



# **ORDINARY MEETING**

## **MINUTES**

**23 JANUARY 2024**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 23 JANUARY 2024 COMMENCING AT 9:00 AM**

## **1 OPENING**

- 1.1 Acknowledgement of Country
- 1.2 Opening Prayer delivered by Pastor Craig Yeomans, Rockhampton Baptist Church

## **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  
Mr R Cheesman – Deputy Chief Executive Officer  
Ms A Cutler – General Manager Community Services  
Mr P Kofod – General Manager Regional Services (via video-link)  
Mr A Russell – Executive Manager Advance Rockhampton  
Ms M Taylor – Chief Financial Officer  
Mr D Morrison – Manager Workforce and Governance  
Mr J Kann – Manager Office of the Mayor  
Mr D Scott – Manager Planning and Regulatory Services  
Mr Z Garven – Tourism and Events Manager  
Mr W Clark – Economic Development Manager  
Ms E Buchan – Industry Engagement Marketing Officer  
Mr C Wyatt – Coordinator Strategic Planning  
Ms A O'Mara – Coordinator Development Assessment  
Mr J McCaul – Coordinator Development Engineering  
Mr J Buckenham – Coordinator Local Laws  
Mr S Ellis – Coordinator Community Master Planning  
Ms K Shah – Community Master Planner  
Mr J Bulwinkel – Supervisor Business Support  
Mr J Barnett – Sports and Recreation Advisor (via video-link)  
Ms T Conrad – Executive Personal Assistant to the Chief Executive Officer  
Ms K Walsh – Committee Support Officer

### **3 APOLOGIES AND LEAVE OF ABSENCE**

### **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

#### **COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting of 11 December 2023 be confirmed.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

## 5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Councillor Shane Latcham informed the meeting:

“I have a perceived conflict of interest in **Item 11.6 - D/123-2020 - Development Application for a Material Change of Use for a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Building Works Assessable against the Planning Scheme**. This perceived conflict of interest arises as Doble’s Farmers Market was a client for an assessment item in a Certificate IV - Waste Management Course that I am currently undertaking.

I will deal with this conflict by leaving the room when this matter is discussed, including any area set aside for the public, and stay away while eligible councillors discuss and vote on the matter.”

Councillor Neil Fisher informed the meeting:

“I wish to raise a declarable conflict of interest in **Item 11.4 – Tender Consideration Plan for Print, Radio and Television Advertising for Council**. My conflict arises as I write a number of gardening columns for media outlets.

Therefore, I wish to remain in the meeting and ask the eligible councillors to determine, pursuant to section 150ES of the *Local Government Act 2009*, whether I:

- May participate in the decision about the matter, including by voting on the matter; and/or
- Impose any conditions; or
- Must leave the meeting, including any area set aside for the public, and stay away while the eligible councillors discuss and vote on the matter.

### COUNCIL RESOLUTION

The table determined that in the public interest that Councillor Fisher participates and votes on **Item 11.4 – Tender Consideration Plan for Print, Radio and Television Advertising for Council** and no conditions on participating be imposed.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Latcham

### MOTION CARRIED

Councillors Williams, Smith, Rutherford and Latcham voted in the affirmative.  
Councillors Mathers, Wickerson and Kirkland voted in the negative.  
Councillor Fisher did not participate in the vote.

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

**8 PRESENTATION OF PETITIONS****8.1 PETITION - TELECOMMUNICATION TOWERS****File No: 2094****Responsible Officer: Evan Pardon**

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**SUMMARY**

*Councillor Shane Latcham tabled a petition containing 196 signatures objecting to the approval of 3 telecommunication Wi-Fi towers in Norman Gardens.*

**COUNCIL RESOLUTION**

THAT the petition tabled by Councillor Shane Latcham objecting to the approval of 3 telecommunications Wi-Fi towers in Norman Gardens be received.

**Moved by: Councillor Latcham****Seconded by: Councillor Mathers****MOTION CARRIED****9 COMMITTEE REPORTS**

Nil

**10 COUNCILLOR/DELEGATE REPORTS**

Nil

## 11 OFFICERS' REPORTS

### 11.1 SPONSORSHIP OF THE FITZROY RIVER BARRA BASH AND ROCKY'S ULTIMATE CASH CATCH

**File No:** 11715  
**Authorising Officer:** Angus Russell - Executive Manager Advance Rockhampton  
**Author:** Zac Garven - Tourism and Events Manager

#### SUMMARY

*A request for sponsorship for a new event 'Rocky's Ultimate Cash Catch Fishing Event' to be held annually in Rockhampton across the next three years, 2024 to 2026, as well as continuation of sponsorship of the Fitzroy River Barra Bash is presented to Council for consideration.*

#### COUNCIL RESOLUTION

THAT Council:

- 1) Support the sponsorship proposal for Rocky's Ultimate Cash Catch Fishing Event;
- 2) Discontinue the Council-led Tagged Thready comp in 2024 in lieu of the new similar event;
- 3) Continue Council's sponsorship of the Fitzroy River Barra Bash for their 2024, 2025 and 2026 proposed events; and
- 4) Approves the allocation of \$15,000 (Excl. GST) in funding for sponsorship each year of Rocky's Ultimate Cash Catch Fishing Event to be held on the Fitzroy River in 2024, 2025 and 2026 as well as \$15,000 (Excl. GST) in funding for the sponsorship of the Barra Bash to be held on the Fitzroy River in 2024, 2025, and 2026 (total \$30,000 Excl. GST per year for three years).

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Smith

**MOTION CARRIED**



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**11.2 INTER COLLEGIATE MEAT JUDGING (ICMJ) NORTHERN CONFERENCE PARTNERSHIP PROPOSAL**

**File No:** 12534  
**Authorising Officer:** Angus Russell - Executive Manager Advance Rockhampton  
**Author:** Wade Clark - Economic Development Manager

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**SUMMARY**

*The annual Inter Collegiate Meat Judging (ICMJ) Northern Conference competition in Rockhampton provides a valuable opportunity for young professionals in the red meat industry to compete in judging of beef, liaise with their peers and link in with prospective employers in the beef supply chain.*

*Council has previously been a supporting partner and it is recommended that as part of talent attraction and retention that sponsorship continues of the ICMJ Careers Expo.*

**COUNCIL RESOLUTION**

THAT Council sponsors the 2024 Inter Collegiate Meat Judging (ICMJ) Northern Beef Conference - Careers Expo for \$5,500 (excl. GST).

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

**MOTION CARRIED UNANIMOUSLY**

**11.3 MASTER BUILDERS QUEENSLAND SPONSORSHIP PROPOSAL**

**File No:** 12534  
**Authorising Officer:** Angus Russell - Executive Manager Advance Rockhampton  
**Author:** Wade Clark - Economic Development Manager

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**SUMMARY**

*Master Builders Queensland (MBQ) are the peak industry association representing the building and construction sector in Queensland. MBQ is seeking a sponsorship arrangement to develop further industry engagement initiatives in the Rockhampton Region.*

**COUNCIL RESOLUTION**

THAT Council sponsors the Master Builders Queensland Industry Information Session on 27 February 2024 and the Master Builders Queensland Roadshow on 16 May 2024 at a total cost of \$1,950 (excl. GST).

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

**MOTION CARRIED UNANIMOUSLY**

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**11.4 TENDER CONSIDERATION PLAN FOR PRINT, RADIO AND TELEVISION ADVERTISING FOR COUNCIL**

**File No:** 11715  
**Authorising Officer:** Amanda Hinton - Acting Economic Development Manager  
Angus Russell - Executive Manager Advance Rockhampton  
**Author:** Erin Buchan - Industry Engagement Marketing Officer

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**SUMMARY**

*This report seeks Council approval for an updated Tender Consideration Plan for Print, Radio and Television advertising.*

**COUNCIL RESOLUTION**

THAT pursuant to s230 of the *Local Government Regulation 2012* Council receives this report for the preparation and adoption of the Tender Consideration Plan for the procurement of Print, Radio and Television advertising as outlined in this report.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Kirkland

**MOTION CARRIED UNANIMOUSLY**

Councillors Williams, Kirkland, Fisher, Mathers, Wickerson, Rutherford, Smith and Latcham voted in the affirmative.

**11.5 INFRASTRUCTURE CHARGES RESOLUTION REVIEW**

**File No:** 11344  
**Authorising Officer:** Cameron Wyatt - Coordinator Strategic Planning  
Angus Russell - Executive Manager Advance  
Rockhampton  
**Author:** Alyce James - Strategic Planner

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**SUMMARY**

*This report provides an update regarding a review of Council's Infrastructure Charges Resolution No. 1 of 2022 as identified in the Operational Plan 2023-2024.*

**COUNCIL RESOLUTION**

THAT Council receive this report and that the current infrastructure charges remain unchanged.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Mathers  
**MOTION CARRIED UNANIMOUSLY**

**11.6 D/123-2020 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SHOP (FARMERS MARKET), RECONFIGURING A LOT FOR AN ACCESS EASEMENT AND BUILDING WORKS ASSESSABLE AGAINST THE PLANNING SCHEME**

9:37AM

Councillor Shane Latcham, having earlier informed the meeting of a declarable conflict interest and his decision to not participate in **Item 11.6 – Development Application for a Material Change of Use for a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Building Works Assessable Against the Planning Scheme**, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

**File No:** D/123-2020  
**Authorising Officer:** Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - Acting Chief Executive Officer  
**Author:** Amanda O'Mara - Coordinator Development Assessment

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**SUMMARY**

*Development Application Number:* D/123-2020  
*Applicant:* Hudco Pty Ltd A.C.N. 134 428 149  
*Real Property Address:* Lots 1 and 2 on RP618797  
*Common Property Address:* 6 and 4 Goodsall Street, The Common  
*Area of Site:* 6,885 square metres  
*Planning Scheme:* Rockhampton Region Planning Scheme 2015 (version 2.1)  
*Planning Scheme Zone:* Open Space Zone; and  
Special Purpose Zone.  
*Planning Scheme Overlays:* Acid Sulfate Soils Overlay  
Coastal Protection Overlay  
Extractive Resources Overlay  
Flood Hazard Overlay  
*Existing Development:* Farmers Market and Nursery  
*Approval Sought:* Development Permit for a Material Change of Use for a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Building Works Assessable against the Planning Scheme  
*Level of Assessment:* Impact Assessable  
*Submissions:* Nil  
*Referral Agency:* State Development Infrastructure, Local Government and Planning (State Assessment and Referral Agency Department)

**COUNCIL RESOLUTION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Preliminary Approval for Building Works Assessable against the Planning Scheme, made by Hudco Pty Ltd, located at 6 and 4 Goodsall Street, The Common - described as Lots 1 and 2 on RP618797, Council resolves to provide the following reasons for its decision:

**STATEMENT OF REASONS**

<b>Description of the development</b>	
Material Change of Use for a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Building Works Assessable against the Planning Scheme	
<b>Reasons for Decision</b>	
<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>	
<b>Assessment Benchmarks</b>	
<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Local Government Infrastructure Plan;</li> <li>• Strategic Framework;</li> <li>• Open Space Zone;</li> <li>• Special Purpose Zone;</li> <li>• Flood Hazard Overlay Code;</li> <li>• Coastal Protection Overlay Code;</li> <li>• Access, Parking And Transport Code;</li> <li>• Landscape Code;</li> <li>• Stormwater Management Code;</li> <li>• Waste Management Code;</li> <li>• Reconfiguring a Lot Code; and</li> <li>• Water and Sewer Code.</li> </ul>	
<b>Compliance with assessment benchmarks</b>	
The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception(s) listed below.	
<b>Assessment Benchmark</b>	<b>Reasons for the approval despite non-compliance with benchmark</b>
Strategic Framework	<p><b>Settlement Pattern</b></p> <p><b>Strategic Outcomes 3.3.1 (11)</b></p> <p>The proposed development does not maintain the centres hierarchy as it is proposing a commercial use not within a centre.</p> <p><b>Element – Nature Conservation, Open Space and Natural Corridor or Link 3.3.3.1 (2)</b></p> <p>The proposed development is located in the Nature Conservation and Open Space area, which does not accommodate development other than activities which allow access for recreation and maintenance.</p> <p><b>Element – Centres 3.3.11.1 (6)</b></p>

	<p>The proposed development involves the establishment of a commercial use outside of identified centres, which is not contemplated within the framework.</p> <p>While commercial development isn't envisaged outside of centres the proposed development is a unique use that is difficult to establish in existing centres due to the large amount of space required. Also, existing centres are unlikely to be compromised due to the uniqueness of the use that is not typically seen in a centre zone.</p> <p>The proposed development, presents conflicts with the above strategic outcomes sought for the Settlement Pattern theme. Despite these high-level conflicts, regard to relevant matters is considered to outweigh the conflicts.</p>
<p>Open Space Zone Code</p>	<p><b>PO1</b></p> <p>The proposed development does not meet Acceptable Outcome AO1.2 as it exceeds ten per cent site coverage, however the built form is generally appropriate for its setting as the structures are tall and mostly unenclosed, which is complementary to the 'open space' character of the zone.</p> <p>Therefore, the development is considered to achieve the performance outcome.</p> <p><b>PO2</b></p> <p>The proposed structures on the subject site does not comply with Acceptable Outcome AO2.1, which requires a setback from the street frontage of six (6) metres. However, the built to boundary location of the main canopy structure creates a unique streetscape appeal and customer entrance while maintaining the existing matured street trees and vegetation.</p> <p>Therefore, the development is considered to achieve the performance outcome.</p> <p><b>PO4</b></p> <p>The proposed structures on the site do not comply with Acceptable Outcome AO4.1, which requires all buildings and structure to be setback a minimum of ten metres from side and rear boundaries. However, the existing and proposed built form is considered appropriate for its setting and is not proximate to a residential zone.</p> <p>Therefore, the development is considered to achieve the performance outcome.</p> <p><b>Purpose and Overall Outcomes of the Open Space Zone Code - 6.4.2.2 (1) and (2), PO12 and PO13</b></p> <p>The proposed development does not comply with the purpose and overall outcomes of the Open Space Zone Code, PO12 and PO13 which state the land should predominantly accommodate parks and informal recreation purposes and that non-recreation uses should only occur when they directly support the primary function of the site or a built form that is limited in scale and extent.</p> <p>The site currently accommodates a pre-existing lawful use for a plant nursery, which will be complemented by the retailing of fresh produce under this proposal. In addition, the farmers market does not reduce the availability or enjoyment of parks and other recreational areas in The Common, which will continue as the predominant use of land in the zone. The farmers market, as a non-recreation use, directly supports the primary function of the site, which was originally for retailing of plants and has now expanded to include retailing of fresh produce.</p> <p>The unenclosed nature of the main roof canopy results in an overall built form outcome that is not bulky or an over-development of the site. The built form is limited in scale and extent through the absence of walls and the creation of open space for produce display.</p>

	Therefore, the development in part complies with the Open Space Zone Code. To the extent where conflicts are identified regard to relevant matters are considered to outweigh those conflicts.
Flood Hazard Overlay Code and Coastal Protection Overlay Code	<p><b>Flood Hazard Overlay Code PO04 and Coastal Protection Overlay Code PO1</b></p> <p>The proposed development does not comply with Acceptable Outcome AO4.1.1 which states development does not involve new buildings or structures in the Flood Hazard Overlay Code and Acceptable Outcome AO1.3 in the Coastal Protection Overlay Code which states all ground floors are not enclosed to allow for flow-through water movement.</p> <p>It is recognised that the use will result in an intensification of land use. It does not however increase risk to people and property, considering the site will not be used during a flood event, all moveable structures and produce will be evacuated, and all fixed property and structures will be able to withstand floodwaters and have been designed to allow for flow-through water movement. In accordance with the purpose of the overlay codes, development outcomes can be appropriately managed. The level of risk can be considered acceptable subject to reasonable and relevant conditions as implemented by this development permit.</p> <p>Therefore, the development is considered to generally comply with the performance outcomes and the overall purpose of the codes.</p>
Landscaping Code	<p>The proposed development does not comply with several of the Acceptable Outcomes within the Landscaping Code. Landscaping, including its extent and type, has not been detailed in the application material.</p> <p>However, due to the nature of the development, which involves an existing plant nursery, the extent of general foliage at the premises and surrounding the site, which includes several matured trees is considered appropriate to maintain a high visual amenity across the site and soften the built form of the proposed development.</p>
<b>Relevant Matters</b>	
<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> <li>• The proposed development will unlikely compromise the role and function of the existing designated centres as a farmers market is a unique use that is typically located in one off locations and not compatible in Rockhampton's existing centres.</li> <li>• The development allows for the continuation of an existing use (plant nursery), and also activates a use that was anticipated for the site when the rezoning approval was granted in 1993, which made provision for 'Retail Markets'.</li> </ul>	
<b>Matters raised in submissions</b>	
<p>The proposal was the subject of public notification between 18 August 2022 and 8 September 2022, in accordance with the requirements of the <i>Planning Act 2016</i> and the Development Assessment Rules, and no submissions were received.</p>	
<b>Matters prescribed by regulation</b>	
<ul style="list-style-type: none"> <li>• The <i>Rockhampton Region Planning Scheme 2015</i> (version 2.1);</li> <li>• Rezoning Approval (D-R/114-1900) of land from Special Purposes (Railway) to Special Facilities; and</li> <li>• The common material, being the material submitted with the application.</li> </ul>	

**RECOMMENDATION B**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Preliminary Approval for Building Works Assessable against the Planning Scheme, made by Hudco Pty Ltd, located at 6 and 4 Goodsall Street, The Common - described as Lots 1 and 2 on RP618797, Council resolves to



Approve the application subject to the following conditions:

#### 1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development 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;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works.
- 1.6 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 All development conditions contained in this development approval about infrastructure under Chapter 4 of the *Planning Act 2016* should be read as being non-trunk infrastructure conditioned under section 145 of the *Planning Act 2016*, unless otherwise stated.

#### 2.0 APPROVED PLANS AND DOCUMENTS

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

Drawing/report title	Prepared by	Date	Reference number	Rev
Flood Impact Assessment	McMurtrie Consulting Engineers	22 April 2022	J21106	1
Proposed Carpark Layout Plan Sheet 2 of 2	McMurtrie Consulting Engineers	4 November 2021	0222021-SK-0002	H

Proposed Carpark Layout Plan Sheet 1 of 2	McMurtrie Consulting Engineers	3 November 2021	0222021-SK-0001	F
Technical Memorandum	McMurtrie Consulting Engineers	4 November 2020		
Proposed Site Plan	Designstek	18 July 2022	MCU-02	G

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

### 3.0 ROAD WORKS

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

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

3.3 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"* and the provisions of a Development Permit for Operational Works (access and parking works).

4.3 All car parking and access areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).

4.4 The section of Goodsall Street road reserve utilised for car parking must be purchased and amalgamated with Lot 1 on RP618797 within two (2) year from the date of this approval.

4.5 The owner of Lot 1 on RP618797 must maintain the car parking areas such that they remain safe and fit for purpose.

4.6 Service and delivery vehicles, including refuse collection vehicles must enter and exit the site via the easternmost access only.

4.7 All vehicles must ingress and egress the development in a forward gear.

4.8 A reciprocal access easement must be registered over Lot 2 RP618797 in favour of Lot 1 on RP618797 to allow uninterrupted two-way vehicular movements from the eastern most access/egress.

4.9 A minimum of 50 parking spaces must be provided on-site in accordance with the approved plans.

4.10 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.

4.11 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).

4.12 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".

4.13 Road signage and pavement markings must be installed in accordance with Australian Standard AS1742.1 "Manual of uniform traffic control devices".

4.14 All internal pedestrian pathways must be designed and constructed in accordance with Australian Standard AS1428 "Design for access and mobility".

#### 5.0 PLUMBING AND DRAINAGE WORKS

5.1 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.

5.2 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.

5.3 The development must be connected to Council's reticulated sewerage and water networks.

5.4 Adequate fire-fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.

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

5.6 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.

5.7 All sanitary drainage works must comply with *Australian Plumbing and Drainage Standard AS3500 Part 2 section 3 and 4* for flood affected areas.

5.8 Amended sewerage/Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.

#### 6.0 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 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 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.

7.2 All site works must be undertaken to ensure that there is:

7.2.1 no increase in upstream or downstream flood levels for all levels of immunity up to a one per cent (1%) Annual exceedance probability flood event;

7.2.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and

7.2.3 a lawful point of discharge to which the approved works drain during construction phase.

Easements will be required over any other land to accommodate the flows.

#### 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 building works on the site.
- 8.2 All building works must be undertaken in accordance with Council's *Building Over/Adjacent to Local Government Sewerage Infrastructure Policy* and any permit obtained in respect of this policy.
- 8.3 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view, to Council's satisfaction.
- 8.4 Access to and use of the land the subject of this application must comply with the provisions of the *Disability Discrimination Act 1992* and/or the *Anti-Discrimination Act 1991*. If either of those statutes require the provision of access or facilities in a way that is inconsistent with this development approval, those facilities must be provided.
- 8.5 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.
- 8.6 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability flood level.
- 8.7 Any application for a Development Permit for Building Works must be accompanied by a detailed structural engineering report and a building certificate prepared by a suitably qualified Registered Professional Engineer of Queensland, which demonstrates that the building has been designed to withstand the forces created by floodwaters and debris loading.
- 8.8 Any building plant must be screened from view of the street by one or more of the following:
- 8.8.1 a solid screen fence, or
  - 8.8.2 a roof design feature; or
  - 8.8.3 a wall; or
  - 8.8.4 dense vegetation; or
  - 8.8.5 be located within, underneath or central to the building so as to not be visible from the street.

#### 9.0 LANDSCAPING WORKS

- 9.1 All existing landscaping / vegetation as shown on the Proposed Site Plan (refer to condition 2.1) must be retained and maintained.

#### 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.
- 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 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.

13.2 The Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

### 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"*.

### 15.0 OPERATING PROCEDURES

15.1 The development must allow flood waters to enter the site such that there is no loss of flood storage for all events up to and including the defined flood event (DFE).

15.2 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Goodsall Street.

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 A Contingency Plan must be submitted 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.

NOTE: Council is not required to approve Contingency Plans. 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.

15.5 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.

- 15.6 A review and amendment of the Contingency 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](http://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. 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. Advertising Devices

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

#### RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Preliminary Approval for Building Works Assessable against the Planning Scheme, made by Hudco Pty Ltd, located at 6 and 4 Goodsall Street, The Common - described as Lots 1 and 2 on RP618797, Council resolves the levied charge be 85 per cent of the total charge and issue an Infrastructure Charges Notice for the amount of **\$242,552.20**.

**Moved by:** Councillor Mathers

**Seconded by:** Mayor Williams

#### **MOTION CARRIED**

Councillors Williams, Mathers, Fisher, Rutherford, Smith and Kirkland voted in the affirmative.

Councillor Wickerson recorded his voted against the matter.

Councillor Latcham was not in the meeting room and did not participate in the vote.

9:50AM Councillor Latcham returned to the meeting room.

**11.7 PROPOSED ANIMAL INSPECTION PROGRAM**

**File No:** 11741  
**Authorising Officer:** Angela Arnold - Coordinator Building, Plumbing and Compliance  
Alicia Cutler - General Manager Community Services  
**Author:** Jon Buckenham - Coordinator Local Laws

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**SUMMARY**

*This report presents an Animal Inspection Program for consideration by Council. Prior to Rockhampton Regional Council officers undertaking an inspection program, the Systematic Inspection Program, to monitor compliance with the Animal Management (Cats and Dogs) Act 2008, Rockhampton Regional Council Local Law 1 (Administration) 2011, and Rockhampton Regional Council Local Law 2 (Animal Management) 2011 must be approved by Council.*

**COUNCIL RESOLUTION**

THAT in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Local Government Act 2009*, Council approves a Systematic Inspection Program for the locality of Berserker between 1 April 2024 and 23 June 2024.

**Moved by:** Councillor Mathers  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**



**11.8 DOG OFF-LEASH AREA REGISTER**

**File No:** 787  
**Authorising Officer:** Doug Scott - Manager Planning and Regulatory Services  
**Author:** Jon Buckenham - Coordinator Local Laws

**SUMMARY**

*Council approval is sought to designate Dog Off-Leash Areas in line with Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 2 (Animal Management) 2011. The areas will be included in the Dog Off-Leash Area Register.*

**COUNCIL RESOLUTION**

THAT Council resolves to designate the following areas and maps attached to the report as permitted Dog Off-Leash Areas for inclusion in Council's 'Dog Off-Leash Area Register' in accordance with Schedule 7 of the *Subordinate Local Law No 2 (Animal Management) 2011*:

1. Ted Price Park, L 1 Breakspear Street, Gracemere, limited to the designated area.
2. Duthie Park, 314-324 Marsh Avenue and 331 Thozet Road, Frenchville, limited to the designated area. The area is not designated an off-leash area when the area is being used by animals participating in an obedience trial supervised by a body recognised for section 12(3)(d) of the authorising local law by the local government.
3. Rosel Park, 504 Quay Street, Depot Hill.
4. Victoria Park, 4 Graeme Acton Way, Wandal, limited to the designated area.
5. Eddie Baker Park, 8-26 Currawong Street, Norman Gardens, limited to the designated area.
6. All Blacks Park, 291 Lakes Creek Road, Koongal, limited to the designated area.
7. Number 7 Dam, Byrnes Parade, Mount Morgan, limited to the designated area.
8. Kershaw Gardens – Central precinct, Lot 230 Moores Creek Road, Park Avenue, limited to the designated area.
9. Georgeson Oval, 61-79 Pennycuick Street, The Range, limited to the designated area.
10. Remembrance Park, 35 Arthur Street, Gracemere, limited to the designated area, for the period up to and including 30 June 2024.
11. Kershaw Gardens – Southern precinct, Lot 230 Moores Creek Road, Park Avenue, limited to the designated area, for the period up to and including 30 June 2024.
12. Eddie Baker Park, 8-26 Currawong Street, Norman Gardens, limited to the designated area, for the period up to and including 30 June 2024.

**Moved by:** Councillor Mathers  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

**COUNCIL RESOLUTION**

THAT a report be presented to Council on Ergon Park and other similar Parks on Off-Leash areas for consideration for future amendment to the Local Law.

**Moved by:** Councillor Kirkland  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

**11.9 GRACEMERE JUNIOR RUGBY LEAGUE INC - CEDRIC ARCHER PARK -  
MASTER PLAN PROPOSAL**

**File No:** 8748  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** Jack Barnett - Sports and Recreation Advisor  
Justin Bulwinkel - Supervisor Business Support

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**SUMMARY**

*Gracemere Junior Rugby League Inc. have designed and proposed a Master Plan for Cedric Archer Park.*

**COUNCIL RESOLUTION**

THAT Council receives Gracemere Junior Rugby League Inc. proposed Master Plan for Cedric Archer Park and provide in principle support towards future community projects defined in the plan.

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

**MOTION CARRIED UNANIMOUSLY**

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**11.10 COMMUNITY GARDENS POLICY**

**File No:** 15722  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** Steven Ellis - Coordinator Community Master Planning

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**SUMMARY**

*Officers are seeking endorsement of the Community Gardens Policy which has been developed along with supporting documentation to help guide community groups in the establishment of a Community Garden.*

**COUNCIL RESOLUTION**

THAT the Community Gardens Policy and Assessment Procedure be endorsed by Council and Council approve a review timeline of January 2026.

**Moved by:** Councillor Rutherford  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

***Meeting Adjourned*****COUNCIL RESOLUTION**

10:28AM  
That the meeting be adjourned, to resume at 10:50AM.

**Moved by:** Mayor Williams

**MOTION CARRIED**

**Meeting Resumed****COUNCIL RESOLUTION**

10:55AM

That the meeting be resumed.

**Moved by: Mayor Williams****MOTION CARRIED**

## 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  
Mr R Cheesman – Deputy Chief Executive Officer  
Ms A Cutler – General Manager Community Services (via video-link)  
Mr P Kofod – General Manager Regional Services (via video-link)  
Mr A Russell – Executive Manager Advance Rockhampton  
Ms M Taylor – Chief Financial Officer  
Mr D Morrison – Manager Workforce and Governance  
Mr J Kann – Manager Office of the Mayor  
Ms S Jennings – Coordinator Legal and Governance  
Ms K Roberts – Coordinator Property and Insurance  
Mr J Barnett – Sports and Recreation Advisor (via video-link)  
Ms K Walsh – Committee Support Officer

**11.11 COUNCIL DELEGATION TO CHIEF EXECUTIVE OFFICER**

**File No:** 12660  
**Authorising Officer:** Damon Morrison - Acting General Manager Corporate Services  
Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Shannon Jennings - Coordinator Legal and Governance

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**SUMMARY**

*This report seeks Council's approval for delegations under Subordinate Local Law No. 2 (Animal Management) 2011 to the position of Chief Executive Officer.*

**COUNCIL RESOLUTION**

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 Delegation Register – *Subordinate Local Law No. 2 (Animal Management) 2011* (Attachment 1 of the report); and
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Delegation Register – *Subordinate Local Law No. 2 (Animal Management) 2011* (Attachment 1 of the report).

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

**11.12 PLANNING ACT 2016 TEMPORARY DELEGATION OVER ELECTION PERIOD**

**File No:** 12660  
**Authorising Officer:** Damon Morrison - Acting General Manager Corporate Services  
Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Shannon Jennings - Coordinator Legal and Governance

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**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 election period.*

**COUNCIL RESOLUTION**

THAT 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 6 March 2024 until the Post Election Meeting of the new Council.

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

**MOTION CARRIED UNANIMOUSLY**

**11.13 SALE OF PROPERTIES FOR OVERDUE RATES - 2024**

**File No:** 521  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

**SUMMARY**

*Council has the authority pursuant to section 140(2) of the Local Government Regulation 2012 to sell the land described below for overdue rates and charges.*

**COUNCIL RESOLUTION**

THAT Council:

- (a) Proceed with action to sell the properties listed below (Property ID's provided) for overdue rates as provided for in the *Local Government Regulation 2012, Chapter 4, Part 12*; and
- (b) Delegate to the Chief Executive Officer its power to take all further steps under *Chapter 4, Part 12, Division 3 of the Local Government Regulation 2012*, to effect sale of the land (including, for avoidance of doubt, the power to end sale proceedings).

773278	784517	41363988
773410	786564	779399
773942	40912188	788895
774444	786138	<del>774204</del>
775121	789611	<del>775732</del>
843625	787921	779584
776258	40640306	782190
776628	4110300	41178281
777244	40220068	41205074
778689	826761	41397905
779335	827605	
782231	828108	
782316	40112125	
783799	829530	
784398	41360594	

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Latcham

**MOTION CARRIED UNANIMOUSLY**

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**11.14 SUMMARY BUDGET MANAGEMENT REPORT FOR PERIOD ENDED  
31 DECEMBER 2023**

**File No:** 8148  
**Authorising Officer:** Damon Morrison - Manager Workforce and Governance  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 December 2023.*

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 December 2023 be received.

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

**MOTION CARRIED UNANIMOUSLY**



**11.15 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD  
ENDING 31 DECEMBER 2023**

**File No:** 1392  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Ross Cheesman - Deputy Chief Executive Officer

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**SUMMARY**

*Deputy Chief Executive Officer presenting the Whole of Council Corporate Performance Report for period ending 31 December 2023 for Councillors' information.*

**COUNCIL RESOLUTION**

THAT the Whole of Council Corporate Performance Report for period ending 31 December 2023 be "received".

**Moved by:** Councillor Kirkland  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED UNANIMOUSLY**

## 12 NOTICES OF MOTION

### 12.1 NOTICE OF MOTION - COUNCILLOR NEIL FISHER - TRAVEL TO BOWEN BASIN MINING CLUB LUNCHEON - FEBRUARY 2024

**File No:** 10072  
**Responsible Officer:** Nicole Semfel - Executive Assistant to the Mayor  
Justin Kann - Manager Office of the Mayor  
Evan Pardon - Chief Executive Officer

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#### SUMMARY

*Councillor Neil Fisher has indicated his intention to move a Notice of Motion at the next Ordinary Meeting scheduled for Tuesday 23 January 2024 regarding travel to Mackay on 7 February 2024.*

#### COUNCIL RESOLUTION

THAT Councillor Neil Fisher be granted approval to attend the Bowen Basin Mining Club Luncheon in Mackay on Thursday 8 February 2024.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Latcham

**MOTION CARRIED UNANIMOUSLY**

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**12.2 NOTICE OF MOTION - COUNCILLOR NEIL FISHER - TRAVEL TO BOWEN BASIN MINING CLUB LUNCHEON - NOVEMBER 2023****File No: 10072****Responsible Officer: Nicole Semfel - Executive Assistant to the Mayor  
Justin Kann - Manager Office of the Mayor**

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**SUMMARY**

*Councillor Neil Fisher has indicated his intention to move a Notice of Motion at the next Ordinary Council Meeting scheduled for Tuesday 23 January 2024 regarding travel to Mackay on 23 November 2023.*

**COUNCIL RESOLUTION**

THAT Councillor Neil Fisher be granted retrospective approval to attend the Bowen Basin Mining Club Luncheon in Mackay on Friday 24 November 2023.

**Moved by: Mayor Williams****Seconded by: Councillor Kirkland****MOTION CARRIED UNANIMOUSLY**

**13 QUESTIONS ON NOTICE**

Nil

**14 URGENT BUSINESS\QUESTIONS**

Nil

## 15 CLOSED SESSION

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

### COUNCIL RESOLUTION

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

#### 16.1 Barada Kabalbara Yetimarala People #1 and #2 (BKY #1 and BKY #2) QUD 13 and 15 of 2019 - Native Title Claims

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

**Moved by: Councillor Fisher**

**Seconded by: Councillor Smith**

**MOTION CARRIED UNANIMOUSLY**

### COUNCIL RESOLUTION

**11:17AM**

**THAT** pursuant to s5.12 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

**Moved by: Mayor Williams**

**Seconded by: Councillor Wickerson**

**MOTION CARRIED UNANIMOUSLY**

### COUNCIL RESOLUTION

**11:43AM**

**THAT** pursuant to s5.12 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

**Moved by: Councillor Fisher**

**Seconded by: Councillor Mathers**

**MOTION CARRIED UNANIMOUSLY**

## 16 CONFIDENTIAL REPORTS

### 16.1 BARADA KABALBARA YETIMARALA PEOPLE #1 AND #2 (BKY #1 AND BKY #2) QUD 13 AND 15 OF 2019 - NATIVE TITLE CLAIMS

**File No:** 3033 & 13868

**Authorising Officer:** Megan Younger - Manager Corporate and Technology Services  
Ross Cheesman - Deputy Chief Executive Officer

**Author:** Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

#### SUMMARY

*This report relates to resolving Council's interests in legal proceedings by negotiating towards a native title consent determination on a without prejudice and confidential basis.*

#### COUNCIL RESOLUTION

THAT Council:

- a) agrees in-principle to consent to the determination of the Barada Kabalbara Yetimarala People #1 and #2 native title claims substantially in the terms of the s87 Agreements and Proposed Consent Orders considered by Council; and
- b) delegates to the Chief Executive Officer the power to:
  - i) agree to and authorise on an in-principle basis further versions of the draft s87 Agreements and Proposed Consent Orders substantially in the terms of the draft s87 Agreements and Proposed Consent Orders considered by Council;
  - ii) consent to the final Agreements attaching the final Proposed Consent Orders on Council's behalf; and
  - iii) instruct Council's legal representative to sign the final Agreements attaching the final Proposed Consent Orders on Council's behalf.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Fisher  
**MOTION CARRIED UNANIMOUSLY**

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 11:43am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE



**MEETING  
ATTACHMENTS**

**23 JANUARY 2024**



## **ANNEXURE A**

Documents presented to Councillors for their reference during the Council meeting when dealing with:

**Item 8.1            Petitions – Telecommunication Towers**

**Item 11.6            D/123-2020 - Development Application for Material Change of Use for a Shop (Farmers Market), Reconfiguring a Lot for an Access Easement and Building Works Assessable Against the Planning Scheme**

I, José [van den Akker] of 4/14 Alyssa Court, Norman Gardens, call on Rockhampton Regional Council to reject outright the implementation of 5G Telecommunications in the city of Rockhampton and all its suburbs, including the proposed WiFi towers in the suburb of Norman Gardens, and all surrounding suburbs for the following reasons:

1. There is already a substantial and convincing number of scientific studies that show many adverse health effects and health hazards from radiofrequency/microwave radiation.

2. A large number of peer reviewed research articles can be found here:

<https://ehtrust.org/scientific-research-on-5g-and-health/>,

<https://bioinitiative.org/> – 4000 studies

<https://www.emf-portal.org/en> – 23,840 studies

<https://www.powerwatch.org.uk/> – 1,032 studies

3. Plus this study which cost \$25 million by the U.S. National Toxicology Program (NTP) clearly show that biological impacts occur at non-thermal exposures like those that take place from cell phones today. <https://ehtrust.org/clear-evidence-of-cancer-concludes-the-expert-panel-to-the-us-national-toxicology-program-on-cell-phone-radiation-study-findings/>

4. Also see the ORSAA database <https://www.orsaa.org/orsaa-database.html>

**ORSAA created a video on 5G Safety following a large number of requests from their members and beyond. They assembled a number of expert opinions. The video goes for about 11 minutes. See [https://youtu.be/1QIwQf88\\_N0](https://youtu.be/1QIwQf88_N0)**

5. In humans, the effects of EMF radiation include an increased risk of cancer, cellular stress, an increase in harmful free radicals, genetic damages, structural and functional changes of the reproductive system, learning and memory deficits, neurological disorders, and negative impacts on general well-being.

This type of damage goes well beyond the human race. There is growing evidence that EMF radiation also harms plants and animals.

The current rollout of the 5G infrastructure, including new towers/tower upgrades as well as new 4GX/5G small cells/antenna or antenna and cells that will be used for the 5G roll out, is of great concern to me, due to the amount and type of radiation these will emit, and the detrimental effect this will have on my own health, my animals, and other residents of Norman Gardens.

**I include a letter from my General Practitioner (GP) in relation to the potential impact EMF radiation will have on my health. You are to take note of this letter! Barrister Raymond Broomhall of Tasmania has raised the possibility that the implementation of 5G without informed consent could open up councils such as Rockhampton Regional Council, to liability in accordance with the legal definition of assault.**

**Queensland Definition of Assault:**

“Assault is defined in section 245 of the Queensland Criminal Code and includes actual forceful contact with another person or threatened forceful contact. In Queensland, physical assault will be made out if there is an act of striking, touching, or moving, or the application of force of any kind to another person, either directly or indirectly, without the consent of the person, or with their consent if that consent is obtained by fraud or duress. An act of threatened assault will be made out if, through any bodily act or gesture, a person attempts or threatens to apply force of any kind to a person without consent.”

It is important to note that the application of force includes the application of light, heat, electricity, smell, gas, or any substance that will cause injury or personal discomfort.

Furthermore, according to Broomhall, councils may be liable for Orders to be issued against them under the Peace and Good Behaviour Act 1982. This Act aims to protect people’s right to peace and quiet, undisturbed by threats to wellbeing or quality of life. People may request an Order if someone has threatened to assault (see above) or do bodily injury to them or any person under their care and they are in fear of this person because of this threat.

Barrister Broomhall also highlights that the **precautionary principle** is an integral component in State or Federal policy and is usually found embedded in the majority of State and Federal legislation. The precautionary principle as a rule should be actioned when an activity raises threats of harm to human health or the environment. Precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically. Health risks associated with EMR, though not fully established scientifically at present, would still require precautionary measures to be taken by emitter and governmental decision makers.

6. ARPANSA, the Federal Government’s Australian Radiation Protection and Nuclear Safety Agency, say that the operation frequencies of the 5G network are included within the limits set by their safety standard. However, the ARPANSA safety limit of 1000  $\mu\text{W}$  (microwatts) per  $\text{cm}^2$  up to 300GHz, was set in 2002 against a senate committee recommendation of 200  $\mu\text{W}/\text{cm}^2$  in 2001. This is despite many other countries such as China, Russia, Bulgaria, Canada and Poland having set the limit at 10  $\mu\text{W}/\text{cm}^2$ ; Switzerland has set their safety standard even lower at 9.5  $\mu\text{W}/\text{cm}^2$ , and in sensitive areas 4.25; and, Austria has set the safety limit lower again at 0.0001  $\mu\text{W}/\text{cm}^2$  in certain areas.

### **Why is Australia’s safety limit 100 times higher than many other countries?**

ARPANSA have a disclaimer on their website stating that their advice should only be used as a guide for educational purposes and that people should seek professional advice (i.e. a doctor) regarding safe EMF radiation limits. If their advice is simply guidance, why is it the standard being adhered to for the 5G roll out?

In another article on the ARPANSA website, Dr. Karipidis says that the higher frequencies used in 5G technology will penetrate human tissue. He also acknowledges that there are gaps in this knowledge that require further research:

*“ARPANSA therefore has made recommendations for areas where further studies are needed. The recommendations include research for frequencies above 6 GHz and for emerging technologies that use them like 5G.”*

Yet ARPANSA goes on to state that despite these gaps in knowledge, no health effects are expected from radio frequency exposures below the limits set in the ARPANSA standard. This is despite that there is a substantial and convincing number of scientific studies that show many adverse health effects and health hazards from radiofrequency/microwave radiation. Relevant studies are mentioned above.

Another consideration is that ARPANSA claim they are an *independent* organisation, yet they state that they receive funding from industry bodies.

6. Rolling out 5G breaks UNESCO’s (the United Nations Educational, Scientific and Cultural Organisation) “Precautionary Principle”, which states that: “When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm.”

I urge Rockhampton Regional Council to consider its responsibility in ensuring the health, wellbeing, and safety of the residents of Norman Gardens. The strongest evidence has impelled international experts to call for an urgent stop to the deployment of 5G technology. This should sufficiently warrant the council to take the precautionary principle and to do the same. See Global appeal here <https://www.5gspaceappeal.org/the-appeal>

I am therefore asking the council to prevent any further expansion of 5G related infrastructure in the suburb of Norman Gardens.

**Specifically, I am asking the council to take action in ensuring that no 4GX or 5G small cell/antenna or any cells/antenna related to 5G technology will be installed within 1.5 km from my premise at 14 Alyssa Court, Norman Gardens and any existing ones to be switched off and be removed immediately.**

I do not consent to 5G technology and WiFi towers and am requesting a remedy, demanding that you issue an abatement order.

Your intention to proceed would cause me significant discomfort in the form of fear of harm. You would irradiate me and my family and people in my community. Such an action would constitute a threat to assault under section 75 of the **Criminal Code Act 1889** (Queensland). See [https://classic.austlii.edu.au/cgi-bin/sinodisp/au/legis/qld/consol\\_act/cc189994/s75.html?stem=0&synonyms=0&query=75](https://classic.austlii.edu.au/cgi-bin/sinodisp/au/legis/qld/consol_act/cc189994/s75.html?stem=0&synonyms=0&query=75)

Criminal Code 1899 (Qld) Section 245 provides the definition of assault. See [https://classic.austlii.edu.au/au/legis/qld/consol\\_act/cc189994/s245.html](https://classic.austlii.edu.au/au/legis/qld/consol_act/cc189994/s245.html)

Please reply within the next 7 days with the actions the council will take to respond to my request.

I urge you to take the time to review this information. With this information the health of our community becomes your responsibility.

**I also urge you to take the time to review the relatively large number of signatures on the petition attached to this letter. Relatively large, because I did not have a lot of time to approach many people in Norman Gardens and inform them of the negative impact of WiFi radiation including 5G.**

Please note that around **80% of all people** I approached signed the petition. Most did not have a good feeling about having WiFi towers in Norman Gardens in general, and after I had informed them of the negative impact of WiFi, they all signed the petition.

Lastly, I would like to point out that presenting important information to people in Council's community should be Council's responsibility, not the responsibility of one person from the community.

Yours Sincerely,

Name: José [van den Akker]

Address: 4/14 Alyssa Court, Norman Gardens, QLD, 4701

Email: [jvdakker@tutanota.com](mailto:jvdakker@tutanota.com)

Phone: 0429 547 515.

# Mandalay Medical Centre

RS1A Stockland Rockhampton  
cnr Yaamba Rd & Bruce Highway  
North Rockhampton Qld 4701  
ABN: 29441695871  
Ph: (07) 4937 6111 Fax: (07) 4937 6100

12/11/2023

## TO WHOM IT MAY CONCERN

RE: Josina Van Den Akker  
Date of Birth: 18/9/1960

Suffers from Electro-Hypersensitivity related to electromagnetic frequencies [EMFs], which pose a risk of harm to her health by making her feel dizzy and experience extreme exhaustion.

Kindly assist her in any way possible by reducing her EMF exposure. She can tolerate a maximum exposure to an EMF of 0.05 V/m.

Yours sincerely,



Dr Vivian Pam  
MBBS/FRACGP  
2954389A

## An in-depth look at calculated EME levels at this site

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are relative to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
0-50m				4.70	58.49	0.83%
50-100m				3.79	38.19	0.46%
100-200m				5.78	88.67	1.37%
200-300m				5.80	89.32	1.38%
300-400m				4.50	53.74	0.80%
400-500m				3.36	29.91	0.45%

## Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the [Communications Alliance Ltd Deployment Code C564:2020](#) or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems at this site.

### Maximum cumulative EME level for the proposed configuration

Location	Height range	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
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No locations identified

50 Nagle Drive

## Depth look at calculated EME levels at this site

It provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are measured to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
0-50m				4.10	44.63	0.73%
50-100m				2.50	16.60	0.27%
100-200m				4.64	57.11	1.07%
200-300m				4.71	58.73	1.09%
300-400m				3.78	37.89	0.68%
400-500m				2.82	21.10	0.38%

## Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the Communications Alliance Ltd Deployment Code C564:2020 or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

### Maximum cumulative EME level for the proposed configuration

Location	Height range	Electric field (V/m)	Power density (mW/m <sup>2</sup> )	Percentage of the public exposure limit
Glenmore State High School	0-5 m	1.85	9.11	0.17%

3 G 900 MHz

4 G 2100 MHz

4 G+ 700 MHz, 900 + 1800 MHz

5 G : 2100 MHz

Optus

Glenmore  
(Drakes)



# Petition Submission Form



Privacy Notice: Council deals with personal information in accordance with law, including the *Information Privacy Act 2009*.

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be published on Council's website as required by section 254F of the *Local Government Regulation 2012*.

P: 07 4932 9000 | E: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au) | W: [www.rrc.qld.gov.au](http://www.rrc.qld.gov.au) | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

## Principal Petitioner Details

Contact name: Dr José van den Akker

Preferred contact number:

Email: [jvdakker@tutanota.com](mailto:jvdakker@tutanota.com)

## Residential Address

Street number and name: 4/14 Alyssa Court

Suburb: Norman Gardens

State: QLD

Postcode: 4701

Postal address (if different):

## Declaration

I submit this Petition Submission Form as the Principal Petitioner for the below petition to be considered for presentation to Council.

Name: Dr José van den Akker

Signature:

Date: 14 October 2023

## Petition Details (Please outline the details and reasons for the petition)

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To stop the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice. I object to all 'smart' infrastructure you have approved and is (to be) installed in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters. It is a criminal offense to cause harm to human beings, and you are required to apply the precautionary principle. If you intend to proceed with the installation or development, and will irradiate me and people in my community, then such an action would constitute a threat to assault under section 75 of the Criminal Code Act 1899 (Queensland). It would also constitute negligent act causing harm - Section 328 Criminal Code 1899 (Qld). Any person who unlawfully does any act, or omits to do any act which it is the persons duty to do so, by which act or omission bodily harm is actually caused to any person is liable to imprisonment for 2 years and may be arrested without warrant.

OFFICE USE ONLY

Date received:

Date presented to Council meeting:

Responsible officer:

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**Principal Petitioner Details**

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

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- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

**Petitioner Details**

NAME	ADDRESS (including postcode)	SIGNATURE
Martin Johnson	53 Macelister Street 4701	Martin E. Johnson
Janeir Fede	363 Mt Rae Rd Bungundera	[Signature]
Jay Louise O'Brien	14 Grave Ct Yeppoon	[Signature]
Elizabeth Shelton	21 Stralou Ave Glenlee	[Signature]
KEANIE SHELTON	11	B.O. Shelton
Rebecca Proctor	27 O'Shaneys St NTON	[Signature]
Marilyn Sabljak	330 Diplock St, Frenchville	[Signature]
Susan McDonald	58 Fairfield Avenue, Norman Gardens	[Signature]
Jon Ferguson	32 NAGLE DRIVE 4701	[Signature]
BRYAN ROSS	HOLLINGSWORTH ST	[Signature] 4701
Sue Langford	668 Yeppoon Road	[Signature]
[Signature]	ROCKHAMPTON ROAD	FRY STANLEY

Please print and attach additional petition forms if required.

**Submit**

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Contact details: jvdakker@tutanota.com

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- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
Rena Wilson	14 Peatey St, NORMAN GARDENS 4701	
James Groun	" "	
MARK MARLIOR	15 INGRAM St. PARK AVE	
Arnold Parsons	9 Banksia Pl 4701	
Sallye Parsons	9 Banksia Pl 4701	
Sharyn Werner	103 Cruikshank St F'ville	
DAN WHITE	8 WHITE ST PARK AVE Norman Gardens	
Alicia Sengoro	2 MASTER AVE 4701	
CAROL STREETER	107 Springfield Drive 4701	
K. Hoyleston	24 Whitman St	
Heidiw Tom	4/210 murphy st, Ailsa	
piyush	4/210 MURPHY ST Ailsa	

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Contact details: jvdakker@tutanota.com

### Petition Details

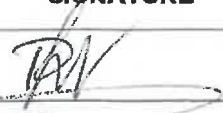
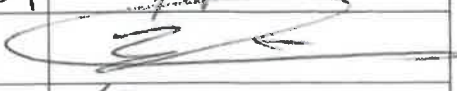
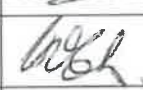
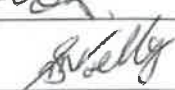
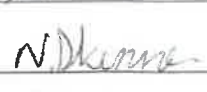
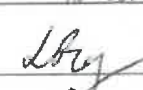
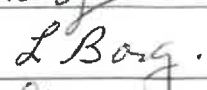


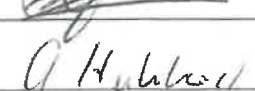
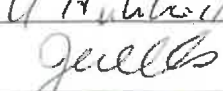
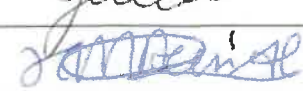
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- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
Paul Norman	1 Michael Law Place 4701	
Zack Reid	9 Snelling Street 4701	
M. Newby	Trenchville 4701	
S. KELLY	NORMAN GARDENS 4701	
N. Skinner	KAWANA 4701	
L Borg	The Cows 4703	
L Borg	102 McLaughlin ST.	
D. Kipling	CANT STREET 4701	
K POKER	2. ATHLONE COURT. 4701	
Aileen Joyce	32 Beaneys STR 4701	
Julie Wells	323 Woodbury Rd Woodbury 4703	
M Deenah	13 Jeffries St Yeppoon	

Please print and attach additional petition forms if required.

Submit

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### Principal Petitioner Details

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

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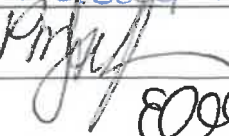
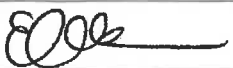


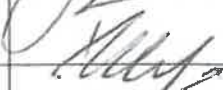

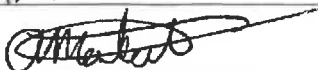
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### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
Tarnie Lyon	142 Haynes Street KAWANA QLD 4701	
Melody-Kay	142 Haynes Street Kawana Q. 4701	Melody-Kay
Perdita Steffa	271 Richardson Rd Kawana.	
Elisha Unwinston	271 Richardson Rd	
Cecilia Huggers	7 Samuel Cr Parkhurst	CH
Alister Bhe	6 Mura Crescent Guncwale	
Jordan Maher	27 Greeny Street 4701	
Brendon Jay	47 Kingfisher 4701	
KIM SMITH	92 BONDOLA RD 4703	
CHRIS BENNETT	8 SHARPE ST, NORMAN RD 4701	Bennett
Anthony Monteath	17 Kirkellen St. Berserker 4701	
Tania Monteath	17 Kirkellen St. Berserker 4701	cf. Monteath

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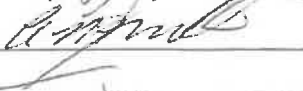
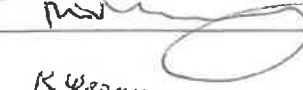
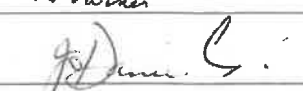
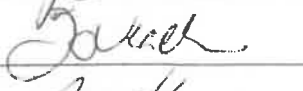
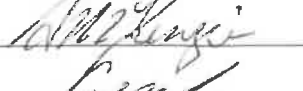
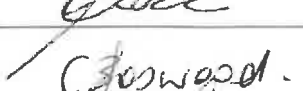
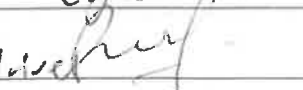
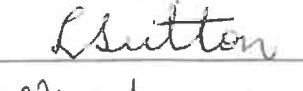
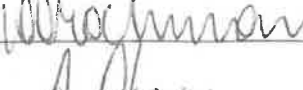



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- 50 Nagle Drive, Norman Gardens, 4701

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### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
Deborah Smith	69 Roswood Dr 4701	
Murray Smith	69 Roswood Dr 4701	
TIM MURRAY	34 ANNA ST 4701	
KATHY WERNER	25 WITTENDERS WAY 4701	
Jo Daniels	8 ALYSSA CRT	
Jo Anne Verem	13 ALYSSA CRT 4701	
Ann McKenzie	2/14 Alyssa Cr. 4701	
Gavin Veach	13 ALYSSA COURT, NORMAN GARDENS 4701	
Cecilia Boswood	520 Yaamba Road, Norman Gardens	
Pular Boney	Norman gardens, Collyer Drive	
Louise Sutton	15 Alyssa Ct Norman gardens	
Deborah Dreckmann	29 Alyssa Court, N.G. 4701	
Stephen Dreckmann	29 Alyssa Court, N.G. 4701	

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulation 2012.

### Principal Petitioner Details

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

### Petition Details

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To stop the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
Betty Rixon	26 ANNA ST NORMAN GARDENS	
ANDY RIXON	26 ANNA ST NORMAN GARDENS	
Jennie HARMSWORTH	29 ANNA ST NORMAN GARDENS	
Michelle Ryan	2 GARDENVALE CRT	
Brandon Ryan	" " "	
Norma Cihovec	24 ACRYSSA CT NORMAN GARDENS	
Clive Thompson	21 - - -	
LIEBIE M. FLITT	Unit 11/15 Parkside Place	
ANITA CREMIN	11 PARKSIDE PLACE	
Lyn Patterson	13 " "	
MICHAEL DENWICK	9 PARKSIDE PLACE NORMAN GARDENS	
Lynne Wardy	Parkside Place Norman Gardens	

Please print and attach additional petition forms if required.

**Submit**

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulation 2017.

**Principal Petitioner Details**

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

**Petition Details**

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To stop the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

**Petitioner Details**

NAME	ADDRESS (including postcode)	SIGNATURE
4 Smith	83 Rosewood Dr N GARDENS	[Signature]
K Smith	" " " "	[Signature]
Kathy Hines	81 Rosewood Drive N. Gardens	[Signature]
Carolyn Hinton	77 Rosewood Dr. Norman Gardens	[Signature]
Neil Hinton	" " " "	[Signature]
Prathy Pickett	71 Rosewood Dr. "	[Signature]
Kerby Williams	72 Rosewood Dr Norman Gardens	[Signature]
Susy Tomkins	6 REECE ST. NORMAN GARDENS	[Signature]
Don Thomas	3 REECE ST NORMAN GARDENS	[Signature]
Ma Downing	218 Anna St NORMAN GARDENS	[Signature]
KAREN BELL	11 ALYSSA CT, NORMAN GARDENS	[Signature]
Deraki Alchakane	250 D plack St N.R	[Signature]
Scott Bevel	1 New Forest Rd Zitar	[Signature]



This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulation 2012.

### Principal Petitioner Details

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

### Petition Details

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To immediately stop or block the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701

- at Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701

- at 50 Nagle Drive, Norman Gardens, 4701

To immediately stop the expansion of all 'smart' infrastructure in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters.

3. To apply the precautionary principle.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
JACKIE INGLIS	27 NAGLE DRIVE NORMAN GARDENS	J. Inglis
PETER INGLIS	27 NAGLE DR N/GARDENS	P. Inglis
KAREN KRAJE	4 NAGLE DRIVE N/GARDENS	K. Kraje
Anne McKay	71 Armstrong St Busselton	A. McKay
Kathy Raman	7 Zamia Court Norman Gardens	K. Raman
IAN DOUGLAS	24 NAGLE DRIVE 4701	I. Douglas
MARILYN ADAMS	26 NAGLE DRIVE 4701	M. Adams
B. Spreadborough	12 Zamia Court 4701	B. Spreadborough
Kristy Schilling	8 Cycad Court, Norman Gardens	K. Schilling
Debbie Webbs	4 Cycad Court, Norman Gardens	D. Webbs
HAROLD GILL	6 ZAMIA COURT NORMAN GARDENS	H. Gill
C DOUGLAS	24 NAGLE DR Norman Gardens	C. Douglas
Mark ...	3 Walnut Ave Norman Gardens	M. ...

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulations 2016.

### Principal Petitioner Details

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

### Petition Details

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To stop the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
R. Fitzserble	2 OAKLAND COURT NORMAN GARDENS NORMAN	K. Fitzserble
M. Healy	41 Springfield Drive GARDENS	M. Healy
B. Healy	41 Springfield Drive NG	B. Healy
T. Healy	41 Springfield Dr NORMAN GARDENS	T. Healy
J. Bishop	9 Penlingher St. The Range	J. Bishop
H. Seales	17 Reddy Drive 4701	H. Seales
M. Russell	20 Reddy Dr 4701	M. Russell
J. Miller	23 Reddy Dr 4701	J. Miller
J. Miller	23 Reddy Drive 4701	J. Miller
K. BATEY	21 REDDY DR NORMAN GARDENS	K. Batey
L. KENNY	10 Reddy Dr, Norman Gardens	L. Kenny
G. KENNY	10 Reddy Dr, NORMAN GARDENS	G. Kenny
Sarah Da Silva	5 Julie Crescent Norman Gardens	Sarah Da Silva

Privacy Notice: Council deals with personal information in accordance with law, including the Information Privacy Act 2009.

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Act 2009.

### Principal Petitioner Details

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

### Petition Details

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To stop the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
N DOWNS	1 AMY CRT NORMAN GARDENS	
W ATKINSON	6 EUCALYPTUS CRS NORMAN <sup>4701</sup>	
L Hansen	9 EUCALYPTUS CRS GARDENS <sup>NORMAN</sup>	
W HANSEN	" " " "	
P. KAWORO	3 EUCALYPTUS CRS NORMAN GARDENS	
J. Glover	24 Alyssa Ct Norman Gardens	
T. Coombes	27 Alyssa Ct, Norman Gardens	
A M' CULLOCH	1 LANCEWOOD CLOSE GARDENS <sup>NORMAN</sup>	
L Morrison	3 Lancewood Close <sup>Norman</sup> Gardens	
C Goodman	7 Lancewood Close <sup>Norman</sup> Gardens	
J. P. Goodman	7 Lancewood Close <sup>NORMAN</sup> GARDENS	
Craig Goodman	7 Lancewood Close <sup>NG</sup>	
SHIRLEY BUCHANAN	4 LANCEWOOD CLOSE GARDENS <sup>NORMAN</sup>	

# Petition Submission Form



Privacy Notice: Council will process & maintain an accurate record of the information Privacy Act 2008

This form is to be completed which details of the public wish to submit a petition to Council. More info to the Petition Fact Sheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be published on Council's website as required by section 330B of the Local Government Regulation 2012.

P: 07 4932 9000 E: [petitions@rockhampton.qld.gov.au](mailto:petitions@rockhampton.qld.gov.au) W: [www.rockhampton.qld.gov.au](http://www.rockhampton.qld.gov.au) PO Box 166, Rockhampton QLD 4700 ABN: 59 521 523 766

## Principal Petitioner Details

Contact name: **Dr Jose van den Akker**

Preferred contact number:

Email: [vdakker@lutanda.com](mailto:vdakker@lutanda.com)

## Residential Address

Street number and name: **4/14 Alyssa Court**

Suburb: **Norman Gardens**

State: **QLD**

Postcode: **4701**

Postal address (if different):

## Declaration

I submit this Petition Submission Form as the Principal Petitioner for the below petition to be considered for presentation to Council.

Name: **Dr Jose van den Akker**

Signature:

Date: **14 October 2023**

## Petition Details (Please outline the details and reasons for the petition)

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

1. To immediately stop or block the building of WiFi towers:
  - at Tabernacle Church, 650 Norman Road, Rockhampton 4701
  - at Glenmore Shopping Centre, Off Yaamba Road and Farm Street, Rockhampton 4701
  - at 50 Nagle Drive, Norman Gardens, 4701
2. To immediately stop the expansion of all "smart" infrastructure in our community which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters.
3. To apply the precautionary principle.

Please note: It is a criminal offense to cause harm to human beings. If you proceed with the installation and development of WiFi towers and 5G infrastructure, you will irradiate me and all other people and all living beings in my community which will lead to serious health-related consequences. Such action will constitute a threat to assault under section 75 of the Criminal Code Act 1899 (Queensland). It will also constitute negligent act causing harm - Section 328 Criminal Code 1899 (CQ). Any person who unlawfully does any act or omits to do any act which it is the persons duty to do so, by which act or omission bodily harm is actually caused to any person is liable to imprisonment for 2 years and may be arrested without warrant.

OFFICE USE ONLY  
Date received:

Date presented to Council meeting:

Responsible officer:

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information.  
 All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulation 2012.

**Principal Petitioner Details**

Contact name: Dr Jose van den Akker

Contact details: jvdakker@tutanota.com

**Petition Details**

We the undersigned, hereby respectfully request the Rockhampton Regional Council

- To immediately stop or block the building of WiFi towers:
  - at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
  - at Glenmore Shopping Centre, Cor Yaamba Road and Farm Street, Rockhampton, 4701
  - at 50 Nagle Drive, Norman Gardens, 4701

2. To immediately stop the expansion of all "smart" infrastructure in our community, which includes 5G streetlights, surveillance cameras, all wifi towers and smart meters

3. To apply the precautionary principle.

**Petitioner Details**

NAME	ADDRESS (including postcode)	SIGNATURE
Pamela Harrison	25 Steeman St. Emu Park 4710	
Judy Turlington	32 PARADISE WAY EMU PARK 4710	
WENDY CRANE	13 CLAY ST EMU PARK 4710	
M. Sulic	35 Larnach's EMU PARK 4710	
Maree Egerton	27 Steeman St Emu Park 4710	
Cheryl Smith	14 OAK ST EIP 4710 Emu Park	
M. Sealey	51 Golding ST 4710	
Up Day	41 Golding ST 4710	
Tracy Buckler	72 Archer St 4710.	
Tony Beardmore	72 Archer St 4710	
R. Sealey	51 Golding St 4710	
Debbie Murray	10 ParkView Drive 4703	
JAACK FARRELL	13 BROOKSIDE CL YERBON 4703	

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petition FactSheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 26A of the Local Government Regulation 2012.

**Principal Petitioner Details**

Contact name: Dr Jose van den Akker

Contact details: jvdakker@tutanota.com

**Petition Details**

We the undersigned hereby respectfully request the Rockhampton Regional Council

- To stop the building of WiFi towers.
- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Crs Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice

**Petitioner Details**

NAME	ADDRESS (including postcode)	SIGNATURE
Gayle Farrall	13 Brook Side Close Yeppoon 4703	[Signature]
Karen Neale	4 Leone Court Yeppoon 4703	[Signature]
Karlene Pass	14 Crater St, Hammerma 4703	[Signature]
Lucina Mcham	46 Ploal 4703	[Signature]
NATHALIE LEONARDI	25 OAK ST EMU PARK 4710	[Signature]
Kelly Warcom	38 Tinkers Beach EMU PARK 4710	[Signature]
Sandy Mackay	26 Park St EMU PARK 4710	[Signature]
RAY RAJOREN	EMU PARK 4710	[Signature]
Dylan Bead	14 Fishermans Emu Park 4710	[Signature]
Wendy Aheson	27 Thomas St. E. P. 4710	[Signature]
Natalie Ashurst	453 Adelaide Yeppoon 4703	[Signature]
Rachel Berry	<del>453 Adelaide</del> Yeppoon 4703	[Signature]

Please print and attach additional petition forms if required.

Submit

Jackie Gorsan parkhurst 4702 [Signature]

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulation 2012.

**Principal Petitioner Details**

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

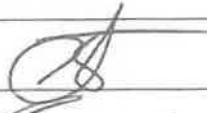
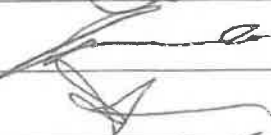

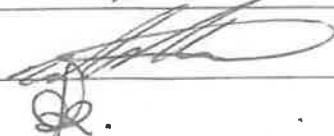




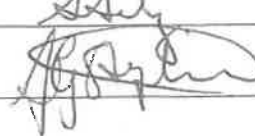
**Petition Details**

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

- To stop the building of WiFi towers:
- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
  - Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
  - 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

**Petitioner Details**

NAME	ADDRESS (including postcode)	SIGNATURE
Kaye Webb	338 SALAMANCA ST. Frenchville 4701	
JOEL VANMANNEN	14 SCHWARTZ ST KOSCIUSKO	
Lee	Denham Street Rockhampton 4702	
DALE BELLEVILLE	ANTONY JOHNSONS RD THE CAVES	
Melissa Knott	Ash Crt, Gracemere Qld 4702	
HEATH GRIEVE	43 ARTHUR DR, PARKHURST	
A. ASADI	41 Denham St, 4700	
Sharon Hickey	311 Pain St. Koonah Q 4701	
A. Stephan	2/54 James St, 4703	

# Petition Submission Form



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P: 07 4932 9000 | E: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au) | W: [www.rrc.qld.gov.au](http://www.rrc.qld.gov.au) | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

## Principal Petitioner Details

Contact name: Dr José van den Akker

Preferred contact number:

Email: [jvdakker@tutanota.com](mailto:jvdakker@tutanota.com)

## Residential Address

Street number and name: 4/14 Alyssa Court

Suburb: Norman Gardens

State: QLD

Postcode: 4701

Postal address (if different):

## Declaration

I submit this Petition Submission Form as the Principal Petitioner for the below petition to be considered for presentation to Council.

Name: Dr José van den Akker

Signature:

Date: 14 October 2023

## Petition Details (Please outline the details and reasons for the petition)

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

- To immediately stop or block the building of WiFi towers:
  - at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
  - at Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
  - at 50 Nagle Drive, Norman Gardens, 4701
- To immediately stop the expansion of all 'smart' infrastructure in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters.
- To apply the precautionary principle.

Please note: It is a criminal offense to cause harm to human beings. If you proceed with the installation and development of WiFi towers and 5G infrastructure, you will irradiate me and all other people and all living beings in my community, which will lead to serious health-related consequences. Such action will constitute a threat to assault under section 75 of the Criminal Code Act 1899 (Queensland). It will also constitute negligent act causing harm - Section 328 Criminal Code 1899 (Qld). Any person who unlawfully does any act, or omits to do any act which it is the persons duty to do so, by which act or omission bodily harm is actually caused to any person, is liable to imprisonment for 2 years and may be arrested without warrant.

OFFICE USE ONLY	Date received:	Date presented to Council meeting:	Responsible officer:
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# Petition Submission Form



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P: 07 4932 9000 | E: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au) | W: [www.rrc.qld.gov.au](http://www.rrc.qld.gov.au) | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

## Principal Petitioner Details

Contact name: Dr José van den Akker

Preferred contact number:

Email: [jvdakker@tutanota.com](mailto:jvdakker@tutanota.com)

## Residential Address

Street number and name: 4/14 Alyssa Court

Suburb: Norman Gardens

State: QLD

Postcode: 4701

Postal address (if different):

## Declaration

I submit this Petition Submission Form as the Principal Petitioner for the below petition to be considered for presentation to Council.

Name: Dr José van den Akker

Signature:

Date: 14 October 2023

## Petition Details (Please outline the details and reasons for the petition)

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To stop the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice. I object to all 'smart' infrastructure you have approved and is (to be) installed in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters. It is a criminal offense to cause harm to human beings, and you are required to apply the precautionary principle. If you intend to proceed with the installation or development, and will irradiate me and people in my community, then such an action would constitute a threat to assault under section 75 of the Criminal Code Act 1899 (Queensland). It would also constitute negligent act causing harm - Section 328 Criminal Code 1899 (Qld). Any person who unlawfully does any act, or omits to do any act which it is the persons duty to do so, by which act or omission bodily harm is actually caused to any person is liable to imprisonment for 2 years and may be arrested without warrant.

OFFICE USE ONLY

Date received:

Date presented to Council meeting:

Responsible officer:

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Principal Petitioner Details		
Contact name:	Dr José van den Akker	
Contact details:	jvdakker@tutanota.com	
Petition Details		
We, the undersigned, hereby respectfully request the Rockhampton Regional Council:		
. To immediately stop or block the building of WiFi towers:		
- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701		
- at Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701		
- at 50 Nagle Drive, Norman Gardens, 4701		
To immediately stop the expansion of all 'smart' infrastructure in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters.		
3. To apply the precautionary principle.		
Petitioner Details		
NAME	ADDRESS (including postcode)	SIGNATURE
Sharon Matthews	Norman Gardens 4701 40 Denham St 4700	[Signature]
Olivia Hoskins	614 Montgomerie St Lakes inack	[Signature]
Elizabeth Briese	581 Valentine Plains Rd/Biloba	E Briese
GRAEME BRIESE	" " " "	[Signature]
Donnie Sills	6 Tuna st Tooloocah 4750	[Signature]
Briana Shillingsworth	N/A	[Signature]
BARBARA HINES	1/110 Telford St ALENSTOWN 4700	[Signature]

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulation 2012.

### Principal Petitioner Details

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

### Petition Details

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To stop the building of WiFi towers:

- at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
- Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
- 50 Nagle Drive, Norman Gardens, 4701

You are on notice.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
Cathy Patson	123 Barmoya Rd, The Caves	[Signature]
Jacquie Grant	320 Olinda Rd, KOKOTUNGA	[Signature]
Debbie Brine	23 Blackhall St The Range	[Signature]
Oliver Makcut	13 Spring Street Yeppoon	[Signature]
Lynn Hoskins	607 Montgomerie St Creek	[Signature]
JANET LAWRIE	114 QUARRY ST THE RANGE	[Signature]
MARC GIOVANNINI	17 ELPHINSTONE ST BERSERKER	[Signature]
Glenda Smyth	784 Ridgeland Rd Atton Downs	[Signature]
Christine Magnusson	Mark Acton Close Rockneil	[Signature]
FM Chippendale	38 Gillespie Street Wandol	[Signature]

HENRY O

# Petition Submission Form



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This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be published on Council's website as required by section 254F of the Local Government Regulation 2012.

P: 07 4932 9000 | E: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au) | W: [www.rrc.qld.gov.au](http://www.rrc.qld.gov.au) | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

<b>Principal Petitioner Details</b>		
Contact name: Dr José van den Akker		
Preferred contact number:	Email: <a href="mailto:jvdakker@tutanota.com">jvdakker@tutanota.com</a>	
<b>Residential Address</b>		
Street number and name: 4/14 Alyssa Court		
Suburb: Norman Gardens	State: QLD	Postcode: 4701
Postal address (if different):		
<b>Declaration</b>		
I submit this Petition Submission Form as the Principal Petitioner for the below petition to be considered for presentation to Council.		
Name: Dr José van den Akker	Signature:	Date: 14 October 2023
<b>Petition Details</b> <i>(Please outline the details and reasons for the petition)</i>		
We, the undersigned, hereby respectfully request the Rockhampton Regional Council:		
1. To immediately stop or block the building of WiFi towers: - at Tabernacle Church, 650 Norman Road, Rockhampton, 4701 - at Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701 - at 50 Nagle Drive, Norman Gardens, 4701		
2. To immediately stop the expansion of all 'smart' infrastructure in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters.		
3. To apply the precautionary principle.		
Please note: It is a criminal offense to cause harm to human beings. If you proceed with the installation and development of WiFi towers and 5G infrastructure, you will irradiate me and all other people and all living beings in my community, which will lead to serious health-related consequences. Such action will constitute a threat to assault under section 75 of the Criminal Code Act 1899 (Queensland). It will also constitute negligent act causing harm - Section 328 Criminal Code 1899 (Qld). Any person who unlawfully does any act, or omits to do any act which it is the persons duty to do so, by which act or omission bodily harm is actually caused to any person, is liable to imprisonment for 2 years and may be arrested without warrant.		

<b>OFFICE USE ONLY</b>	Date received:	Date presented to Council meeting:	Responsible officer:
------------------------	----------------	------------------------------------	----------------------

# Petition Submission Form

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P: 07 4932 9000 | E: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au) | W: [www.rrc.qld.gov.au](http://www.rrc.qld.gov.au) | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

## Principal Petitioner Details

Contact name: Dr José van den Akker

Preferred contact number:

Email: [jvdakker@tutanota.com](mailto:jvdakker@tutanota.com)

## Residential Address

Street number and name: 4/14 Alyssa Court

Suburb: Norman Gardens

State: QLD

Postcode: 4701

Postal address (if different):

## Declaration

I submit this Petition Submission Form as the Principal Petitioner for the below petition to be considered for presentation to Council.

Name: Dr José van den Akker

Signature:

Date: 14 October 2023

## Petition Details *(Please outline the details and reasons for the petition)*

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

- To immediately stop or block the building of WiFi towers:
  - at Tabernacle Church, 650 Norman Road, Rockhampton, 4701
  - at Glenmore Shopping Centre, Cnr Yaamba Road and Farm Street, Rockhampton, 4701
  - at 50 Nagle Drive, Norman Gardens, 4701
- To immediately stop the expansion of all 'smart' infrastructure in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters.
- To apply the precautionary principle.

Please note: It is a criminal offense to cause harm to human beings. If you proceed with the installation and development of WiFi towers and 5G infrastructure, you will irradiate me and all other people and all living beings in my community, which will lead to serious health-related consequences. Such action will constitute a threat to assault under section 75 of the Criminal Code Act 1899 (Queensland). It will also constitute negligent act causing harm - Section 328 Criminal Code 1899 (Qld). Any person who unlawfully does any act, or omits to do any act which it is the persons duty to do so, by which act or omission bodily harm is actually caused to any person, is liable to imprisonment for 2 years and may be arrested without warrant.

OFFICE USE ONLY

Date received:

Date presented to Council meeting:

Responsible officer:

This form is to be completed when members of the public wish to submit a petition to Council. Please refer to the Petitions Factsheet for further information. All correspondence regarding this request will be directed to the Principal Petitioner. Petitions presented at Council Meetings will be made available on the Council's website as required by section 254F of the Local Government Regulation 2012.

### Principal Petitioner Details

Contact name: Dr José van den Akker

Contact details: jvdakker@tutanota.com

### Petition Details

We, the undersigned, hereby respectfully request the Rockhampton Regional Council:

To immediately stop or block the building of WiFi towers:

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To immediately stop the expansion of all 'smart' infrastructure in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters.

3. To apply the precautionary principle.

### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
B. O'Brien		B. O'Brien
PAUL AVIS		Paul Avis
E. McDonald	58 Fairfield Avenue 4701	E. McDonald
J SAUNDERS	1 LTON DOWNS 4702	J Saunders
E. Martin	21 Rachel Drive 4702	E. Martin
J COUSIN	423 MOYNE ST FVILLE 4701	J Cousin
K PROCKE	76 PLOON 4703	K Procke
JIM KINSTREY	135 CROOKSHANK ST,	Jim Kinstry
P Mills	Parkhurst. 4702.	P Mills
Khan	GRACEMERE	Khan
G CAMPBELL	60 STROW ST YEPPON	G Campbell
WAYNE - ANTHONY - KELLY	23 PARK ST NTH R-TW	Wayne Kelly
Nevin John	28 Arthur Street Gracemere	Nevin John

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**Principal Petitioner Details**

Contact name:





Contact details:

**Petition Details**

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- 3. To apply the precautionary principle.

**Petitioner Details**

NAME	ADDRESS (including postcode)	SIGNATURE
Bryan Patrick	Warren 4702	
Demetrius Basil	Port Street Rm.	
Cheryl Thomas	60 FAIRFIELD AVE NORMAN GARDENS	
Richard James	58 FAIRFIELD AVE NORMAN GARDENS	

Please print and attach additional petition forms if required.

**Submit**

# Petition Submission Form



Rockhampton Regional Council does not store personal information in accordance with law, including the Information Privacy Act 2009.

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Tel: 07 4932 9000 | E: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au) | W: [www.rrc.qld.gov.au](http://www.rrc.qld.gov.au) | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

## Principal Petitioner Details

Contact name: Dr José van den Akker

Preferred contact number:

Email: [jvdakker@tutanota.com](mailto:jvdakker@tutanota.com)

## Residential Address

Street number and name: 4/14 Alyssa Court

Suburb: Norman Gardens

State: QLD

Postcode: 4701

Postal address (if different):

## Declaration

I submit this Petition Submission Form as the Principal Petitioner for the below petition to be considered for presentation to Council.

Name: Dr José van den Akker

Signature:

Date: 14 October 2023

## Petition Details (Please outline the details and reasons for the petition)

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You are on notice. I object to all 'smart' infrastructure you have approved and is (to be) installed in our community, which includes 5G streetlights, surveillance cameras, all wifi towers, and smart meters. It is a criminal offense to cause harm to human beings, and you are required to apply the precautionary principle. If you intend to proceed with the installation or development, and will irradiate me and people in my community, then such an action would constitute a threat to assault under section 75 of the Criminal Code Act 1899 (Queensland). It would also constitute negligent act causing harm - Section 328 Criminal Code 1899 (Qld). Any person who unlawfully does any act, or omits to do any act which it is the persons duty to do so, by which act or omission bodily harm is actually caused to any person is liable to imprisonment for 2 years and may be arrested without warrant.

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### Petitioner Details

NAME	ADDRESS (including postcode)	SIGNATURE
HARRY PLATTS	60 MAINT ST PARK AVENUE 4701	[Signature]
ROBERT MILLS	11 DELBY ST. LAKES CREEK	[Signature]
Donna-Kaye Kilgour	351 Lawrence Ave Frenchville 4701	[Signature]
Amie Freund	90 Box 6005 Reg Hill Rockhampton 4701	[Signature]
Kanna Gallehawk	3 Schwarten St Kawana Q 4701	[Signature]
Lynette Lewis	07 THOMASSON ST PARK AVE 4701	[Signature]
DAVE SHEPHERD	48 TUNG KLEN ST P.A 4701	[Signature]

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P: 07 4932 9000 | E: [enquiries@rrc.qld.gov.au](mailto:enquiries@rrc.qld.gov.au) | W: [www.rrc.qld.gov.au](http://www.rrc.qld.gov.au) | PO Box 1860 Rockhampton QLD 4700 | ABN: 59 923 523 766

## Principal Petitioner Details

Contact name: Dr José van den Akker

Preferred contact number:

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**Development Application (D/123-2020) for  
Material Change of Use for a Shop (Farmers  
Market) and Reconfiguring a Lot for an Access  
Easement and Building Works Assessable  
against the Planning Scheme**

4-6 Goodsall Road, The Common

Council Meeting – 23 January 2024

Amanda O'Mara – Coordinator Development Assessment

# Subject Site



# Proposal Plan

