ORDINARY MEETING

MINUTES

13 OCTOBER 2026

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REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 13 OCTOBER 2026 COMMENCING AT 9:00 AM

1 OPENING

1.1 Acknowledgement of Country
1.2 Opening Prayer – Pastor Shawn Mills, Christian Outreach Centre

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor M D Wickerson
Councillor S Latcham
Councillor E W Oram
Councillor C R Rutherford
Councillor M A Taylor
Councillor G D Mathers
Councillor E B Hilse

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 22 September 2026 and Special Meeting of 29 September 2026 be confirmed.

Moved by: **Councillor Wickerson**
Seconded by: **Councillor Oram**
MOTION CARRIED UNANIMOUSLY

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

Nil

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR ORDINARY COUNCIL

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

SUMMARY

The Business Outstanding Table is used as a tool to monitor outstanding items resolved at previous Council or Committee meetings. The current Business Outstanding Table for Ordinary Council is presented for Councillors' information.

COUNCIL RESOLUTION

THAT the Business Outstanding Table for Ordinary Council be received.

Moved by: **Councillor Latcham**
Seconded by: **Councillor Oram**
MOTION CARRIED UNANIMOUSLY

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 8 OCTOBER 2026

COUNCIL RESOLUTION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 8 October 2026 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: **Councillor Latcham**
Seconded by: **Councillor Mathers**
MOTION CARRIED UNANIMOUSLY

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

Recommendation of the Audit and Business Improvement Committee, 8 October 2026

9.1.1 CAE DECLARATION 01 OCTOBER 2026 TEMPORARY TRANSFER OF CAE ROLE

File No:	**8563**
Authorising Officer:	**Evan Pardon - Chief Executive Officer**
Author:	**Evan Pardon - Chief Executive Officer**

SUMMARY

The CAE Declaration October 2026 prepared by Pacifica for the temporary transfer for the CAE role to Manager Legal and Governance due to outgoing General Manager Workforce and Governance.

COMMITTEE RECOMMENDATION

THAT the CAE Declaration October 2026 prepared by Pacifica for the temporary transfer of CAE role to Manager Legal and Governance, as attached to the report be received.

Recommendation of the Audit and Business Improvement Committee, 8 October 2026

9.1.2 ANNUAL SELF-ASSESSMENT BY AUDIT AND BUSINESS IMPROVEMENT COMMITTEE 2025-2026 FINANCIAL YEAR

File No:	**7678**
Authorising Officer:	**Evan Pardon - Chief Executive Officer**
Author:	**Evan Pardon - Chief Executive Officer**

SUMMARY

The Audit and Business Improvement Committee's annual self-assessment for the 2025–26 financial year is presented for the committee's information.

COMMITTEE RECOMMENDATION

THAT the completed annual Audit and Business Improvement Committee's self-assessment, covering the 2025-26 financial year be received and the suggested improvement opportunities in Section 3 of the self-assessment report be reviewed and actioned.

Recommendation of the Audit and Business Improvement Committee, 8 October 2026

9.1.3 ANNUAL FINANCIAL STATEMENTS 30 JUNE 2026

File No:	**9509**
Authorising Officer:	**Marnie Taylor - General Manager Organisational Services**
Author:	**Tisin Simon - Manager Finance**

SUMMARY

Chief Financial Officer providing report on the 2025/2026 Draft Financial Statements and Draft Management Representation Letter that have been provided to HLB Judd Mann Accounting and Advisory (HLB) to be audited on behalf of the Queensland Audit Office (QAO). The closing audit report is provided under a separate cover.

COMMITTEE RECOMMENDATION

THAT the Draft Financial Statements and Draft Management Representation Letter for the period ended 30 June 2026 be received and any feedback be provided to the Mayor and Chief Executive Officer prior to signing.

Recommendation of the Audit and Business Improvement Committee, 8 October 2026

9.1.4 2026 CLOSING REPORT

File No:	**9509**
Authorising Officer:	**Marnie Taylor - General Manager Organisational Services**
Author:	**Tisin Simon - Manager Finance**

SUMMARY

The Closing Report from the Queensland Audit Office (delegate HLB Mann Judd Advisory and Accounting) will be provided in regards to the final audit for 2026.

COMMITTEE RECOMMENDATION

THAT the Closing Report for the financial year ended 30 June 2026 be received.

10 COUNCILLOR/DELEGATE REPORTS

10.1 LEAVE OF ABSENCE - COUNCILLOR DREW WICKERSON - 28 OCTOBER 2026 TO 13 NOVEMBER 2026

File No:	**10072**
Authorising Officer:	**Nicole Semfel - Executive Assistant to the Mayor** **Justin Kann - Manager Office of the Mayor and Economic Development** **Evan Pardon - Chief Executive Officer**
Author:	**Tahlee Gibbins - Executive Support Officer**

SUMMARY

Councillor Drew Wickerson is seeking a leave of absence from Wednesday 28 October 2026 to Friday 13 November 2026 inclusive.

COUNCIL RESOLUTION

THAT Councillor Drew Wickerson be granted leave of absence from Wednesday 28 October 2026 to Friday 13 November 2026 inclusive.

Moved by: **Mayor Williams**
Seconded by: **Councillor Taylor**
MOTION CARRIED

11 OFFICERS' REPORTS

11.1 LIFTING MATTERS FROM THE TABLE

File No: **12534**
Authorising Officer: **Evan Pardon - Chief Executive Officer**
Author: **Evan Pardon - Chief Executive Officer**

SUMMARY

This report is being presented in order for matters that have been laid on the table at previous meetings to be formally lifted from the table prior to being dealt with at this meeting.

COUNCIL RESOLUTION

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

1. Sponsorship Request – SMOKED

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

11.2 NEGOTIATED DECISION FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A DWELLING HOUSE AND SHED

File No:	**D/202-2025**
Authorising Officer:	**Amanda O'Mara - Coordinator Development Assessment** **Angela Arnold - Acting Manager Planning & Regulatory Services** **Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Michelle Mackay - Planning Officer**

SUMMARY

Development Application Number:	D/202-2025
Applicant:	Annette and Daniel Sos
Real Property Address:	Lots 1 and 3 on RP603374
Common Property Address:	621-623 Montgomerie Street, Lakes Creek
Area of Site:	7,386 square metres
Planning Scheme:	Rockhampton Region Planning Scheme 2015 (v5.0)
Planning Scheme Zone:	Rural Zone
Planning Scheme Overlays:	Airport Environs Overlay
	Biodiversity Areas Overlay
	Bushfire Hazard Overlay
	Special Management Area Overlay
	Steep Land Overlay
Approval Sought:	Negotiated Decision Notice for a Development Permit for a Material Change of Use for a Dwelling House and Shed
Referral Agency:	Nil

COUNCIL RESOLUTION

THAT in relation to the application for a Negotiated Decision Notice for Development Permit D/202-2025 for a Material Change of Use for a Dwelling House and Shed made by Annette and Daniel Sos, located at 621-623 Montgomerie Street, Lakes Creek, described as Lots 1 and 3 on RP603374, Council resolves to issue a Negotiated Decision Notice subject to the following conditons:

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

1.4.1 Operational Works:

(i) Access Works; and

(ii) Site Works;

1.4.2 Plumbing and Drainage Works; and

1.4.3 Building Works.

1.5 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.

1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.

1.7 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.

1.8 Lots 1 and 3 on RP603374 must be amalgamated and registered as one lot prior to the commencement of the use.

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:

Plan / Document Name	Prepared by	Date	Reference No.	Version/ Issue
Site Plan	AMF Building Design	23 February 2026	AMF 25625 - SD/02	C
Floor Plan	AMF Building Design	23 February 2026	AMF 25625 - SD/03	C
Site Sections	AMF Building Design	23 February 2026	AMF 25625 - SD/04	C
Elevations	AMF Building Design	23 February 2026	AMF 25625 - SD/06	C
Cover Sheet	Dileigh	12 December 2025	D25.349-00	C
	Dileigh	12 December 2025	D25.349-01	C

General Existing Features and Plans				
General Proposed Plan	Dileigh	12 December 2025	D25.349-101	C
General Earthworks	Dileigh	12 December 2025	D25.349-102	C
Roadworks Driveway Long Section (01 of 02)	Dileigh	12 December 2025	D25.349-103	C
Roadworks Driveway Long Section (02 of 02)	Dileigh	12 December 2025	D25.349-104	C
Erosion and Sediment Control Plan	Dileigh	12 December 2025	D25.349-301	C
Erosion and Sediment Control Notes	Dileigh	12 December 2025	D25.349-302	C
Wastewater Design	CQ Soil testing	26 May 2026	CQ30906	A
Landslide Susceptibility Analysis	CQ Soil testing	25 May 2026	CQ30906	A
Bushfire Hazard Assessment Bushfire Report	Max Bushfire protection Consulting	14 March 2026	B6130	2.1

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

3.0 ACCESS WORKS

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

Note: Alternatively, in lieu of the Development Permit for Operational Works, an Install / Alter Private Infrastructure in a Road Reserve Application can be submitted and obtained from Council for the access works.

3.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1) and Capricorn Municipal Development Guidelines.

3.3 A minimum three (3) metre wide sealed pavement, with a road formation of five (5) metres wide, must be constructed from the intersection of Montgomerie Street and Bassett Street to the proposed dwelling site. The access within the unformed portion of Montgomerie Street road reserve must be designed and constructed to allow for future widening to a total width of five and a half (5.5) metres. The access must be constructed prior to approval of the building works.

3.4 The establishment and maintenance of the proposed access located within the unformed portion of Montgomerie Street, is the responsibility of the property owner and is to be undertaken at no cost to Council.

Note: A property note to this effect will be included to notify future landowners.

3.5 A turnaround area with a minimum radius of eight (8) metres must be provided at the termination of the driveway access.

3.6 Passing bays in accordance with the approved plans (refer to condition 2.1) must be provided within the development site and the unformed portion of Montgomerie Street road reserve.

3.7 The access driveway gradient must be in accordance with the Capricorn Municipal Development Guidelines.

3.8 It is the property owner's responsibility to establish and maintain, in accordance with the approved Bushfire Hazard Assessment Bushfire Report (refer to condition 2.1):

3.8.1 A working area of three (3) metres on either side of the constructed access including both the portion of unconstructed Montgomerie Street road reserve and internal driveway. This working area must be cleared of all flammable vegetation greater than ten (10) centimetres in height; and

3.8.2 A minimum vertical clearance of 4.8 metres for the entire width of the constructed access including both the portion of unconstructed Montgomerie Street road reserve and internal driveway.

Note: A property note to this effect will be included to notify future landowners.

4.0 PLUMBING AND DRAINAGE WORKS

4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

4.2 Adequate domestic and fire-fighting protection must be provided to the development and must be certified by a hydraulic engineer or other suitably qualified person.

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

4.4 A water tank with a minimum of 10,000 litres must be provided onsite within ten (10) metres of any building or structure and meet the following requirements:

4.4.1 A take off connection from the building to the tank which is at a level that provides on-site water storage of not less than 10,000 litres;

4.4.2 A hardstand area allowing heavy rigid fire appliance access within six (6) metres of a tank; and

4.4.3 Fire brigade tank fittings must consist of a 50 millimetre ball valve and male camlock coupling and above ground metal water pipe fittings.

4.5 On-site sewerage treatment and disposal must be provided in accordance with the Queensland Plumbing and Wastewater Code and Council's Plumbing and Drainage Policies.

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

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

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

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

6.0 SITE WORKS

6.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site when not approved under the Building Permit as incidental to the building work.

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

6.2.1 the location of cut and/or fill;

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

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

6.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and

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

6.3 Cut and fill of the subject allotment(s) must be undertaken in accordance with the recommendations of the Landslide Susceptibility Analysis report (refer to condition 2.1).

6.4 All earthworks must be undertaken in accordance with Australian Standard AS3798 “Guidelines on earthworks for commercial and residential developments”.

6.5 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 an actionable nuisance or worsening to surrounding land or infrastructure.

6.6 All retaining structures above one (1) metre in height require building approval. Structural engineering plans are to be prepared and endorsed by a Registered Professional Engineer of Queensland (Structural Engineer) for all structural components of the retaining wall.

7.0 BUILDING WORKS

7.1 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.

7.2 All buildings must be designed and constructed in accordance with the approved Bushfire Hazard Assessment Report (refer to Condition 2.1), Australian Standard AS3959 Construction of buildings in bushfire-prone areas and the National Association of Steel-Framed Housing Standard for steel-framed construction in bushfire areas. All recommendations and requirements of the approved Bushfire Hazard Assessment Report must be implemented as part of the development.

Note: Regard should also be given to the Bushfire Resilient Building Guide for Queensland Homes published by the Queensland Government and CSIRO.

7.3 An Asset Protect Zone (APZ) must be established and maintained in accordance with the recommendations of the Bushfire Hazard Assessment Bushfire Report.

7.4 The Inner Protection Area of the APZ must be managed as follows:

7.4.1 A one (1) metre wide area, suitable for pedestrian traffic is to be provided around the immediate curtilage of the building;

7.4.2 Planting is limited in the immediate vicinity of the building;

7.4.3 All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period;

7.4.4 Planting does not provide a continuous connection to the building;

7.4.5 Plants greater than ten (10) centimetres in height are not recommended to be located within three (3) metres of a glazed element of the building;

7.4.6 Low flammability vegetation species are used;

7.4.7 Tree cover should be less than 15 per cent at maturity;

7.4.8 Trees at maturity should not touch or overhang the building;

7.4.9 Lower limbs should be removed up to a height of two (2) metres above the ground;

7.4.10 Tree canopies should be separated by two (2) to five (5) metres;

7.4.11 Preference should be given to smooth barked and evergreen trees;

7.4.12 Create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings must be provided;

7.4.13 Shrubs should not be located under trees;

7.4.14 Shrubs should not form more than ten per cent ground cover;

7.4.15 Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;

7.4.16 Grass should be kept mown regularly (as a guide grass should be kept to no more than 100 millimetres in height); and

7.4.17 Leaves and vegetation debris should be removed regularly.

7.5 The Outer Protection Area of the APZ must be managed as follows:

7.5.1 Tree canopy cover should be less than 30 per cent at maturity;

7.5.2 Tree canopies should be separated by two (2) to five (5) metres;

7.5.3 Shrubs should not form a continuous canopy;

7.5.4 Shrubs should not form more than 20 per cent ground cover;

7.5.5 Grass should be kept mown regularly to a height of less than 100 millimetres; and

7.5.6 Leaves and other debris should be removed regularly.

7.6 External walls and roof finishes should not include highly reflective surfaces or bright or high contrast colours including white, yellows or reds.

8.0 <u>GEOTECHNICAL</u>

8.1 All construction works must be designed and completed in accordance with the recommendations in the Landslide Susceptibility Analysis report (refer to condition 2.1).

8.2 Slope stability must be managed as follows:

8.2.1 all engineering drawings/specifications and designs must be in accordance with the requirements of the relevant Australian Standard AS3798 “Guidelines on earthworks for commercial and residential developments” and must be

approved by a Registered Professional Engineer of Queensland;

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

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

9.0 ELECTRICITY

9.1 Electricity services must be provided in accordance with the standards and requirements of the relevant service provider.

10.0 TELECOMMUNICATIONS

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

11.0 ASSET MANAGEMENT

11.1 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.

11.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

11.3 '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).

12.0 ENVIRONMENTAL

12.1 The Erosion Control and Stormwater Control Management Plan prepared and certified by suitably qualified person (Certified Professional in Erosion and Sediment Control or Registered Soil Practitioner – Erosion and Sediment Control or Registered Professional Engineer of Queensland), with appropriate knowledge and experience in erosion and sediment control design and implementation, in accordance with the State Planning Policy 2017, International Erosion Control Association Best Practice Guidelines and Capricorn Municipal Design Guidelines requirements, must be:

12.1.1 implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and

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

Note: Where engineering structures, either temporary or permanent, such as basins, channels, inlets, outlets and spillways etc form part of an Erosion and Sediment Control plan, the design and inspection of the structures must be undertaken by a Registered Professional Engineer of Queensland.

13.0 OPERATING PROCEDURES

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

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 Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism website https://www.dwatsipm.qld.gov.au/

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety of Public During Construction

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

NOTE 4. Retention of vegetation

It is advised the development site is mapped by the Department of the Environment, Tourism, Science and Innovation as containing Regulated Vegetation. The Vegetation Management Act 1999 has requirements with regard to the clearing of vegetation. Information on Vegetation Management is available at:
https://www.qld.gov.au/environment/land/management/vegetation

NOTE 5. Bushfire Prone Areas

Any future buildings in a bushfire prone area are required to be constructed in accordance with any bushfire management plan approved as part of this development permit and with AS3959 – Construction of buildings in bushfire prone areas and/or the National Association of Steel-Framed Housing Standard: Steel framed construction in bushfire areas. Regard should also be had to the Bushfire Resilient Building Guide for Queensland Homes published by the Queensland Government and CSIRO.

NOTE 6. Property Note (Access)

The establishment and maintenance of the proposed access located within the unformed portion of Montgomerie Street, is the responsibility of the property owner and is to be undertaken at no cost to Council.

It is the property owner's responsibility to establish and maintain a constructed access within the unconstructed Montgomerie Street road reserve and internal driveway that provides:

a) A working area of three (3) metres on either side of the constructed access including both the portion of unconstructed Montgomerie Street road reserve and internal driveway. This working area must be cleared of all flammable vegetation greater than ten (10) centimetres in height; and

b) Have a minimum vertical clearance of 4.8 metres for the entire width of the constructed access including both the portion of unconstructed Montgomerie Street road reserve and internal driveway.

Moved by: **Councillor Mathers**
Seconded by: **Councillor Latcham**
MOTION CARRIED UNANIMOUSLY

11.3 NEGOTIATED DECISION FOR DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A CEMETERY (EXPANSION)

File No:	**D/37-2026**
Authorising Officer:	**Amanda O'Mara - Coordinator Development Assessment** **Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Sophie Muggeridge - Planning Officer**

SUMMARY

Development Application Number:	D/37-2026
Applicant:	Rockhampton Regional Council
Real Property Address:	Lot 184 on SP355353
Common Property Address:	Lot 184 Burnett Highway, Mount Morgan
Area of Site:	54,310 square metres
Planning Scheme:	*Rockhampton Region Planning Scheme 2015* (version 5)
Planning Scheme Zone:	Low Density Residential Zone Community Facilities Zone
Planning Scheme Overlays:	Biodiversity Areas Overlay; Bushfire Hazard Overlay; Flood Hazard Overlay; Heritage Place Overlay; and Steep Land Overlay.
Approval Sought:	Negotiated Decision Notice for a Development Permit for Material Change of Use for a Cemetery (expansion)
Referral Agency(s):	Department of State Development, Infrastructure and Planning (State Assessment and Referral Agency)

COUNCIL RESOLUTION

THAT in relation to the application for a Development Permit for Material Change of Use for a Cemetery (Expansion), made by Rockhampton Regional Council, located at Lot 184 Burnett Highway, Mount Morgan described as Lot 184 on SP355353, Council resolves to issue a Negotiated Decision Notice subject to the following conditions:

1.0 ADMINISTRATION

1.1 The owner, the owner's successors in title, and any occupier of the premises is responsible for ensuring compliance with the conditions of this development approval.

1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:

1.3.1 to Council's satisfaction.
1.3.2 at no cost to Council; and
1.3.3 prior to the commencement of the use,
unless otherwise stated.

1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.

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

1.5.1 Operational Works:

(i) Access and Parking Works;
(ii) Stormwater Works; and
(iii) Site Works.

1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.

1.7 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.

1.8 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 were amended by any condition of this development approval:

Plan/Document Name	Prepared by	Date	Reference No.	Version/ Issue
Overall Layout Plan	McMurtrie Consulting Engineering	22 January 2026	R0332425-1002	B

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

3.0 ACCESS AND PARKING WORKS

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

3.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).

3.3 The access located within the road reserve and up to ten (10) metres internal to the site must be asphalt sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).

3.3.1 All parking and vehicle manouvering areas and the internal access beyond ten (10) metres from the western boundary, must be constructed of Type 2 Unbound material, Subtype 2.5, with minimum California Bearing Ratio (soaked) of 15. All surfaces must be constructed, operated and maintained in a manner that no significant impact on the amenity of adjoining premises or the surrounding area is caused due to the emission of dust or results in sediment laden water.

3.4 The existing access from East Street South to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.

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

3.6 A minimum of seven (7) parking space along the internal access on the eastern section must be provided on-site.

3.7 DELETED.

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

3.9 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-streetcar parking"*.

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

3.11 DELETED.

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

4.0 <u>STORMWATER WORKS</u>

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

4.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).

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

4.4 Any application for a Development Permit for Operational Works (stormwater works) must be supported by a short Stormwater Management Report. The report must be prepared and certified by a Registered Professional Engineer of Queensland (RPEQ) and, as a minimum, include the following:

4.4.1 identification of the drainage catchment for the proposed drainage channel along the northern boundary. A suitably scaled stormwater master plan that clearly identifies the contributing catchment area(s) and Lawful point(s) of discharge, demonstrating compliance with the *Queensland Urban Drainage Manual*;

4.4.2 assessment of peak stormwater discharges for all critical rainfall events up to and including the one (1) per cent Annual Exceedance Probability (AEP) design flood event;

4.4.3 identification and conceptual design of all proposed new drainage infrastructure and any required modifications to existing drainage systems, necessary to appropriately manage stormwater collection and discharge generated by the proposed development;

Note: The hydraulic capacity of a channel should be based on the expected channel conditions just prior to normal channel maintenance (i.e. prior to clearing, weeding, grass cutting).

4.4.4 demonstration of how major design storm flows are safely conveyed through the site to a lawful point of discharge, in accordance with *Queensland Urban Drainage Manual* and *Capricorn Municipal Development Guidelines*;

4.4.5 identification of land affected by inundation during the 1% AEP flood event resulting from the existing overland flow path along the western boundary;

4.4.6 confirmation that all Site Works, Earthworks, Grave Site and Grave Beam extents are located entirely outside the one (1) per cent AEP flood inundation area;

Note: The development site is located within the Mount Morgan catchment and is affected by the one (1) per cent AEP local storm / overland flow flooding event. The one (1) per cent AEP flood extent from the Mount Morgan Flood Study may be superimposed onto the overall site layout plan to demonstrate compliance with this requirement.

4.4.7 full details of all calculations, assumptions, design parameters, and data files used in the stormwater assessment (where applicable).

4.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.

4.6 The proposed bed level crossing within the channel must be designed and constructed to ensure that:

4.6.1 hydraulic capacity of the drainage line is maintained;

4.6.2 no actionable nuisance or worsening of flooding upstream or downstream of the crossing;

4.6.3 crossing remains trafficable during minor storm events;

4.6.4 works complies with *Queensland Urban Drainage Manual* and *Capricorn Municipal Development Guidelines*;

4.6.5 detailed design drawings, hydraulic calculations, and construction details are submitted for assessment and approved as part of a Development Permit for Operational Works (stormwater works).

5.0 SITE WORKS

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

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

5.2.1 the location of cut and/or fill;

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

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

5.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and

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

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

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

5.5 Any retaining structures above one (1) metre in height must requires a building approval. Structural engineering plans are to be prepared and endorsed by a *Registered Professional Engineer of Queensland (Structural Engineer)* for all structural components of the retaining wall.

6.0 LANDSCAPING WORKS

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

6.2 An additional 12 shade trees must be provided as identified on the approved plans (refer to condition 2.1).

6.3 Any shade trees located within car parking areas must be planted within a deep natural ground/structured soil garden bed/island/bay and are protected by wheel stops or bollards as required.

6.4 Landscaping must be designed in accordance with the requirements of *Australian Standard AS 1428 — Design for access and mobility*.

6.5 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency and must comply with the following requirements:

6.5.1 Plant species are chosen from sources recommended in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*; and

6.5.2 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.

6.6 Shade trees shown on the approved plan (refer to condition 2.1) must be retained and maintained.

6.7 Root control barriers must be installed where invasive roots may cause damage to car parking areas, pedestrian paths and road carriageways.

6.8 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.

6.9 Trees identified for removal on the concept plan (refer to condition 2.1) must be physically identified for inspection by a suitably qualified level 5 Arborist prior to any removal to ensure there is no significance or habitat linked to the tree.

6.10 Prior to the commencement of any works, the following must be provided:

6.10.1 Onsite provisions for future irrigation connections (e.g. water meter and backflow connections for irrigation systems)

6.10.2 An impact assessment report prepared by suitably qualified level 5 Arborist. The report must inspect the health and determine the tree protection zones for trees to be retained. The report must provide all tree protection measures that must be followed during the development as per *Australian Standard AS 4970 Protection of Trees on development sites*.

6.11 The tree protection zones identified in the impact assessment report must be erected by suitably qualified level 5 Arborist and any other required control measures must be implemented with the project officer to ensure compliance and minimal disruption to the trees while the project is undertaken.

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

6.12.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;

6.12.2 adversely affect any road lighting or public space lighting; or

6.12.3 adversely affect any Council infrastructure, or public utility plant.

6.13 The landscaped areas must be subject to:

6.13.1 a watering and maintenance plan during the establishment moment; and

6.13.2 an ongoing maintenance and replanting programme.

7.0 ASSET MANAGEMENT

7.1 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.

7.2 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.

7.3 '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)*.

8.0 ENVIRONMENTAL

8.1 The Erosion Control and Stormwater Control Management Plan prepared and certified by suitably qualified person *(*Certified Professional in Erosion and Sediment Control or Registered Soil Practitioner – Erosion and Sediment Control or Registered Professional Engineer of Queensland*)*, with appropriate knowledge and experience in erosion and sediment control design and implementation, in accordance with the *State Planning Policy 2017*, *International Erosion Control Association Best Practice Guidelines* and *Capricorn Municipal Design Guidelines* requirements, must be:

8.1.1 implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and

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

9.0 ENVIRONMENTAL HEALTH

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

10.0 OPERATING PROCEDURES

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

10.2 Boundary fencing must be provided for the perimeter of the subject sites as per the approved plans (refer to condition 2.1).

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety of Public During Construction

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

NOTE 5. Infrastructure Charges Notice

Council has resolved not to issue an Infrastructure Charges Notice for this development because the development is considered a minor use as per the Rockhampton Regional Council Charges Resolution No. 2 (2025).

NOTE 6. Clearing of fauna

Prior to any clearing of the subject site and during construction it is recommended an appropriately experienced and suitably qualified fauna spotter catcher be engaged to conduct a pre-clearing fauna survey to identify any wildlife habitats and breeding places within the clearing area. If identified the wildlife will be removed and relocated. Only a designated and trained person (fauna spotter catcher) can handle and remove fauna under the Nature Conservation Act.

The fauna spotter catcher should be present during all vegetation clearing to supervise, including clearing of grasslands.

NOTE 7. Landscaping

Council approval must be obtained prior to the removal of or interference with trees located on Council land.

Moved by: **Mayor Williams**
Seconded by: **Councillor Oram**
MOTION CARRIED

11.4 MINOR CHANGE TO DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES, SHOP (PHARMACY) AND OPERATIONAL WORKS FOR ADVERTISING DEVICES

File No:	**D/171-2021**
Authorising Officer:	**Amanda O'Mara - Coordinator Development Assessment** **Angela Arnold - Acting Manager Planning & Regulatory Services** **Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Elaine Bayles - Planning Officer**

SUMMARY

Development Application Number:	D/171-2021
Applicant:	S6 Grace Medical Pty Ltd
Real Property Address:	Lot 1, 2 and 3 on RP605736
Common Property Address:	90 and 94 High Street, Berserker
Area of Site:	2,793 square metres
Planning Scheme:	*Rockhampton Region Planning Scheme 2015* (v4.4)
Planning Scheme Zone:	Low Density Residential Zone
Existing Development:	Dwelling House(s) removed over Lots 1 and Lot 3
Approval Sought:	Amended Decision Notice for a Development Permit for Material Change of Use for Health Care Services, Shop (Pharmacy) and Operational Works for Advertising Devices
Affected Entity:	Nil

COUNCIL RESOLUTION

RECOMMENDATION A

That in relation to the application for a Minor Change to Development Permit D/171-2021 for Material Change of Use for Health Care Services, Shop (Pharmacy) and Operational Works for Advertising Devices, made by S6 Grace Medical Pty Ltd, located at 90 and 94 High Street, Berserker described as Lot 1, Lot 2 and Lot 3 on RP605736, Council resolves to issue an Amended Decision Notice subject to the following conditions:

MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES AND A SHOP (PHARMACY)

1.0 ADMINISTRATION

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

1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:

1.3.1 to Council's satisfaction;

1.3.2 at no cost to Council; and

1.3.3 prior to the commencement of the use, unless otherwise stated.

1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.

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

1.5.1 Operational Works:

(i) Road Works;

(ii) Access and Parking Works;

(iii) Sewerage Works; and

(iv) Roof and Allotment Drainage.

1.5.2 Plumbing and Drainage Works; and

1.5.3 Building Works:

(i) Demolition Works; and

(ii) Building Works.

1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.

1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.

1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

1.9 Lots 1, 2 and 3 on RP605736 must be amalgamated and registered as one lot within four (4) years from the commencement of the use.

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:

Plan/Document Name	Prepared by	Date	Reference No.	Version/ Issue
Cover Sheet	Raunik Design Group Architects	19 April 2024	23946-DD-00	
Level 1 Ground / Site Plan	Raunik Design Group Architects	11 September 2026	23946-DD-01	H
Level 2	Raunik Design Group Architects	19 April 2024	23946-DD-02	E

Elevations	Raunik Design Group Architects	19 April 2024	23946-DD-03	E
3D View – North West	Raunik Design Group Architects	19 April 2024	23946-DD-04	B
3D View – North East	Raunik Design Group Architects	19 April 2024	23946-DD-05	B
Site Area Summary	Raunik Design Group Architects	19 April 2024	23946-DD-06	A
Vehicle Swept Path Refuse Truck	Dileigh Civil/Structural Design & Project Management	20 July 2022	D21.546-01	B
Stormwater Management Report	Dileigh Civil/Structural Design & Project Management	13 May 2022	D21.546-RP01(B) SWMP	B

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

3.0 ROAD WORKS

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

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

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

3.4 An Auxiliary Left Turn (short) lane is required for the entry access point to the development.

3.5 Drawing D21.546-SK06 submitted with the Traffic Impact Assessment (dated 10/05/2022) prepared by Dileigh Civil / Structural Design & Project Management is to be revised to reflect the approved access arrangement and submitted for approval with an application for a Development Permit for Operational Works.

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 Two (2) new access points to the development must be provided from High Street. The eastern access is to provide for left-in ingress only and the western access is to provide for left-out egress only.

4.5 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.

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

4.7 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.

4.8 A minimum of thirty-four (34) parking spaces must be provided on-site.

4.9 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".*

4.10 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).

4.11 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"*.

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

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

5.0 <u>SEWERAGE WORKS</u>

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

5.2 All sewerage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2018* and the provisions of a Development Permit for Operational Works (sewerage works).

5.3 The development must be connected to Council's reticulated sewerage network.

5.4 The existing sewerage connection points for Lots 1, 2 and 3 must be disconnected.

5.5 A new sewerage connection point must be provided for the development.

5.6 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.

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

5.8 All works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*

5.9 The development must comply with Council's Building Over/Adjacent to Local Government Sewerage Infrastructure Policy. Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.

5.10 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.

6.0 PLUMBING AND DRAINAGE WORKS

6.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.

6.2 A Development Permit for Plumbing and Drainage Works must be obtained for the construction of new structures on the development site.

6.3 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2018*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

6.4 The development must be connected to Council's reticulated water network.

6.5 The existing water connection points for Lot 1 and 2 on RP605736 must be disconnected. The existing water connection point for Lot 3 on RP605736 must remain to service the development. A hydraulic engineer or other suitably qualified person must determine whether the size of the existing connection is adequate.

6.6 The proposed development must be provided with a master meter at the development site boundary and sub-meters for each sole occupancy building in accordance with the *Queensland Plumbing and Drainage Code* and Council's Sub-metering Policy.

6.7 All internal plumbing and sanitary drainage works must be completely independent for each unit/tenancy.

6.8 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.

6.9 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing buildings must be in accordance with regulated work under the *Plumbing and Drainage Act 2018* and Council's Plumbing and Drainage Policies.

6.10 The development must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.

7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

7.1 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.

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

7.3 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.

7.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.

7.5 All the roof drainage system (downpipes and gutters) for the proposed development (buildings) must be designed to accommodate the twenty percent (20%) Annual Exceedance Probability defined storm event from the roof area.

7.6 All the roof drainage pipes (downpipes) from the proposed development (buildings) must be connected to rainwater tanks which are used as the detention system.

8.0 SITE WORKS

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

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

9.0 BUILDING WORKS

9.1 The two (2) existing residential dwellings on the subject land must be demolished and/or removed and a Development Permit for Building Works (demolition) must be obtained prior to the commencement of demolition works on the development site.

9.2 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of construction of any new structures on the development site.

9.3 All building works for Class 2 to Class 9 buildings must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*

9.4 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.

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

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

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

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

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

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

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

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

9.7 A minimum 1.8-metre-high screen fence must be erected between the subject development site and adjacent residential properties south and east of the development.

10.0 LANDSCAPING WORKS

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

10.2 The landscaped areas must be subject to:

10.2.1 a watering and maintenance plan during the establishment moment; and

10.2.2 an ongoing maintenance and replanting programme.

10.3 Landscaping must be designed in accordance with the requirements of *Australian Standard AS 1428 parts 1, 2, 3 and 4 — Design for access and mobility.*

10.4 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency and must comply with the following requirements:

10.4.1 Plant species are chosen from sources recommended in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*; and

10.4.2 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.

10.5 Landscaping screening must be established and maintained along the eastern side boundary, extending from the alignment of the northern exterior wall of the 'Allied Health' tenancy south for a minimum of thirty (30) metres and:

10.5.1 Include plant species that have a minimum mature height of three (3) metres; and

10.5.2 Provides a minimum porosity of fifty (50) percent between 1.8 metres and three (3) metres in height for that part of the eastern exterior wall where landscape screening is required.

10.6 Shade trees within car parking areas are to be provided and planted within a deep natural ground/structured soil garden bed/island/bay and are protected by wheel stops or bollards as required.

10.7 Each shade tree(s) has/have a clean trunk with a minimum height of two (2) metres and must be provided within the car park at the following rates:

10.7.1 One (1) tree per three (3) car parks;

10.7.2 One (1) tree per six (6) car parks; and

10.7.3 Each shade tree is provided with a minimum planting area of 1.2 square metres with a minimum topsoil depth of 0.8 metres.

10.8 Root control barriers must be installed where invasive roots may cause damage to car parking areas, pedestrian paths and road carriageways.

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

(i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;

(ii) adversely affect any road lighting or public space lighting; or

(iii) adversely affect any Council infrastructure, or public utility plant.

10.10 Root control barriers must be installed where invasive roots may cause damage to car parking areas, pedestrian paths and road carriageways.

11.0 ELECTRICITY

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

12.0 TELECOMMUNICATIONS

12.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.

13.0 ASSET MANAGEMENT

13.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

13.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

13.3 '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).*

14.0 ENVIRONMENTAL

14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:

(i) objectives;

(ii) site location and topography;

(iii) vegetation;

(iv) site drainage;

(v) soils;

(vi) erosion susceptibility;

(vii) erosion risk;

(viii) concept;

(ix) design; and

(x) implementation,

for the construction and post-construction phases of work.

14.2 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.

15.0 ENVIRONMENTAL HEALTH

15.1 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"*.

15.2 Noise emitted from the activity must not cause an environmental nuisance.

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

15.4 Airconditioning units must be located so as not to cause a noise nuisance and maintained in a proper working order at all times. Installation is to be as per manufacturer's directions to ensure the efficiency of the equipment. Any external plant equipment e.g., Airconditioning units will have to be located and screened appropriately so as not to impact negatively on the amenity of the surrounding residential properties.

16.0 OPERATING PROCEDURES

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

16.2 The hours of operations for the development site must be limited to:

(i) 0800 hours to 1700 hours on Monday to Saturday, with no operations on Sundays or Public Holidays.

16.3 The loading and/or unloading of delivery and waste collection vehicles is limited between the hours of 0700 and 1900 Monday to Saturday and between the hours of 0800 and 1500 on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.

16.4 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera) in accordance with the approved plans (refer to condition 2.1). The owner of the land must ensure that:

16.4.1 the area is kept in a clean and tidy condition;

16.4.2 fences and screens are maintained;

16.4.3 no waste material is stored external to the waste storage area/s;

16.4.4 the area is maintained in accordance with *Environmental Protection Regulation 2019*.

16.5 The approved 'Shop' use is restricted to that tenancy shown as 'Pharmacy' on the approved plans (refer to Condition 2.1). The Shop use is restricted to the sale of pharmaceutical goods.

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 Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism website www.dwatsipm.qld.gov.au

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety of Public During Construction

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

NOTE 5. Infrastructure Charges Notice

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

OPERATIONAL WORKS (ADVERTISING DEVICES)

1.0 ADMINISTRATION

1.1 The Developer is responsible for ensuring compliance with the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

1.4 The following further development permits are required prior to the commencement of any works on the site:

1.4.1 Building Works.

1.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

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

Plan/Document Name	Prepared by	Date	Reference No.	Version / Issue
Level 1 Ground / Site Plan	Raunik Design Group Architects	11 September 2026	23946-DD-01	H
Elevations	Raunik Design Group Architects	19 April 2024	23946-DD-03	E
Signage Pylon Concept	Raunik Design Group Architects	19 April 2024	23946-DD-07	A

2.2 A set of the above approved plans are returned to you as the Consultant. The Consultant is to supply one (1) Approved set to the contractor to be retained on site at all times during construction.

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

3.0 OPERATING PROCEDURE

3.1 All advertising devices must only display or advertise a matter associated with the primary purpose for which the premises are used, or the purpose stated in this approval.

3.2 All text and images displayed on the approved advertising device:

3.2.1 must be static;

3.2.2 must not imitate a traffic control device, move contrary to any traffic control device or include traffic instructions (for example 'stop'); and

3.2.3 must not involve moving parts or flashing lights.

3.3 Any lighting devices associated with the advertising device, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents or motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting' and 'Civil Aviation Safety Authority (CASA) Guidelines: Lighting in the vicinity of aerodromes: Advice to lighting designers'.*

4.0 ASSET MANAGEMENT

4.1 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately, at no cost to Council, and completed within the following timeframes:

4.1.1 where damage causes a hazard to pedestrian/traffic safety or interrupts a community service, immediately; or

4.1.2 as soon as reasonably possible as agreed with Council.

5.0 ADVERTISING DEVICE CONSTRUCTION AND MAINTENANCE

5.1 Council reserves the right for uninterrupted access to the site at all times during construction.

5.2 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the *Environmental Protection Act 1994* and the *Environmental Protection Regulation 2019* must be observed at all times.

5.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.

5.4 Any proposed works within the vicinity (or zone of influence) of existing Council infrastructure will not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of proposed works will be at the developer's expense.

5.5 All conduits, wiring, switches or other control apparatus installed on an Advertising Device must be concealed from general view, with control apparatus secured in a manner to prevent unauthorised entry and display setting tampering.

5.6 All electrical services and systems must comply with *Australian and New Zealand Standard AS/NZS 3000:2007* – "Electrical Installations".

5.7 All advertising devices must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed, and be maintained in a safe, clean, condition that does not adversely impact the visual amenity of the site.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage Act, 2003

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety of Public During Construction

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

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Material Change of Use for Health Care Services and Shop (Pharmacy) and Operational Works for Advertising Devices, made by S6 Grace Medical Pty Ltd, located at 90 and 94 High Street, Berserker, described as Lot 1-3 on RP60573, Council resolves to issue an Amended Infrastructure Charges Notice for an additional amount of $9,968.72.

Moved by: **Councillor Mathers**
Seconded by: **Councillor Taylor**
MOTION CARRIED UNANIMOUSLY

11.5 PROPOSED SCHEDULE OF MEETINGS - JANUARY TO DECEMBER 2027

File No:	**1460**
Authorising Officer:	**Evan Pardon - Chief Executive Officer**
Author:	**Evan Pardon - Chief Executive Officer**

SUMMARY

Chief Executive Officer presenting the proposed Schedule of Council Meetings for the period January to December 2027.

COUNCIL RESOLUTION

THAT the Meeting Schedule for the period January to December 2027, as attached to the report, be adopted.

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

11.6 MOUNT MORGAN RV DUMP POINT

File No:	**1807**
Authorising Officer:	**Marnie Taylor - General Manager Organisational Services**
Author:	**Doug Scott - Acting Manager Fleet and Facilities**

SUMMARY

This report provides an option for an RV Dump point to be installed within Mount Morgan.

COUNCIL RESOLUTION

THAT Council endorse the installation of an RV Dump Point at the Mount Morgan Explore Centre and Railway Museum.

Moved by: **Councillor Rutherford**
Seconded by: **Councillor Oram**
MOTION CARRIED UNANIMOUSLY

11.7 REQUEST FOR EXEMPTION TO SHOWGROUNDS EVENT CURFEW - INFAMOUS THE SHOW

File No:	**11039**
Authorising Officer:	**John Webb - Manager of Communities and Culture** **Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Mark Millett - Coordinator Major Venues**

SUMMARY

Infamous the Show (Ashtons Circus) has requested Council amend the existing event curfew of the Rockhampton Showgrounds to enable the operation of their 'Double Show Night' featuring a one man comedy act from 10.30pm until 12.00am. Council is requested to consider approving the exemption for Infamous the Show for one night only – Saturday 12 December 2026 until 12.00am (midnight).

COUNCIL RESOLUTION

THAT Council approves the alteration of the Rockhampton Showgrounds event program curfew of 10.30pm to 12 midnight to permit the operation of the Infamous the Show's 'Double Show night' for one night only – Saturday 12 December 2026 until midnight.

Moved by: **Councillor Wickerson**
Seconded by: **Councillor Hilse**
MOTION CARRIED

11.8 CHARITY RECIPIENT 2026 CAROLS BY CANDLELIGHT

File No:	**16036**
Authorising Officer:	**John Webb - Manager of Communities and Culture Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Mark Millett - Coordinator Major Venues**

SUMMARY

This report seeks Council's endorsement of CQ Healthy Families Inc. as the charity recipient for the 2026 Carols by Candlelight event. Following a public Expression of Interest process, one eligible application was received and assessed as meeting the selection criteria for consideration by Council.

COUNCIL RESOLUTION

THAT Council appoint CQ Healthy Families Inc. as the charity recipient for 2026 Carols by Candlelight.

Moved by: **Councillor Taylor**
Seconded by: **Councillor Wickerson**
MOTION CARRIED

11.9 SEE IT LIVE SOLE SUPPLIER 2027

File No:	**7104**
Authorising Officer:	**John Webb - Manager of Communities and Culture Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Mark Millett - Coordinator Major Venues**

SUMMARY

Rockhampton Regional Council, through Major Venues, presents an annual program of performances, and events. This report details a number of suppliers that provide content as part of this annual program. In accordance with s235(a) of the Local Government regulation, Council approval is sought to deem the nominated suppliers as sole suppliers.

COUNCIL RESOLUTION

THAT pursuant s235(a) of the *Local Government Regulation 2012*, Council approves the use of the nominated suppliers, as detailed in the report, as sole suppliers of productions and performances.

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

11.10 ROCKHAMPTON MUSEUM OF ART COLLECTION ACQUISITIONS

File No:	**465**
Authorising Officer:	**John Webb - Manager of Communities and Culture Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Shanna Muston - Curator**

SUMMARY

This report seeks Council approval for the acquisition of selected artworks from the 2026 Gold Award exhibition for inclusion in the Rockhampton Museum of Art Collection. The acquisitions are fully funded through philanthropic donations and are proposed under the sole provider provisions of section 235(a) of the Local Government Regulation 2012.

COUNCIL RESOLUTION

THAT Council:

1. Approve the recommendation from the Rockhampton Museum of Art Philanthropy Group of the expenditure of philanthropic funds for the acquisition of the artworks as detailed in the attachment to the report for inclusion in the Rockhampton Museum of Art Collection; and
2. Approve the artists or their represented Gallery as sole suppliers in accordance with s235(a) of the Local Government Regulation 2012 for the acquisition of their 2026 Gold Award artworks.

Moved by: **Councillor Wickerson**
Seconded by: **Councillor Latcham**
MOTION CARRIED

11.11 SPONSORSHIP REQUEST - SMOKED

File No:	**12534**
Authorising Officer:	**Damon Morrison - General Manager Communities and Lifestyle**
Author:	**Gina Enkuzis - Development and Programs Officer John Webb - Manager of Communities and Culture**

SUMMARY
This report presents a sponsorship proposal from Capricorn Events seeking Council support for the delivery and future growth of SMOKED Rockhampton. The proposal seeks a three-year strategic partnership arrangement comprising cash sponsorship, in-kind support and venue-related concessions for the period 2027 to 2029.

COUNCIL RESOLUTION

THAT Council:

1. Approve a one-year partnership agreement with Capricorn Events for the SMOKED Rockhampton 2027 event and provide a cash sponsorship contribution of $25,000 (excl. GST) and
2. Resolve that the sponsorship contribution be funded from the allocation established within the 2026/27 budget following Council's decision on 12 May 2026 to defer the 2026 Rockhampton River Festival and redirect funding towards alternative CBD and riverfront activation initiatives;
3. Provide Council-controlled in-kind support limited to the waiver of venue hire fees associated with the use of the Rockhampton Showgrounds for the SMOKED Rockhampton 2027 event, subject to operational requirements and availability;
4. Authorise the Chief Executive Officer to negotiate and execute an appropriate sponsorship agreement, including sponsorship benefits, reporting requirements and performance measures.

Moved by: **Councillor Taylor**
Seconded by: **Councillor Oram**

MOTION CARRIED

The Mayor, Councillor Williams, Councillor Taylor, Councillor Wickerson and Councillor Oram voted for the motion.

Councillor Rutherford, Councillor Mathers, Councillor Hilse and Councillor Latcham voted against the motion.

The Mayor, Councillor Williams exercised his casting vote in the affirmative.

11.12 SUPPORT REQUEST:CENTRAL QUEENSLAND NRL BID

File No:	**1291**
Authorising Officer:	**Evan Pardon - Chief Executive Officer**
Author:	**Damon Morrison - General Manager Communities and Lifestyle** **Rachael Stewart - Manager Growth and Community Partnerships**

SUMMARY

This report seeks Council's consideration of a request received on behalf of the Central Queensland Rugby League Bid Team and endorsement of any support to be communicated accordingly.

COUNCIL RESOLUTION

THAT the matter be withdrawn from the agenda.

Moved by: **Mayor Williams**
Seconded by: **Councillor Taylor**
MOTION CARRIED

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - COUNCILLOR MARIKA TAYLOR - 2026 QUEENSLAND TOURISM AWARDS

File No: **10072**

Responsible Officer: **Nicole Semfel - Executive Assistant to the Mayor**
Justin Kann - Manager Office of the Mayor and Economic Development
Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Marika Taylor has indicated her intention to move the following Notice of Motion at the next Ordinary Council Meeting scheduled for Tuesday 13 October 2026, as follows:

COUNCIL RESOLUTION

THAT Councillor Marika Taylor be granted approval to attend the Queensland Tourism Industry Council, 2026 Queensland Tourism Awards at the Gold Cost Convention Centre on Friday 6 November 2026.

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

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

Nil

15 CLOSED SESSION

COUNCIL RESOLUTION

9:48AM
THAT Council move into Closed Session pursuant to section 254J(1) of the *Local Government Regulation 2012* and 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 Airport Commercial Matter

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.2 Proposed Acquisition of adjoining Council Land

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.3 Water Matter

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

16.4 Event Proposal

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Moved by: **Mayor Williams**
Seconded by: **Councillor Hilse**
MOTION CARRIED

9:48AM The Chief Executive Officer left the meeting
9:53AM The Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

10:39AM
THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: **Mayor Williams**
Seconded by: **Councillor Oram**
MOTION CARRIED

COUNCIL RESOLUTION

10:39AM
That the meeting be adjourned for a short recess.

Moved by: **Mayor Williams**
Seconded by: **Councillor Taylor**
MOTION CARRIED

COUNCIL RESOLUTION

10:53AM
That the meeting be resumed.

Moved by: **Mayor Williams**
Seconded by: **Councillor Wickerson**
MOTION CARRIED

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor M D Wickerson
Councillor S Latcham
Councillor E W Oram
Councillor C R Rutherford
Councillor M A Taylor
Councillor G D Mathers
Councillor E B Hilse

In Attendance:

Mr E Pardon – Chief Executive Officer

COUNCIL RESOLUTION

10:54AM
THAT Council move into Closed Session pursuant to section 254J(1) of the *Local Government Regulation 2012* and 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 Airport Commercial Matter

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.3 Water Matter

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

16.4 Event Proposal

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Moved by: **Mayor Williams**
Seconded by: **Councillor Wickerson**
MOTION CARRIED

11:13AM The Chief Executive Officer left the meeting
11:29AM The Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

11:38AM
THAT pursuant to s5.12 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: **Councillor Taylor**
Seconded by: **Councillor Oram**
MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 AIRPORT COMMERCIAL MATTER

File No: **3495**

Authorising Officer: **Marnie Taylor - General Manager Organisational Services**

Author: **Marcus Vycke - Manager Airport**

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

SUMMARY

The purpose of this report is to seek Council's approval to enter into a Lease agreement pursuant to section 236(1)(b)(ii) of the Local Government Regulation 2012 (Qld).

COUNCIL RESOLUTION

THAT Council:

1. pursuant to section 236(1)(b)(ii) of *the Local Government Regulation 2012 (Qld),* approve the granting of a Lease over part of Lot 6 on CP906611 to Capricorn Helicopter Rescue Service (ACN 071 728 295); and
2. authorises the Chief Executive Officer (Manager Airport) to negotiate the Lease as outlined in the report and additional conditions as discussed in the meeting, in preparation for execution by the delegated officer.

Moved by: **Mayor Williams**
Seconded by: **Councillor Wickerson**
MOTION CARRIED

16.2 PROPOSED ACQUISITION OF ADJOINING COUNCIL LAND

File No: **320**

Authorising Officer: **Marnie Taylor - General Manager Organisational Services**

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

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

SUMMARY

Coordinator Property & Insurance reporting on the request to purchase Council owned land.

COUNCIL RESOLUTION

THAT Council resolves:

1. To decline the proposed purchase of Council Property; and
2. That all encroachments are removed and remain removed from the adjoining land; and
3. That it will reconsider the sale of the land as requested, once the applicant complies with all outstanding agreements with Council, building, planning and local law conditions.

Moved by: **Mayor Williams**

Seconded by: **Councillor Oram**

MOTION CARRIED

Councillor Hilse voted against the motion.

16.3 WATER MATTER

File No: **16018**

Authorising Officer: **Justin Kann - Manager Office of the Mayor and Economic Development**
Evan Pardon - Chief Executive Officer

Author: **Wade Clark - Coordinator Economic Development**

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

SUMMARY

The report outlines a water matter for Council's consideration.

COUNCIL RESOLUTION

THAT Council endorse the recommendations contained in the report.

Moved by: **Councillor Oram**
Seconded by: **Councillor Rutherford**
MOTION CARRIED

16.4 EVENT PROPOSAL

File No: **10486**

Authorising Officer: **Evan Pardon - Chief Executive Officer**

Author: **Damon Morrison - General Manager Communities and Lifestyle**
John Webb - Manager of Communities and Culture
Gina Enkuzis - Development and Programs Officer

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

SUMMARY

This report presents an event proposal and seeks Council endorsement of a preferred position to guide further discussions and negotiations.

COUNCIL RESOLUTION

THAT Council endorse the proposed negotiating position detailed within this report and authorise the Chief Executive Officer, through the General Manager Communities & Lifestyle, to undertake further discussions, negotiations and due diligence substantially in accordance with the principles and considerations outlined in this report, with any proposed sponsorship agreement, financial commitment, support package or partnership arrangement to be returned to Council for consideration prior to implementation.

Moved by: **Councillor Mathers**
Seconded by: **Councillor Taylor**
MOTION CARRIED

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11:40pm.

SIGNATURE

CHAIRPERSON

DATE