementation of actions arising from the framework will be subject to adoption of the 2023-2024 Operational Budget if required.

Budget expenditure incurred in existing community engagement activities prior to adoption of the 2023-24 Operational Budget will be absorbed within existing allocations within the Operational Budget.

LEGISLATIVE CONTEXT

The Community Engagement Framework aligns with the *Local Government Act 2009 Section 4* and the principles outlined recognise that each engagement has a distinct purpose, with a unique set of stakeholders and specific circumstances.

LEGAL IMPLICATIONS

There are no identified legal implications to Council relevant to this matter.

STAFFING IMPLICATIONS

Significant internal resources will be required to develop the departmental toolkits and to conduct engagement activities in accordance with the engagement process outlined in the framework. This resourcing can be met by current staffing levels.

RISK ASSESSMENT

The draft Community Engagement Framework is intended to formalise and provide structure to a role Council already performs and no risks have been identified in implementation. There is a risk that without an accepted and formalised process in place, Council's engagement efforts may not receive the planning or resources required impacting on its success and effectiveness.

CORPORATE/OPERATIONAL PLAN

Corporate Plan 2022-2027

Goal 1.2 - "We are respected and recognised for our engagement with the community and our contributions to the Region."

Operational Plan 2022 – 2023

Action 1.2.4.1 - Develop a calendar of engagements in line with the scope and resourcing of the Community Engagement Framework.

CONCLUSION

Effective community engagement is essential to understanding of the needs and priorities of the community. It builds community's trust and confidence in Council whilst providing an evidence base to inform decision making. Fostering strong relationships with stakeholders will assist Council in identifying and mitigating potential risks while building community capacity, cohesion, and connection.

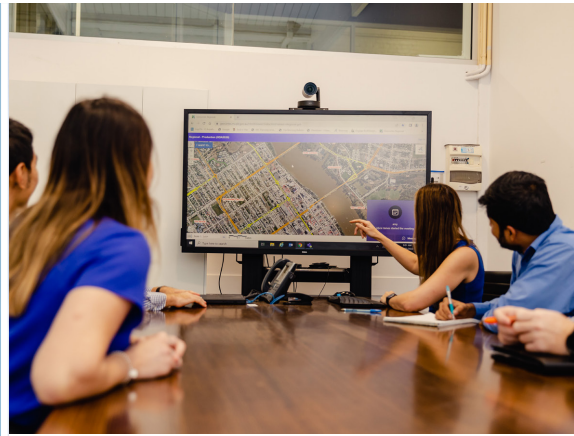
It is recommended Council adopts the recommendations.

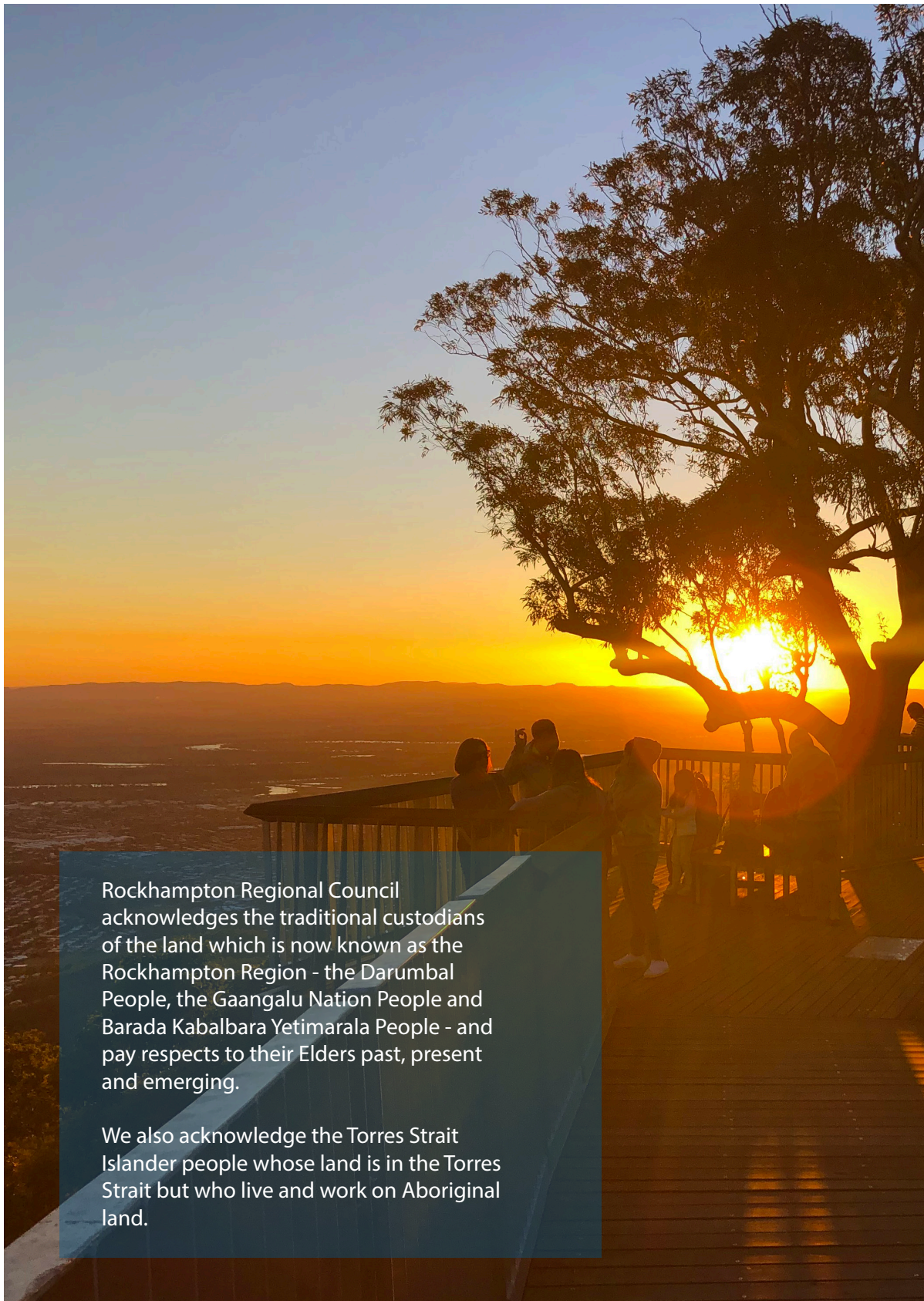
DRAFT COMMUNITY ENGAGEMENT FRAMEWORK

Draft Community Engagement Framework

Meeting Date: 13 December 2022

Attachment No: 1





Rockhampton Regional Council acknowledges the traditional custodians of the land which is now known as the Rockhampton Region - the Darumbal People, the Gaangalu Nation People and Barada Kabalbara Yetimarala People - and pay respects to their Elders past, present and emerging.

We also acknowledge the Torres Strait Islander people whose land is in the Torres Strait but who live and work on Aboriginal land.



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MAYOR'S MESSAGE

Tony Williams
Mayor

The Rockhampton Region is a vast community but no matter where you live, its residents are the beating heart of our slice of paradise. Our Council places our community and stakeholders at the centre of our organisation and we want to partner with our whole community to ensure its voice is heard when Councillors are making decisions.

To do that, we need to ask you, we need to hear from you, and then we need to act on your feedback. We need your ideas, your aspirations and your ideas for the future of our region.

This Engagement Framework aims to guide exactly how we do that. It is about a top-down approach to embedding a culture within Council that engagement is at the centre of everything we do that affects our community.

Our Council's commitment is to provide the community with opportunities to have your say and give you the confidence that we are listening to you when we ask. We need your voice to help shape our community into a bigger and better Rockhampton Region.

It is by no means an easy or quick task but it is one we will achieve together with many small steps. This framework is the first step and begins the task of seeing a planned and consistent approach to consultation embedded across the organisation. You can make a difference, but only if you work with us and contribute to the discussions we will be having in the future.

I would encourage every member of our community, every resident and stakeholder group, to engage with us in a meaningful, constructive manner. As a Council, we want to see more people have their say and we want to increase our collaboration with the community in our decision making.

It is my genuine hope that we go on this journey together and at the end we are seeing positive outcomes for both the community and for Council. Unless our residents care a whole lot, we will never improve. I know our community cares, and Council looks forward to making our Region better with your help and support.



INTRODUCTION

The Rockhampton Regional Council Community Engagement Framework has been prepared to better engage with the Rockhampton Region community. It is built around the internationally recognised IAP2 Engagement Framework and recognises that community engagement is the responsibility of all Council staff, and that good practice considers the needs of those whose Council decisions affect.

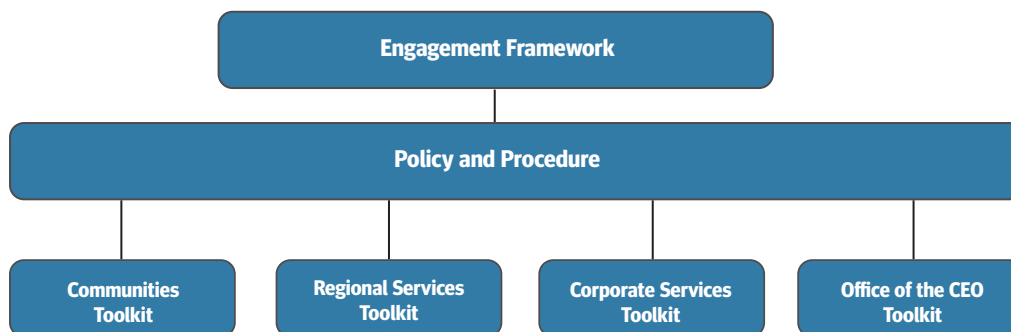
It also recognises there is a growing trend in Local Government engagement to prioritise face-to-face contact where possible; and to ensure the community has multiple opportunities for engagement because our communities are diverse and their ability to engage can be limited by a range of social, physical, and geographic barriers.

The Framework is based on a set of principles and recognises that engagement is a planned practice which should be tailored to particular circumstances, taking into account factors such as complexity, risk, significance, sensitivity, timing, or opportunity.

It is applicable to the array of engagement processes that shape programs, services and infrastructure provided by Council, and plans that guide Council’s work. The Framework enables Council to engage with the community in a strategic, ongoing, flexible and locally appropriate way.

The Framework is supported by a policy, procedure and toolkits which are tailored to the needs of each department. It aligns with our commitment as set out in the Rockhampton Regional Council Corporate Plan 2022-2027.

“We will engage with the community to provide facilities that meet their needs, and have Service Delivery Standards and measures for key areas.”





OUR VALUES AND BEHAVIOURS

ACCOUNTABLE



We are proactive and take personal responsibility.
 We are clear on our expectations, if in doubt we seek clarification.
 We do what we say we will do and deliver our promises on time.
 We hold ourselves and others accountable.
 We take personal accountability for our own and others safety.
 We trust individuals to do their job.

CUSTOMER FOCUSED



We are timely and responsive to our customers and community.
 Our decisions and actions have the customer and community at the front of mind.
 We engage with and listen to the customer.
 We support each other to achieve the best outcome for the customer.

PEOPLE DEVELOPMENT



Leaders coach, support and listen to their people.
 We support and develop our people to ensure they can reach their full potential.
 We will seek and provide feedback with the constructive intent.
 Development is focused on technical and behavioural capability.
 People are valued and treated with respect regardless of position.

ONE TEAM



We work together to find solutions and opportunities.
 We openly share knowledge, information and resources in order to deliver the best outcome for the Council.
 We talk with each other and seek ways to collaborate.
 We understand our shared goals and how each area fits together.
 We develop solutions with the big picture in mind ensuring we encourage collaboration and consider the impact on others. Communication and engagement are priorities at all levels.

CONTINUOUS IMPROVEMENT



We take the time to explore better ways to do things.
 We listen to and genuinely value ideas from all staff.
 We accept mistakes will happen and we ensure we share the learnings.
 Continuous improvement is valued as an opportunity not an expense.
 We will be open to change, have an open mind and maintain a positive attitude.



IAP2 CORE VALUES

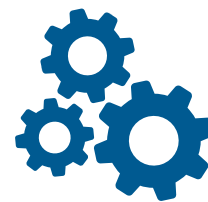
As well as adhering to our values, Rockhampton Regional Council seeks to adhere to the values of the International Association of Public Participation or IAP2.

IAP2 is an international member association which seeks to promote and improve the practice of public participation or community engagement, incorporating individuals, governments, institutions, and other entities that affect the public interest throughout the world.

As an international leader in public participation, IAP2 has developed the IAP2 Core Values for Public Participation for use in the development and implementation of public participation processes.

The purpose of these core values is to help make better decisions which reflect the interests and concerns of potentially affected people and entities. The core values are reflected in a number of key pieces of policy and legislation, locally, nationally and globally.

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision makers.
4. Public participation communicates to participants how their input affected the decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.





WHAT IS COMMUNITY ENGAGEMENT?

Community engagement is a fundamental part of Council’s decision-making process, where working alongside organisations, stakeholders and community can assist to solve problems and/or shape decisions.

It helps inform Council’s vision, strategic direction, planning and decision making, while also providing Council with a better understanding of community priorities.

The International Association for Public Participation (IAP2) is the international member association which seeks to promote and improve the practice of public participation or community and stakeholder engagement. Council has adapted the IAP2 definition of community engagement for the purpose of this framework.

*Based on the International Association of Public Participation (IAP2) Uses of Engagement.



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WHY DO WE ENGAGE?

Good community engagement is the basis for understanding decisions, sharing perspectives, improving outcomes and building trust between Council, the community, and other partners.

Some benefits of community engagement include but are not limited to:

- building an evidence base to inform decision making
- understanding of the needs and priorities of the community
- building community's confidence and trust in Council
- identifying and mitigating potential risks
- strengthening stakeholder relationships
- building community capacity, cohesion, and connection



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HOW WILL COUNCIL ENGAGE?

Five core principles drive Council's approach to engaging the community. Principles guide us by providing direction to commence engagement and can help resolve challenging issues during an engagement process.

This approach aligns with the *Local Government Act 2009 Section 4* and the following principles recognise that each engagement has a distinct purpose, with a unique set of stakeholders and specific circumstances.

Principle	Our Commitment
Authentic and Meaningful	<ul style="list-style-type: none"> The purpose of the engagement and the scope of what's being decided including which aspects the community can influence is and clearly communicated Community input will not be sought if a decision has already been made The community's input is considered in the final decision or outcome
Proactive and Timely	<ul style="list-style-type: none"> We will be proactive to ensure the community is consulted in a timely manner Adequate notice and time for the community response will be provided
Tailored and Flexible	<ul style="list-style-type: none"> We will ensure that the engagement plan is tailored to particular circumstance as identified in the planning, particularly when there is complexity, risk, significance or sensitivity We will monitor and assess the engagement and adapt if necessary to ensure the project aligns with these principles
Inclusive and Accessible	<ul style="list-style-type: none"> Barriers to participation will be identified and removed or mitigated Participants taking part in the community engagement will be provided reasonable support to enable meaningful and informed engagement
Transparent and Informative	<ul style="list-style-type: none"> We will use language that is clear and relevant We will inform participants of the level of influence they have, as described in the IAP2 spectrum We will close the loop by communicating to people involved in the process and to the broader community with an explanation of how community input influenced the decision



WHEN COUNCIL WILL ENGAGE

Deciding when to engage about a project or an issue can be influenced by several factors including resources, level of impact, significance, complexity, or risk.

The following examples of when Council may engage include but are not limited to:

- changes to a community service or facility
- proposing a change in strategic direction, policy, or plan
- developing a project or initiative that would impact the community
- during the planning and delivery of major infrastructure projects
- resolving community concerns eg. managing vandalism or antisocial behaviour
- encouraging behaviour change eg. waste behaviours
- strengthening relationships with First Nations groups to build stronger communities

Engaging with the community is one of the guiding principles for councils under the *Local Government Act 2009 Section 4* and is an important part of local democracy. Some engagement processes are already prescribed by legislation and Council's practice will always meet these minimum requirements.

WHEN COUNCIL WON'T ENGAGE

Where there is no scope for community input, Council will only inform the community of decisions or actions. A mechanism to inform Councillors will be formalised in the processes which flow out of this framework.

The following examples of when Council won't engage include but are not limited to:

- risk to public health and safety or emergency response
- during caretaker period preceding a Council election
- an immediate decision is needed
- the decision relates to confidential or commercial information
- changes to internal operational processes
- where there are legal constraints
- when it is deemed financially unviable / there is no other option



THE ENGAGEMENT PROCESS

1

Plan



- Understand the drivers and strategic links that have triggered the need for engagement
- Set purpose, objectives, timeline, and scope
- Identify and analyse stakeholders, levels of engagement
- Identify risks and resources and possible barriers
- Confirm roles and responsibilities
- Design communication and engagement plan using the most effective methods and tools

2

Implement



- Launch and implement communication and engagement plan
- Monitor, respond and adapt plan if necessary

3

Review



- Analyse the data to identify themes, priorities and preferences
- Collate community and stakeholder input from each engagement activity and identify any limitations
- Close the loop with the stakeholders and participants and communicate next steps of the project

4

Evaluate



- Debrief, review and document learnings
- Evaluate success of engagement process

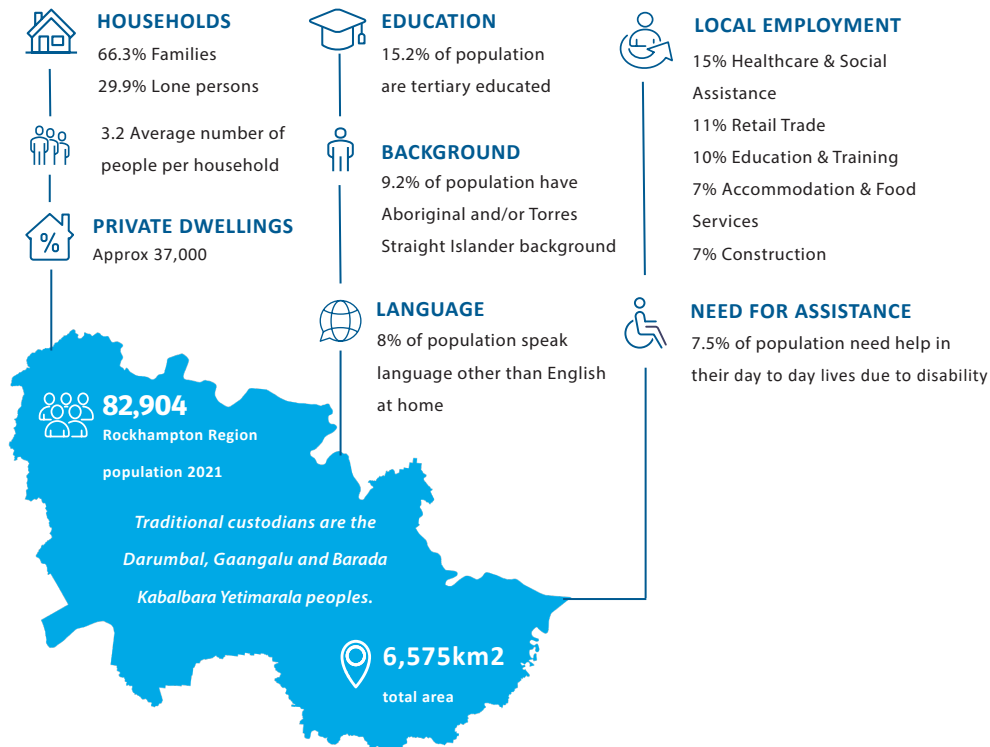


THE ROCKHAMPTON REGION COMMUNITY

A region defined by its natural environment, Rockhampton straddles the Tropic of Capricorn in Central Queensland and is known as the Beef Capital of Australia. It is home to over 80,000 residents and is blessed with over 300 days of sunshine each year.

The Rockhampton Region is a major economic and lifestyle hub for Central Queensland. Our vast geographic area, and diverse natural environment, supports a variety of urban and rural communities, businesses, industries, and livelihoods.

Our diverse community is made up of individuals and groups who may be connected by geography, interest, identity, or affiliation.



Sourced:

ID Informed Decisions (2022), <https://profile.id.com.au/rockhampton>, Australian Bureau of Statistics Census data (2021), <https://abs.gov.au/census/find-census-data/quickstats/2021/LGA36370>



IDENTIFYING OUR STAKEHOLDERS

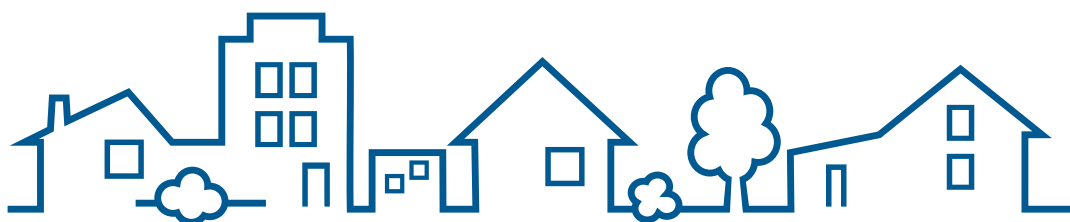
Council will conduct a thorough stakeholder identification analysis to determine who will be impacted, or may have interest in a decision.

Opportunities for participation will be promoted to identified individuals, groups and organisations, ensuring that an appropriate sample of the population is represented.

Council will provide inclusive opportunities for engagement so that the community’s values, needs, and expectations are fairly represented.

Internal and external stakeholders who may be identified include but are not limited to:

Community groups	People from culturally and linguistically diverse backgrounds
Youth	LGBTQI
Rate payers	Students
Residents	Visitors
Children and families	NGO's and service providers
Aboriginal and Torres Strait Islander peoples	Other Councils
Seniors	Councillors
People with a disability	Internal stakeholders across Council departments
Service/ facility users	Volunteers
Business and Industry	Media
Agencies	Sporting, leisure and recreational clubs and groups
Ethnic groups	State and Federal Government (including local MPs)





LEVELS OF PARTICIPATION

The level of engagement will depend on resources, level of impact, significance, complexity, risk or sensitivity and will be determined according to:

- What participants expect
- What participants can and can't influence (the negotiables)
- What assumptions or constraints are impacting the process

**This table is based on the International Association of Public Participation (IAP2) spectrum of engagement.*

	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
Role of the Community	Listen	Contribute	Participate	Partner	Lead
Our Approach	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Possible Engagement Activities	Media Release Fact Sheet Posters/Flyers Signs Newsletters Council Website	Surveys Events/ pop ups Online tools EHQ Social Media Public Meetings Interviews	Workshops Deliberative Polling Visioning sessions	Citizen Advisory Groups Consensus Building	Delegated Decision Making Co-design

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DEFINITIONS

Community Engagement - The International Association of Public Participation (IAP2), defines community engagement as: "Any process that involves the community in problem solving or decision making and uses community input to make better decisions.

Council - Rockhampton Regional Council

Stakeholders - IAP2 define stakeholders as any individual, group of individuals, organisations, or political entity with a stake in the outcome of a decision.

Public - IAP2 define the public as those stakeholders who are not part of the decision-making entity or entities.

Deliberative Engagement - IAP2 describe deliberative engagement as bringing together a group of people who represent the community. The group of community members form a "mini public" in age, gender, race, language, income, education or other criteria to reflect the community.

PRIVACY

Rockhampton Regional Council take privacy obligations seriously. Personal information is information we hold which is identifiable as being about you.

Our collection, use and disclosure of personal information for the purpose of community engagement is regulated by the *Information Privacy Act 2009 (Qld)* and the Information Privacy Principles. Information on privacy rights can be accessed through the Office of the Information Commissioner Queensland <https://www.oic.qld.gov.au/> [\(External link\)](#)

HUMAN RIGHTS

Council must act in accordance with the *Human Rights Act 2019* and conduct all community engagement activities in a way that respects, protects and promotes the human rights of individuals.



CONTACT

Email: engagement@rrc.qld.gov.au

Phone: 07 4932 9000

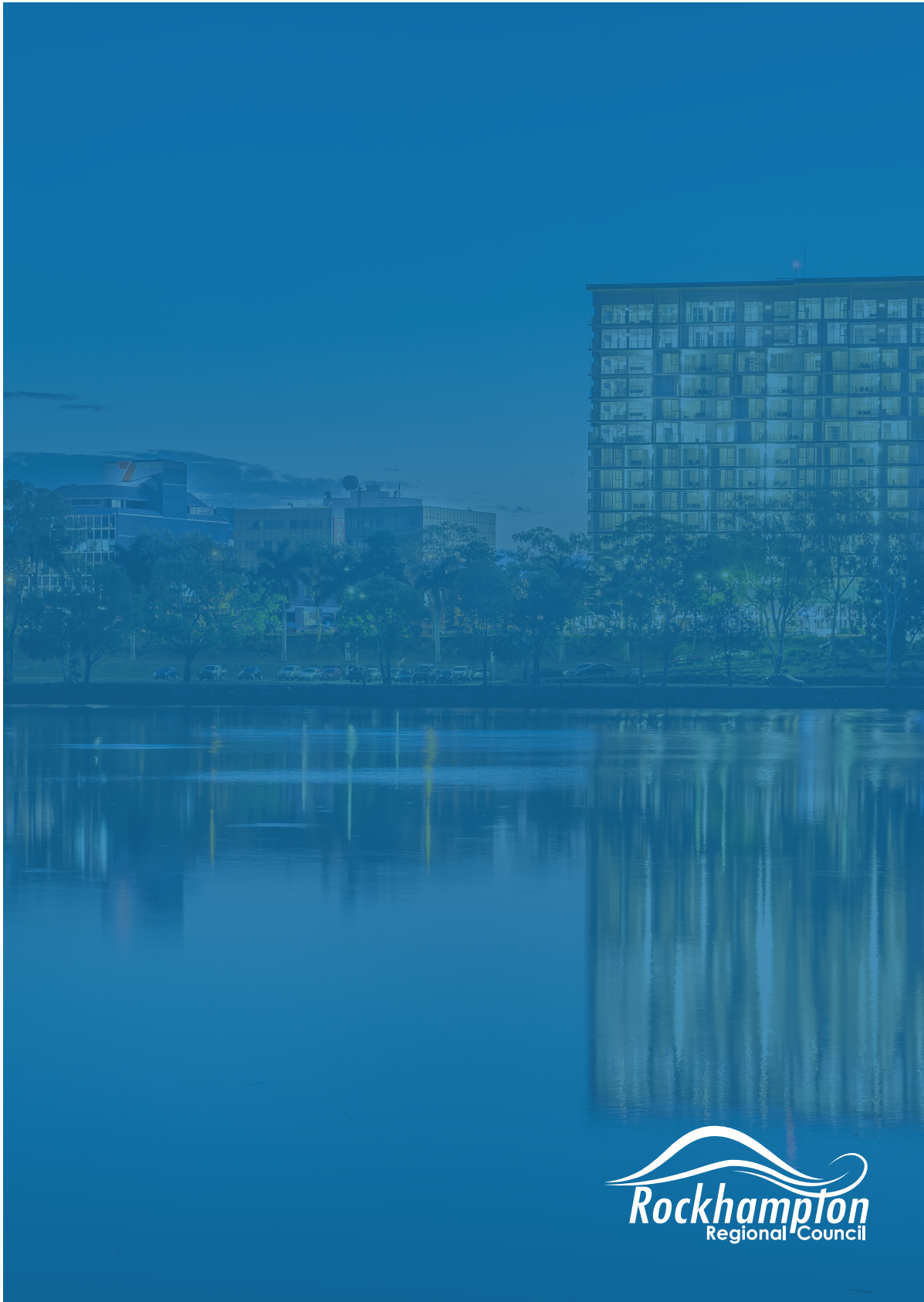
Website: <https://engage.rockhamptonregion.qld.gov.au/>



Rockhampton Regional Council
232 Bolsover Street
Rockhampton QLD 4700

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11.12 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2022

File No:	8148
Attachments:	1. Income Statement - November 2022 ↓ 2. Key Indicator Graphs - November 2022 ↓
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 2022.

OFFICER'S RECOMMENDATION

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

COMMENTARY

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

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

The attached financial statement provides Council's position after five months of the 2022/23 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 46% of the adopted budget. Key components of this result are:

- Net Rates and Utility Charges are at 46% of budget. Council's rates and utility charges for the first six months of the financial year ending 31 December 2022 have been raised and were due on 7 September 2022.
- Grants and Subsidies are ahead of budget at 46% due to recognition of unearned revenue from the 2021/22 financial year carried over to the 22/23 year. A budget amendment will be required to reflect the amounts carried over.
- Interest Revenue is ahead of budget at 64% due to higher than forecast cash holdings and increasing interest rates for investments.
- Other Income is ahead of budget at 60% due to the recognition of unearned revenue from 2021/22 financial year. A budget review adjustment will be required to align to actuals.
- All other revenue items are in proximity to budget.

Total Operating Expenditure is at 40% of the adopted budget. Key components of this result are:

- Contractors and consultants are at 36%. Professional consultancies and other contractors are below budget due to the timing of works planned during the year. It is expected that as the year progresses these works will be completed and paid
- Asset operational expenses are at 37% due to the timing of payments for services such as electricity.

- Administrative expenses are at 34% 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.
- Finance Costs are at 46% due to the timing of interest payments. Payments will be higher at the start of the financial year pending the final repayments for some older loans in December 2022, March 2023 and June 2023.
- 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 23% of the monthly budget review. The majority of capital revenue budgeted to be received in 2022/23 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 24% of the monthly budget review some major projects yet to fully ramp up. The level of capital expenditure is expected to increase in coming months.

Total Investments are \$119.0M at 30 November 2022.

Total Loans are \$150.9M at 30 November 2022.

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 46% due to the levying of the General Rates and Utility Charges for the six months ending 31 December 2022.

The capital program saw \$44.1M spent during the first five months of the financial year and will need to gain momentum over the coming months to deliver the projects budgeted for the 2022/23 financial year.

**SUMMARY BUDGET MANAGEMENT
REPORT FOR THE PERIOD ENDED
30 NOVEMBER 2022**

Income Statement - November 2022

Meeting Date: 13 December 2022

Attachment No: 1



Income Statement
For Period July 2022 to November 2022
41.7% of Year Gone

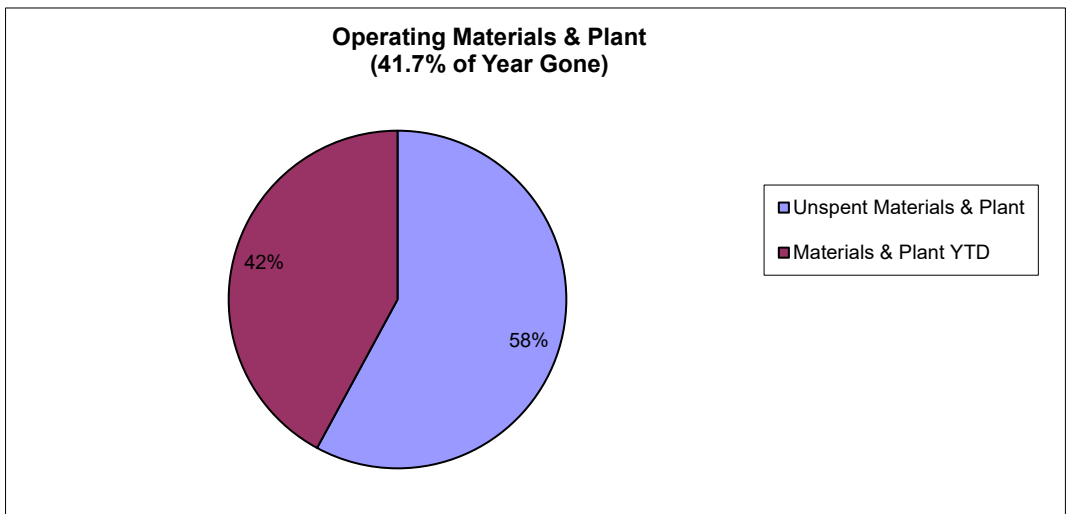
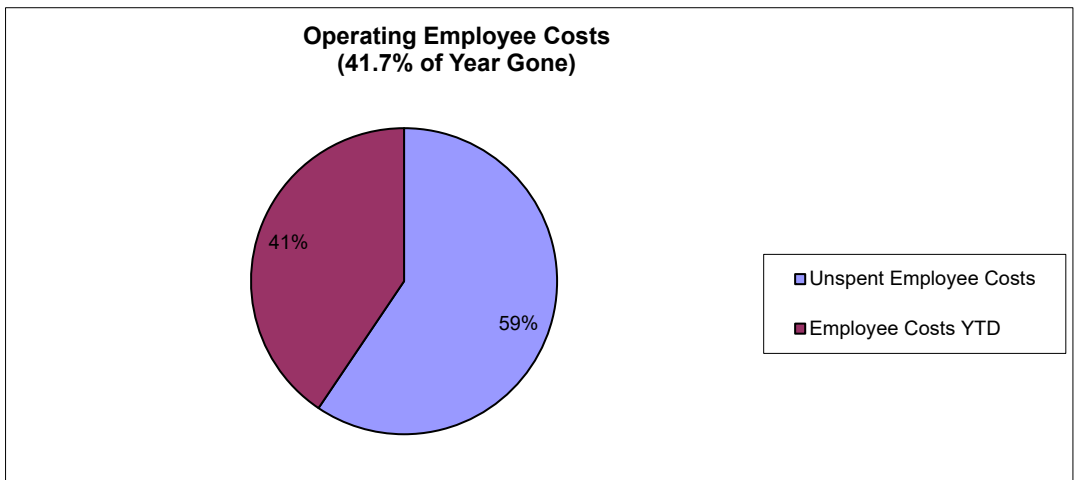
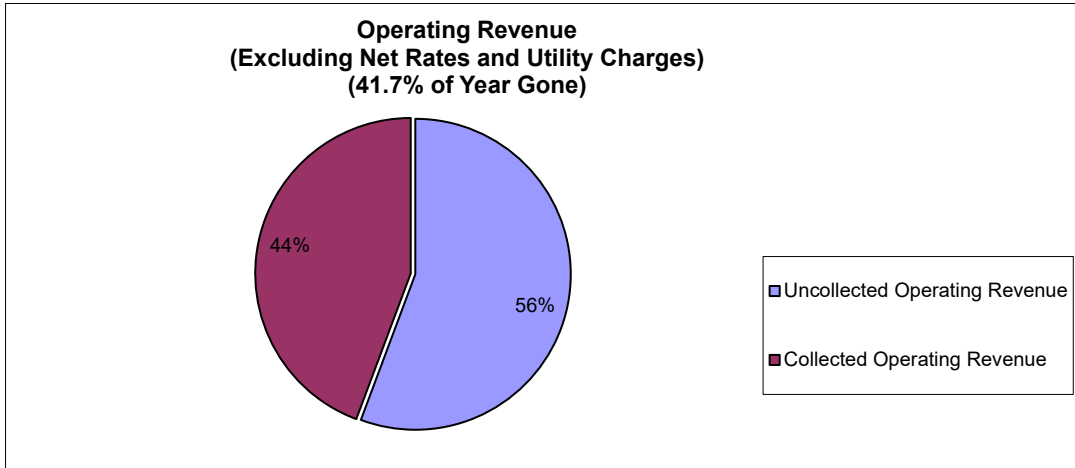
	Adopted Budget	Monthly Budget Review	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Adopted Budget	
	\$	\$	\$	\$	\$		
OPERATING							01
							05
Revenues							
Net rates and utility charges	(174,337,236)	(174,337,236)	(80,399,492)	0	(80,399,492)	46% A	
Fees and Charges	(32,822,227)	(31,754,733)	(13,560,391)	0	(13,560,391)	43% A	
Private and recoverable works	(6,483,251)	(6,483,251)	(2,594,553)	0	(2,594,553)	40% A	
Rent/Lease Revenue	(3,415,046)	(3,404,536)	(1,487,090)	0	(1,487,090)	44% A	
Grants Subsidies & Contributions	(7,264,926)	(8,782,366)	(4,022,508)	0	(4,022,508)	46% A	
Interest revenue	(2,484,000)	(2,484,000)	(1,580,770)	0	(1,580,770)	64% A	
Other Income	(7,049,627)	(5,244,990)	(3,125,535)	0	(3,125,535)	60% A	
Total Revenues	(233,856,313)	(232,491,112)	(106,770,340)	0	(106,770,340)	46% A	
Expenses							
Employee Costs	91,570,444	91,986,273	37,138,904	151,509	37,290,414	40% A	
Contractors & Consultants	23,779,130	24,874,343	9,023,004	8,745,821	17,768,825	36% A	
Materials & Plant	19,169,823	19,060,132	8,068,937	5,207,709	13,276,647	42% A	
Asset Operational	29,103,480	26,488,344	9,681,971	1,540,592	11,222,563	37% A	
Administrative expenses	15,548,412	15,420,567	5,302,112	2,870,846	8,172,958	34% A	
Depreciation	60,358,856	60,358,856	25,158,046	0	25,158,046	42% A	
Finance costs	4,688,250	4,688,250	2,135,016	0	2,135,016	46% A	
Other Expenses	1,171,865	1,190,365	492,076	21,301	513,378	41% A	
Total Expenses	245,390,260	244,067,130	97,000,066	18,537,780	115,537,846	40% A	
Transfer / Overhead Allocation							
Transfer / Overhead Allocation	(7,895,456)	(7,915,455)	(3,382,047)	0	(3,382,047)	43% A	
Total Transfer / Overhead Allocation	(7,895,456)	(7,915,455)	(3,382,047)	0	(3,382,047)	43% A	
TOTAL OPERATING POSITION (SURPLUS)/DEFICIT	3,638,491	3,660,562	(13,152,321)	18,537,780	5,385,459	-359% A	
CAPITAL	Carry Over Budget	Monthly Budget Review	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Adopted Budget	
Total Developers Contributions Received	(5,763,000)	(5,763,000)	(1,044,872)	0	(1,044,872)	18%	
Total Capital Grants and Subsidies Received	(57,796,166)	(60,255,261)	(15,603,256)	0	(15,603,256)	26%	
Total Proceeds from Sale of Assets	(7,086,814)	(7,086,814)	(63,432)	0	(63,432)	1%	
Total Capital Income	(70,645,980)	(73,105,075)	(16,711,560)	0	(16,711,560)	23%	
Total Capital Expenditure	199,084,421	180,818,458	44,069,108	74,311,561	118,380,669	24%	
Net Capital Position	128,438,441	107,713,383	27,357,548	74,311,561	101,669,109	25%	
TOTAL INVESTMENTS			119,012,437				
TOTAL BORROWINGS			150,930,224				

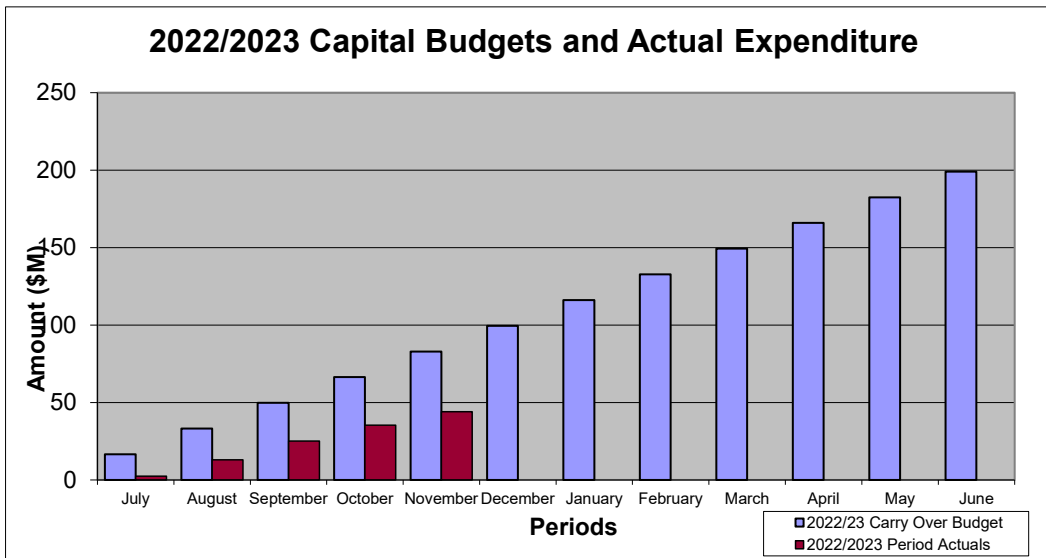
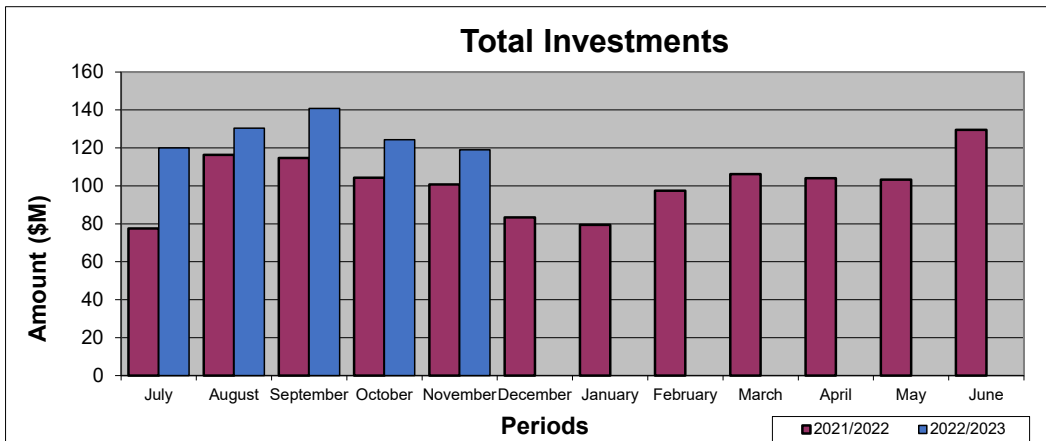
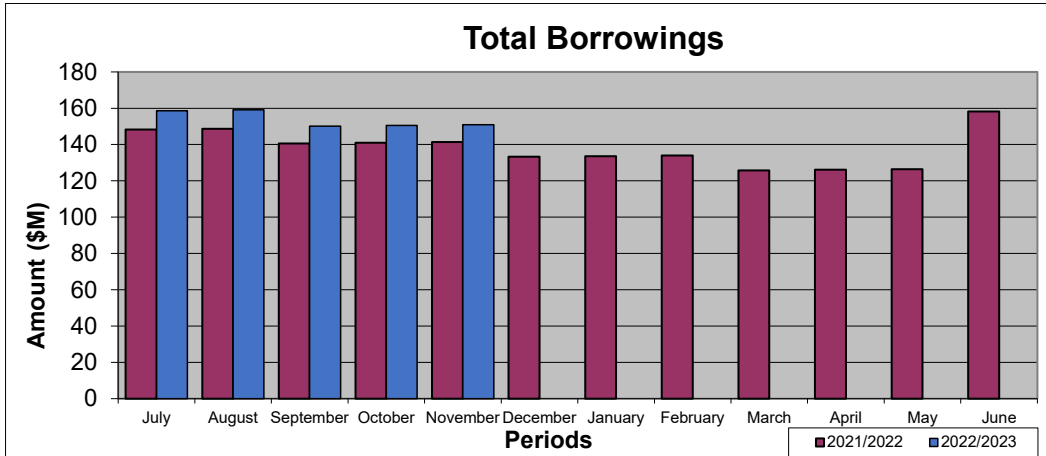
SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 NOVEMBER 2022

Key Indicator Graphs - November 2022

Meeting Date: 13 December 2022

Attachment No: 2





12 NOTICES OF MOTION

Nil

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