



# **ORDINARY MEETING**

## **MINUTES**

**26 JULY 2016**

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**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 26 JULY 2016 COMMENCING AT 9.02AM**

**1 OPENING****2 PRESENT**

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)  
Councillor C R Rutherford  
Councillor S J Schwarten  
Councillor A P Williams

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy CEO/General Manager Corporate Services  
Mr R Holmes – General Manager Regional Services  
Mr P Owens – Acting General Manager Community Services  
Mr R Claus – Executive Manager Regional Development  
Ms A Cutler – Manager Finance  
Ms T Sweeney – Manager Workforce and Strategy  
Mr D Stevenson – Manager Corporate and Technology Services  
Ms T Fitzgibbon – Coordinator Development Assessment  
Mr A Wratten – Communication and Marketing Supervisor  
Ms E Brodel – Media Officer  
Ms L Leeder – Senior Governance Support Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

Councillor Swadling, Councillor Fisher, Councillor Smith and Councillor Wickerson were granted leave of absence to represent Council at the Queensland Mining and Engineering Exhibition in Mackay.

**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting held on 12 July 2016 be taken as read and adopted as a correct record.

**Moved by: Councillor Schwarten**

**Seconded by: Councillor Rutherford**

**MOTION CARRIED**

## **5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

### **9:03AM**

In accordance with s173(6) of the Local Government Act 2009, The Mayor, Councillor Strelow disclosed a conflict of interest in respect of Item 8.1 – Development Application for a Material Change of Use for Health Care Services due to the property being in close proximity to the home of a family member, and previously owning an adjoining property. If the Councillor left the meeting quorum would be lost and the meeting would be unable to continue. As such, the Councillor considered her position and was of the opinion that she could participate in the debate and vote on the matter in the public interest.

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

**8 PRESENTATION OF PETITIONS**

Nil

## **9 COMMITTEE REPORTS**

### **9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 19 JULY 2016**

#### **COUNCIL RESOLUTION**

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 19 July 2016 as circulated, be received and that the recommendations contained within these minutes be adopted, with an amendment to Item 9.1.5 – Development Application for a Material Change of Use for Outdoor Sport and Recreation (Open Garden); and excluding Item 9.1.3 – Request for a Council resolution regarding applications to be assessed under a Superseded Planning Scheme for storage sheds along Bowlin Road, Port Curtis.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

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

**Recommendation of the Planning and Regulatory Committee, 19 July 2016****9.1.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE**

**File No:** 10097  
**Attachments:** 1. Business Outstanding Table  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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**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 the Planning and Regulatory Committee is presented for Councillors' information.*

**COMMITTEE RECOMMENDATION**

THAT the Business Outstanding Table for the Planning and Regulatory Committee be received.

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**Recommendation of the Planning and Regulatory Committee, 19 July 2016**
**9.1.2 D/34-2016 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES**

**File No:** D/34-2016

**Attachments:** 1. Locality Plan  
2. Site Plan

**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building  
Robert Holmes - General Manager Regional Services

**Author:** Thomas Gardiner - Planning Officer

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**SUMMARY**

*Development Application Number:* D/34-2016

*Applicant:* Templeton Wholesale Pty Ltd

*Real Property Address:* Lot 6, Lot 7 and Lot 8 on RP600278, Parish of Rockhampton

*Common Property Address:* 233 Murray Street, Rockhampton City

*Area of Site:* 1,022 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Low Density Residential Zone

*Planning Scheme Overlays:* Fitzroy River Flood Overlay – Low Hazard  
Fitzroy River Flood Overlay – Medium Hazard  
Fitzroy River Flood Overlay – High Hazard

*Existing Development:* Dwelling House

*Existing Approvals:* Dwelling House

*Approval Sought:* Development Permit for a Material Change of Use for Health Care Services

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

*Infrastructure Charges Area:* Charge Area 1

*Application Progress:*

<i>Application Lodged:</i>	16 March 2016
<i>Acknowledgment Notice issued:</i>	30 March 2016
<i>Extension of Information Request Period (until 13 May 2016)</i>	14 April 2016
<i>Request for Further Information sent:</i>	22 April 2016
<i>Request for Further Information responded to:</i>	16 May 2016
<i>Submission period commenced:</i>	19 May 2016
<i>Submission period end:</i>	10 June 2016
<i>Notice of Compliance Received:</i>	13 June 2016
<i>Last receipt of information from applicant:</i>	13 June 2016

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## COMMITTEE RECOMMENDATION

### RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Templeton Wholesale Pty Ltd, on Lot 6 on RP600278, Lot 7 on RP600278 and Lot 8 on RP600278, Parish of Rockhampton, located at 233 Murray Street, Rockhampton City, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposal is for a small-scale Health Care facility for repairing and maintaining wheelchairs and other mobility aids only, which is located under an existing Dwelling House and occupies a maximum Gross Floor Area of 130 square metres;
- b) The proposed development will not compromise the primary purpose of the Low Density Residential Zone from providing predominantly dwelling houses supported by small-scale services and facilities that cater for local residents;
- c) The appearance of the existing Dwelling House will be maintained as a result of the proposal, and the scale and intensity of the use will not detract from the existing streetscape and residential amenity of the surrounding area;
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

### RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Templeton Wholesale Pty Ltd, on Lot 6 on RP600278, Lot 7 on RP600278 and Lot 8 on RP600278, Parish of Rockhampton, located at 233 Murray Street, Rockhampton City, Council resolves to Approve the application subject to the following conditions:

#### 1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with the conditions of this development approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and 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) Parking Works; and
- (ii) Stormwater Works
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 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 6, 7 and 8 on RP600278 must be amalgamated and registered as one lot prior to 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:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Proposed Site Plan	6387-99-MCU, Revision A	29 February 2016
Elevation and Floor Plan	6387-99-MCU, Revision A	29 February 2016
Stormwater Flooding Report (prepared by Davey Engineering Solutions)	Unnumbered	11 May 2016

- 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 PARKING WORKS
- 3.1 A Development Permit for Operational Works (parking works) must be obtained prior to the commencement of any parking works on the development site.
- 3.2 All 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 (parking works).
- 3.3 All car parking, access and vehicle manoeuvring areas associated with the proposed development must be concrete paved or asphalted.
- 3.4 Parking spaces must be line-marked as shown in the Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 3.5 Any application for a Development Permit for Operational Works (parking works)

must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site.

#### 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, Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.
- 4.2 The development must be remained connected to Council's reticulated water supply and sewerage network.
- 4.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 4.4 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.
- 4.5 Sewer connection and water meter box located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.
- 4.6 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.

#### 5.0 STORMWATER WORKS

- 5.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the development site.
- 5.2 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).
- 5.3 All roof water including runoff water from car park must be collected and drained to the kerb and channel in Murray Street.
- 5.4 All roof and allotment runoff from the development must be discharge such that it must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.

#### 6.0 SITE WORKS

- 6.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 6.2 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.

#### 7.0 BUILDING WORKS

- 7.1 All building works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4* for building over or near relevant infrastructure.
- 7.2 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one percent (1%) Annual Exceedance Probability defined flood event.
- 7.3 Any application for a Development Permit for Building Works must be accompanied by a detailed structural engineering report and a building certificate prepared by a

suitably qualified Registered Professional Engineer of Queensland, which demonstrates that the building has been designed to withstand the forces created by floodwaters and debris loading.

#### 8.0 ASSET MANAGEMENT

8.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

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

#### 9.0 OPERATING PROCEDURES

9.1 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 Murray Street.

9.2 The use does not generate traffic exceeding ten (10) vehicle trips per day and the trips are not by a vehicle exceeding a gross vehicle mass of 4.5 tonnes tare weight.

9.3 The hours of operation for the Health Care Services must be limited to:

9.3.1 0900 to 1700 on Monday to Friday; and

9.3.2 No operations on a Saturday, Sunday, or Public Holiday.

#### 10.0 ENVIRONMENTAL HEALTH

10.1 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"*.

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

10.3 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.

10.4 Any waste storage areas must be:

10.4.1 maintained in accordance with the *Environmental Protection (Waste Management) Regulation*; and

10.4.2 kept in a clean and tidy condition

#### ADVISORY NOTES

##### NOTE 1. Aboriginal Cultural Heritage

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

**RECOMMENDATION C**

That in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Templeton Wholesale Pty Ltd, on Lot 6 on RP600278, Lot 7 on RP600278 and Lot 8 on RP600278, Parish of Rockhampton, located at 233 Murray Street, Rockhampton City, Council resolves not to issue an Infrastructure Charges Notice.

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**Recommendation of the Planning and Regulatory Committee, 19 July 2016****9.1.3 REQUEST FOR A COUNCIL RESOLUTION REGARDING APPLICATIONS TO BE ASSESSED UNDER A SUPERSEDED PLANNING SCHEME FOR STORAGE SHEDS ALONG BOWLIN ROAD, PORT CURTIS**

**File No:** 3565  
**Attachments:** 1. Locality Plan  
**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building  
Robert Holmes - General Manager Regional Services  
**Author:** Anton de Klerk - Planning Officer

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**SUMMARY**

*An audit was undertaken by Council's Development Compliance Section to determine which structures were constructed on properties on Bowlin Road prior to the commencement of the Rockhampton Region Planning Scheme 2015; eleven (11) Class 10 structures were found on eleven (11) allotments (as listed below). A departmental decision was made that any application to apply the superseded planning scheme for these existing structures would be supported as they were exempt under the planning scheme which was applicable at that point in time. It was further decided that no new development on these lots would be supported due to the new zoning and severe flooding impacts; however, subsequent recommendations by the Planning and Regulatory Committee have supported that development as it was in compliance with the previous Planning Scheme which could still be applied until late August 2016. A Committee direction is sought on the direction to be taken on application that may be received for that area prior to the expiration of the opportunity to utilise the previous Planning Scheme.*

**COUNCIL RESOLUTION**

THAT the matter lay on the table until the first Council meeting in September.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

**Recommendation of the Planning and Regulatory Committee, 19 July 2016****9.1.4 APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR BULK LANDSCAPING SUPPLIES**

<b>File No:</b>	<b>D/167-2015</b>
<b>Attachments:</b>	<b>1. Locality Plan 2. Site Plan</b>
<b>Authorising Officer:</b>	<b>Tarnya Fitzgibbon - Manager Development and Building Robert Holmes - General Manager Regional Services</b>
<b>Author:</b>	<b>Corina Hibberd - Planning Officer</b>

**SUMMARY**

<i>Development Application Number:</i>	<i>D/167-2015</i>
<i>Applicant:</i>	<i>K Anderson and P L Anderson</i>
<i>Real Property Address:</i>	<i>Lot 3 on RP894582, Parish of Wiseman</i>
<i>Common Property Address:</i>	<i>320 Nicholson Road, Alton Downs</i>
<i>Planning Scheme:</i>	<i>Rockhampton Region Planning Scheme 2015</i>
<i>Planning Scheme Zones:</i>	<i>Rural Zone - Alton Downs Precinct</i>
<i>Type of Approval:</i>	<i>Development Permit for a Material Change of Use for Bulk Landscaping Supplies</i>
<i>Date of Decision:</i>	<i>3 May 2016</i>
<i>Application Lodgement Fee:</i>	<i>\$6,896.00</i>
<i>Infrastructure Charges:</i>	<i>\$385.00</i>
<i>Infrastructure charges incentive:</i>	<i>Not Eligible</i>
<i>Incentives sought:</i>	<i>Development facilitation - 'all other areas' (50% discount for infrastructure charges) Refund of Development Application Fees (100%)</i>

**COMMITTEE RECOMMENDATION**

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for Bulk Landscaping Supplies, on Lot 3 on RP894582, Parish of Nicolson, located at 320 Nicholson Road, Alton Downs, Council recommends the following:

Option 2. Council resolves to Approve the following incentives if the use commences prior to 3 May 2019:

- a. A fifty per cent (50%) reduction of infrastructure charges to the amount of \$192.50;
- b. A refund of the application lodgement fee amounting to \$6,896.00 on completing the development; and

That Council enter into an agreement with the applicant in relation to 2(a) and 2(b).

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**Recommendation of the Planning and Regulatory Committee, 19 July 2016**
**9.1.5 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR OUTDOOR SPORT AND RECREATION (OPEN GARDEN)**

**File No:** D/176-2015

**Attachments:** 1. Locality Plan  
2. Site Plan

**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building  
Robert Holmes - General Manager Regional Services

**Author:** Corina Hibberd - Planning Officer

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**SUMMARY**

*Development Application Number:* D/176-2015

*Applicant:* Ross and Carol Mylrea C/- Reel Planning Pty Ltd

*Real Property Address:* Lot 3 on SP264078, Parish of Murchison

*Common Property Address:* 72 McMillan Avenue, Parkhurst

*Area of Site:* 8.209 hectares

*Planning Scheme:* Rockhampton City Plan 2005

*Planning Scheme Zone:* Parkhurst Future (Post 2015) Residential Area

*Planning Scheme Overlays:* Steep or Unstable Land, Waterways

*Existing Development:* House and established gardens and outbuildings

*Existing Approvals:* House and outbuildings

*Approval Sought:* Development Permit for a Material Change of Use for Outdoor Sport and Recreation (Open Garden)

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

*Referral Agency(s):* Nil

*Infrastructure Charges Area:* Charge Area 3

**Application Progress:**

<i>Application Lodged:</i>	10 December 2015
<i>Application Properly Made:</i>	16 December 2015
<i>Acknowledgment Notice issued:</i>	5 January 2016
<i>Request for Further Information sent:</i>	8 January 2016
<i>Request for Further Information responded to:</i>	27 May 2016
<i>Submission period commenced:</i>	2 June 2016
<i>Submission period end:</i>	24 June 2016
<i>Last receipt of information from applicant:</i>	27 June 2016
<i>Statutory due determination date:</i>	25 July 2016

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

That in relation to the application for a Development Permit for a Material Change of Use for Outdoor Sport and Recreation (Open Garden), made by Ross and Carol Mylrea C/- Reel Planning Pty Ltd, on Lot 3 on SP264078, located at 72 McMillan Avenue Parkhurst, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The gardens are already fully established and will allow for guided tours only;
- b) The guided tours will be limited in size per day to minimise any traffic or infrastructure impacts;
- c) The use is unique and will create a tourism driven interest niche in Rockhampton;
- d) The proposed use does not compromise the strategic framework in the Rockhampton City Plan 2005;
- e) Assessment of the development against the relevant area intent, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

**RECOMMENDATION B**

That in relation to the application for a Development Permit for a Material Change of Use for Outdoor Sport and Recreation (Open Garden), made by Ross and Carol Mylrea C/- Reel Planning Pty Ltd, on Lot 3 on SP264078, Parish of Murchison, located at 72 McMillan Avenue, Parkhurst, Council resolves to Approve the application subject to the following conditions:

**1.0 ADMINISTRATION**

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

- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works.
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the commencement of the use.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant Australian Standards and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

## 2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Site Plan	1087 SKSA01	25 September 2015
Proposed recovery shelter	1087 MD02	22 February 2010
Ross and Carol Mylrea Information Request Response On-site Sewerage Facility	Steer Environmental Consulting Document D176-2015	20 May 2016

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Operational Works.
- ## 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 site.
- 3.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Parking Facilities" and the provisions of a Development Permit for Operational Works (access and parking works).
- 3.3 All parking spaces, access driveway(s), and vehicular manoeuvring areas associated with this proposed development must be concrete paved or sealed.
- 3.4 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans which demonstrate the turning movements/swept paths of the largest vehicle to access the site.
- 3.5 A minimum of nineteen (19) parking spaces must be provided on-site. This includes two (2) universal access parking spaces and one (1) bus parking spaces.
- 3.6 Parking spaces must be line-marked as shown in the 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).

#### 4.0 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, Plumbing and Drainage Act, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.2 On-site water supply for domestic and firefighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each. This must be certified by a hydraulic engineer or other suitably qualified person.
- 4.3 The existing on-site sewerage facilities must be adequate for the proposed development. Should the existing on-site sewerage facilities not be adequate; an upgrade of the system must be provided. The upgrade must be in accordance with the Queensland Plumbing and Wastewater Code and Council's Plumbing and Drainage Policies
- 4.4 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the Plumbing and Drainage Act and Council's Plumbing and Drainage Policies.
- 4.5 In accordance with the Site Evaluation Report (refer to condition 2.1) for on-site sewerage facility, the septic tank must be de-sludged each year and desludging must be in accordance with Australian Standard AS1547:2000 "On-site domestic-wastewater management".

#### 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 discharged such that it must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.
- 5.3 Stormwater runoff from the car park must be discharged such that it must not cause a nuisance or worsening to surrounding land or infrastructure in comparison to the pre-development condition, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 5.4 Easements must be provided over all land assessed to be within a one percent (1%) Annual Exceedance Probability defined flood inundation area.

#### 6.0 SITE WORKS

- 6.1 All earthworks must be undertaken in accordance with Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments".
- 6.2 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.

#### 7.0 BUILDING WORKS

- 7.1 No structures must 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.

- 7.2 Impervious paved waste storage area must be provided in accordance with the approved plans (refer to condition 2.1) and the Environmental Protection Regulation 2008 and must be:
- 7.2.1 designed and located so as not to cause a nuisance to neighbouring properties;
  - 7.2.2 aesthetically screened from any road frontage or adjoining property;
  - 7.2.3 should the residential type bins not be adequate for the development; commercial type bins must be required and must be serviced by a commercial contractor.

## 8.0 ELECTRICITY AND TELECOMMUNICATIONS

- 8.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

## 9.0 ASSET MANAGEMENT

- 9.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 9.2 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.

## 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 site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in McMillan Avenue or Alfred Road.
- 10.2 All waste storage areas must be:
- 10.2.1 kept in a clean and tidy condition; and
  - 10.2.2 maintained in accordance with Environmental Protection Regulation 2008.
- 10.3 No more than twenty (20) visitors are allowed on site on any given day.
- Alternatively, more than twenty (20) visitors will be allowed subject to an Environment Protection Authority (EPA) approval for on-site sewerage treatment works in accordance with the *Environmental Protection Regulation 2008* requirements.

## ADVISORY NOTES

### NOTE 1. Aboriginal Cultural Heritage

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

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 C**

That in relation to the application for a Development Permit for a Material Change of Use for Outdoor Sport and Recreation (Open Garden), made by Ross and Carol Mylrea C/- Reel Planning Pty Ltd, on Lot 3 on SP264078, Parish of Murchison, located at 72 McMillan Avenue, Parkhurst, Council resolves not to issue an Infrastructure Charges Notice.

**Moved by: Mayor Strelow**  
**Seconded by: Councillor Schwarten**

**MOTION CARRIED**

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**Recommendation of the Planning and Regulatory Committee, 19 July 2016****9.1.6 ROCKHAMPTON REGIONAL COUNCIL ANIMAL MANAGEMENT STRATEGY**

<b>File No:</b>	<b>1464</b>
<b>Attachments:</b>	<b>1. Draft Rockhampton Regional Council Animal Management Strategy</b>
<b>Authorising Officer:</b>	<b>Evan Pardon - Chief Executive Officer</b>
<b>Author:</b>	<b>Peter Owens - Acting General Manager Community Services</b>

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**SUMMARY**

*The Rockhampton Regional Council Animal Management Strategy is presented for adoption by Council following the Councillor Workshop held on Tuesday 5 July 2016.*

*The strategy will provide an agreed direction designed to inform and guide Council operations, delivering industry best practice animal management in line with Council's Corporate Plan objectives.*

**COMMITTEE RECOMMENDATION**

THAT the Rockhampton Regional Council Animal Management Strategy, as attached to the report, be adopted and the CEO be authorised to take such action as required to implement the strategy so as to align with Council's Corporate Plan, Operational Plan, Budget and organisational resources; and

THAT the matter of combining Council awareness programs for school visitations and presentations be further investigated.

**9.2 INFRASTRUCTURE COMMITTEE MEETING - 19 JULY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Infrastructure Committee meeting, held on 19 July 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

**Moved by:** Councillor Williams  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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

**Recommendation of the Infrastructure Committee, 19 July 2016****9.2.1 DEPARTMENT OF TRANSPORT AND MAIN ROADS UPDATE****File No: 4932****Responsible Officer: Robert Holmes – General Manager Regional Services**

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**SUMMARY**

*Mr Peter Trim from the Department of Transport and Main Roads will provide a briefing on TMR projects in the Rockhampton Region.*

**COMMITTEE RECOMMENDATION**

THAT the verbal update on local projects provided by Mr Peter Trim and Mr Paul Shelton of Department of Transport and Main Roads be received.

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**Recommendation of the Infrastructure Committee, 19 July 2016****9.2.2 UPDATED FITZROY RIVER FLOOD MAPPING**

<b>File No:</b>	<b>1743</b>
<b>Attachments:</b>	<b>1. Updated Fitzroy River Flood Maps</b>
<b>Authorising Officer:</b>	<b>Martin Crow - Manager Engineering Services Robert Holmes - General Manager Regional Services</b>
<b>Author:</b>	<b>Angus Russell - Coordinator Strategic Infrastructure</b>

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**SUMMARY**

*Flood mapping for the Fitzroy River has been updated to recognise the North Rockhampton Flood Mitigation Project Stage 1 works. The mapping is presented for consideration and adoption by Council.*

**COMMITTEE RECOMMENDATION**

THAT Council:

1. Adopt the attached Fitzroy River Flood Maps;
2. Incorporate the attached Fitzroy River Flood Maps into the proposed Major Amendment of the Rockhampton Region Planning Scheme;
3. Review planning and development controls in the North Rockhampton Flood Management Area during the proposed Major Amendment of the Rockhampton Region Planning Scheme;
4. Make the attached Fitzroy River Flood Maps available on Council's web site and communicate them to the Insurance Council of Australia; and,
5. Recognise the North Rockhampton Flood Management Area in Council's Flood Searches and Planning and Development Certificates.

**Recommendation of the Infrastructure Committee, 19 July 2016****9.2.3 BUSINESS OUTSTANDING TABLE FOR INFRASTRUCTURE COMMITTEE**

**File No:** 10097  
**Attachments:** 1. Business Outstanding Table  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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**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 the Infrastructure Committee is presented for Councillors' information.*

**COMMITTEE RECOMMENDATION**

THAT the Business Outstanding Table for the Infrastructure Committee be received.

**Recommendation of the Infrastructure Committee, 19 July 2016****9.2.4 ENGINEERING SERVICES MONTHLY OPERATIONS REPORT - JULY 2016****File No: 7028****Attachments: 1. Engineering Monthly Operations Report -  
Period Ending 30 June 2016****Authorising Officer: Robert Holmes - General Manager Regional Services****Author: Martin Crow - Manager Engineering Services**

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**SUMMARY**

*This report outlines Engineering Services Monthly Operations Report for the period to the end of June 2016.*

**COMMITTEE RECOMMENDATION**

THAT the Engineering Services Monthly Operations Report for July 2016 report be received.

**Recommendation of the Infrastructure Committee, 19 July 2016****9.2.5 CIVIL OPERATIONS MONTHLY OPERATIONS REPORT - JULY 2016****File No:** 7028**Attachments:**

1. Civil Operations Monthly Operations Report - July 2016
2. Capital Works Program July - August 2016

**Authorising Officer:** Robert Holmes - General Manager Regional Services**Author:** David Bremert - Manager Civil Operations

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**SUMMARY**

*This report outlines Civil Operations Monthly Operations Report 30 June 2016 and also Works Program of planned projects for the months of July and August 2016.*

**COMMITTEE RECOMMENDATION**

THAT the Civil Operations Monthly Operations Report for July 2016 be received.

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**Recommendation of the Infrastructure Committee, 19 July 2016****9.2.6 STORMWATER PROJECT PRIORITISATION FRAMEWORK**

<b>File No:</b>	<b>1743</b>
<b>Attachments:</b>	<b>1. Prioritisation Assessment Criteria 2. Initial Stormwater Priorities List</b>
<b>Authorising Officer:</b>	<b>Martin Crow - Manager Engineering Services Robert Holmes - General Manager Regional Services</b>
<b>Author:</b>	<b>Angus Russell - Coordinator Strategic Infrastructure</b>

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**SUMMARY**

*An initial stormwater project prioritisation framework has been developed for Council consideration and endorsement. This framework has been applied to current stormwater and drainage issues and projects to produce a prioritised list of projects for further investigation, design and delivery.*

**COMMITTEE RECOMMENDATION**

THAT Council:

1. Endorse the proposed stormwater project prioritisation framework;
2. Consider the framework and project priorities in future Budget planning.

**COMMITTEE RECOMMENDATION**

THAT an inspection be conducted of the proposed list of Stormwater projects.

**9.3 AIRPORT, WATER AND WASTE COMMITTEE MEETING - 19 JULY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Airport, Water and Waste Committee meeting, held on 19 July 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.1 BUSINESS OUTSTANDING TABLE FOR AIRPORT, WATER AND WASTE COMMITTEE**

**File No:** 10097  
**Attachments:** 1. Business Outstanding Table  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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**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 the Airport, Water and Waste Committee is presented for Councillors' information.*

**COMMITTEE RECOMMENDATION**

THAT the Business Outstanding Table for the Airport, Water and Waste Committee be received.

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.2 CORPORATE SERVICES DEPARTMENT - ROCKHAMPTON AIRPORT -  
MONTHLY OPERATIONS AND ANNUAL PERFORMANCE PLAN REPORT**

**File No:** 7927  
**Attachments:** 1. Rockhampton Airport Monthly Operations Report  
**Authorising Officer:** Ross Cheesman - Deputy CEO/General Manager Corporate Services  
**Author:** Scott Waters - Manager Airport

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**SUMMARY**

*The monthly operations and annual performance plan report for the Rockhampton Airport as at 30 June 2016 is presented for Councillors information.*

**COMMITTEE RECOMMENDATION**

THAT the Corporate Services Departmental Operations and Annual Performance Plan Report for the Rockhampton Airport as at 30 June 2016 be "received".

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.3 FRW MONTHLY OPERATIONS AND ANNUAL PERFORMANCE PLAN AS AT 30 JUNE 2016****File No:** 1466**Attachments:**

1. **FRW Monthly Operations and Annual Performance Plan as at 30 June 2016**
2. **Customer Service Standards as at 30 June 2016**
3. **Customer and Financial Service Standards as at 30 June 2016**
4. **Non Compliance Comments as at 30 June 2016**

**Authorising Officer:** Robert Holmes - General Manager Regional Services**Author:** Jason Plumb - Manager Fitzroy River Water

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**SUMMARY**

*The Monthly Operations and Annual Performance Plan Report for Fitzroy River Water (FRW) as at 30 June 2016 are presented for Councillors information.*

**COMMITTEE RECOMMENDATION**

THAT the FRW Monthly Operations Report and Annual Performance Plan quarterly report as at 30 June 2016 be received.

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**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.4 DECOMMISSIONING OF THE WEST ROCKHAMPTON SEWAGE TREATMENT PLANT - ADDITIONAL JUSTIFICATION**

<b>File No:</b>	<b>6210</b>
<b>Attachments:</b>	<b>1. Table 4 Comparison of Capital and Operating Costs - Options for WRSTP</b>
<b>Authorising Officer:</b>	<b>Robert Holmes - General Manager Regional Services</b>
<b>Author:</b>	<b>Jason Plumb - Manager Fitzroy River Water</b>

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**SUMMARY**

*Constructed in 1962, the West Rockhampton Sewage Treatment Plant (WRSTP) has an out-dated process design that produces an inferior quality final effluent compared to modern STP designs. This report therefore seeks to re-present this matter with reference to the ongoing planning associated with the CBD in order to provide some certainty about the future of the WRSTP and any future capital investment required. In addition, the report includes additional justification about significant site-related or technical constraints which each favour the decommissioning of the WRSTP. Based on consideration of its age, its physical condition and also its substandard design and environmental performance and the significant constraints inherent to the WRSTP site, the decommissioning of the WRSTP is strongly recommended to ensure that the STP infrastructure in Rockhampton can best meet the needs of the community and achieve the best overall outcome for the environment.*

**COMMITTEE RECOMMENDATION**

THAT Council proceed with the previously adopted decision to decommission the WRSTP and construct a rising main to divert all WRSTP flows to the SRSTP and capital funding as per Table 1 be given budgetary consideration at the earliest opportunity.

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.5 SEEKING APPROVAL OF THE DRAFT ROCKHAMPTON REGIONAL COUNCIL'S WASTE REDUCTION AND RECYCLING PLAN**

**File No:** 7927  
**Attachments:** 1. RRWR Waste Reduction and Recycling Strategy Summary  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Craig Dunglison - Manager RRWR

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**SUMMARY**

*In December 2015 a draft Waste Reduction and Recycling Plan was put to Council for approval and to place the Plan out for community comment which is required under the Waste Reduction and Recycling Act 2011. The period for comment has ended with no substantial comments being submitted and Council approval is now sought to adopt the Plan.*

**COMMITTEE RECOMMENDATION**

THAT the Waste Reduction and Recycling Plan 2016 – 2024 as presented be adopted.

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.6 BIRD MANAGEMENT PLAN LAKES CREEK ROAD LANDFILL**

**File No:** 7927  
**Attachments:** Nil  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Craig Dunglison - Manager RRWR

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**SUMMARY**

*Due to a change in guidelines released by the Department of Infrastructure and Regional Development in 2012 there is a requirement upon the operation of Lakes Creek Road Landfill to reduce the number of birds at the site so as to reduce the presence of birds that may impact upon the operation of the Rockhampton Airport.*

**COMMITTEE RECOMMENDATION**

THAT the Bird Management Plan for Lakes Creek Road Landfill report be received.

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.7 ROCKHAMPTON REGIONAL WASTE AND RECYCLING OPERATIONAL REPORT FOR JUNE 2016**

**File No:** 7927  
**Attachments:** 1. RRWR Operational Report June 2016  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Craig Dunglison - Manager RRWR

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**SUMMARY**

*The purpose of this report is to provide Council with an overview of Rockhampton Regional Waste and Recycling (RRWR) for the period 1 June to 30 June 2016.*

**COMMITTEE RECOMMENDATION**

THAT the RRWR Operational Report for June 2016 be received.

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.8 INVESTIGATIONS INTO CLOSED LANDFILLS**

**File No:** 7927  
**Attachments:** 1. RRC Closed Landfills A3  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Craig Dunglison - Manager RRWR

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**SUMMARY**

*After the impact of Tropical Cyclone Marcia upon Kershaw Gardens, which is a closed landfill, a general review of all closed landfills is being undertaken. The purpose of this report is to update Council on this program.*

**COMMITTEE RECOMMENDATION**

THAT the Investigations into Closed Landfills report be received.

**Recommendation of the Airport, Water and Waste Committee, 19 July 2016****9.3.9 LANDFILL ACCOUNTS**

**File No:** 7927  
**Attachments:** Nil  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Craig Dunglison - Manager RRWR

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**SUMMARY**

*As reported to Council previously at the August 2014 Business Enterprise Committee meeting an investigation into landfill accounts has been undertaken. The investigation of the last remaining accounts has been completed and based upon a previous legal opinion it is recommended that Council write off the listed debts in this report.*

**COMMITTEE RECOMMENDATION**

THAT the outstanding fees as detailed in the report be written off.

**9.4 COMMUNITY SERVICES COMMITTEE MEETING - 20 JULY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Community Services Committee meeting, held on 20 July 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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

**Recommendation of the Community Services Committee, 20 July 2016****9.4.1 COMMUNITIES AND FACILITIES MONTHLY OPERATIONAL REPORT**

**File No:** 1464  
**Attachments:** 1. Monthly operational report for July 2016  
**Authorising Officer:** Peter Owens - Acting General Manager Community Services  
**Author:** Cheryl Haughton - Manager Communities and Facilities

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**SUMMARY**

*This report provides information on the activities of the Communities and Facilities section for June 2016.*

**COMMITTEE RECOMMENDATION**

THAT the Monthly Operational Report on the activities of the Communities and Facilities section for June 2016 be received.

**Recommendation of the Community Services Committee, 20 July 2016****9.4.2 ARTS AND HERITAGE MONTHLY OPERATIONS REPORT FOR JUNE 2016****File No:** 1464**Attachments:** 1. Arts and Heritage Monthly Operations Report for June 2016**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Peter Owens - Acting General Manager Community Services

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**SUMMARY**

*The report provides information on the programs and activities of the Arts and Heritage section for June 2016.*

**COMMITTEE RECOMMENDATION**

THAT the Arts and Heritage Monthly Operations Report for June 2016 be received.

**Recommendation of the Community Services Committee, 20 July 2016****9.4.3 ARTS AND HERITAGE SOLE PROVIDER PROVISION**

**File No:** 7104  
**Attachments:** Nil  
**Authorising Officer:** Peter Owens - Acting General Manager Community Services  
**Author:** Kerri Dorman - Administration Supervisor

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**SUMMARY**

*Council presents an annual program of exhibitions and performances for which it is necessary to resolve that it would be impractical for Council to invite quotes for the supply of the exhibition content and physical productions.*

**COMMITTEE RECOMMENDATION**

THAT Council resolve that 'it is satisfied that there is only one supplier who is reasonably available' and that 'because of the specialised nature of the services that are sought, it would be impractical for Council to invite quotes for the supply of the productions, exhibition and services' as detailed in the report.

**Recommendation of the Community Services Committee, 20 July 2016****9.4.4 COMMUNITY ASSISTANCE PROGRAM - ADDITIONAL REQUEST FOR ASSISTANCE 2016 CONFRATERNITY AND QISSN CARNIVALS****File No:** 7822**Attachments:**

1. Letter from Mr Paul Dever dated 8 July 2016
2. Invoice for Charges for Park Hire and Waste Collection

**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Peter Owens - Acting General Manager Community Services

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**SUMMARY**

*The 2016 Confraternity and QISSN Carnivals Convenor has requested that Council give consideration to providing additional assistance to the event by reimbursing the Cathedral College for unbudgeted expenses.*

**COMMITTEE RECOMMENDATION**

THAT Council agrees to the request to reimburse the Cathedral College for the charges levied as detailed in the letter from Mr Paul Dever dated 8 July 2016.

**Recommendation of the Community Services Committee, 20 July 2016****9.4.5 APPOINTMENT OF RADF GRANT ASSESSMENT COMMITTEE**

**File No:** 8944  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Peter Owens - Acting General Manager Community Services

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**SUMMARY**

*Council has undertaken a process calling for applications from suitably qualified and/or experienced members of the local arts community to form a new RADF grant assessment committee to be appointed from 1 August 2016.*

**COMMITTEE RECOMMENDATION**

THAT Council appoint Mr Bob Heppell, Ms Carolyn Hewitt, Mr Rod Haynes, Ms Debbie Heineman, Ms Elspeth Donlen, Mr Oliver Skrypcznski and Ms Laurel Mason to the Rockhampton RADF grant assessment committee effective 1 August 2016 for a term of four years.

**Recommendation of the Community Services Committee, 20 July 2016****9.4.6 CURRENT VALUATION ASSESSMENT FOR 241 ROCKONIA ROAD**

**File No:** 1680  
**Attachments:** 1. Valuation of land at 241 Rockonia Road  
**Authorising Officer:** Peter Owens - Acting General Manager Community Services  
**Author:** Cheryl Haughton - Manager Communities and Facilities

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**SUMMARY**

*A further report with valuation assessment is presented for land owned by Council.*

**COMMITTEE RECOMMENDATION**

THAT Council receives the report, declines the offer, and continues discussions with the Endeavour Foundation as to the provision of services to the Rockhampton region.

**Recommendation of the Community Services Committee, 20 July 2016**

**9.4.7 DISCUSSION ON PROPERTY IN CHARLES STREET**

**File No:** 2021

**Responsible Officer:** Martin Crow – Manager Engineering Services

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**SUMMARY**

*Councillor Swadling raised the matter of a property in Charles Street.*

**COMMITTEE RECOMMENDATION**

THAT Council investigate options for a property in Charles Street.

**9.5 PARKS, RECREATION AND SPORT COMMITTEE MEETING - 20 JULY 2016****COUNCIL RESOLUTION**

THAT the Minutes of the Parks, Recreation and Sport Committee meeting, held on 20 July 2016 as circulated, be received and that the recommendations contained within these minutes be adopted, with the exception of Items 9.5.2 – Request for permission to enter into a Freehold licence and Trustee Permit with Rockhampton Police Citizens Youth Welfare Association over part of Stapleton Park; and Item 9.5.4 – Extension to leased area for Victoria Park Gymnastic and Trampoline Club Inc.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

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

**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9.5.1 LIFTING MATTERS FROM THE TABLE**

**File No:** 4229  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Peter Owens - Acting General Manager Community Services

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**SUMMARY**

*Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting 20 July 2016.*

**COMMITTEE RECOMMENDATION**

THAT the following matter “lying on the table” be lifted from the table and be dealt with accordingly:

- Request for Permission to Enter into a Freehold Licence and Trustee Permit with Rockhampton Police Citizens Youth Welfare Association Over Part of Stapleton Park.

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**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9:16AM**

Councillor Rutherford declared an interest in Item 9.5.2 – Request for permission to enter into a Freehold Licence and Trustee Permit with Rockhampton Police Citizens Youth Welfare Association over part of Stapleton Park due to her involvement with the PCYC.

**9.5.2 REQUEST FOR PERMISSION TO ENTER INTO A FREEHOLD LICENCE AND TRUSTEE PERMIT WITH ROCKHAMPTON POLICE CITIZENS YOUTH WELFARE ASSOCIATION OVER PART OF STAPLETON PARK**

**File No:** 4229

**Attachments:**

1. **Overview of Stapleton Park, Bridge Street, Berserker**
2. **Map indicating ownership of land at Stapleton Park**
3. **Map indicating proposed Trustee Permit and Freehold Licence area**

**Authorising Officer:** Margaret Barrett - Manager Parks  
Peter Owens - Acting General Manager Community Services

**Author:** Sophia Czarkowski - Sports and Education Supervisor

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**SUMMARY**

*Rockhampton Police Citizens Youth Welfare Association (PCYC) has a Freehold Lease over part of Stapleton Park. It is requested that the Club be issued with a Freehold Licence and Trustee Permit over parts of Stapleton Park for its events and activities as consistent with the purpose of the land and the constitution of the organisation. The proposed agreements do not remove the public's right to the land nor hinder a third party's ability to hire the land.*

*A report on this matter was presented to Parks, Recreation and Sport Committee on 18 May 2016 and was laid on the table pending further information.*

**COUNCIL RESOLUTION**

THAT this matter lay on the table until the Special Council meeting on 2 August 2016.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

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**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9.5.3 REQUEST TO ENTER INTO A TRUSTEE PERMIT WITH PEACE INTERNATIONAL ARCHERY CLUB INC AT ROSEL PARK**

<b>File No:</b>	<b>374</b>
<b>Attachments:</b>	<ol style="list-style-type: none"><li><b>1. Background information on Peace International Archery Club Inc</b></li><li><b>2. Proposed Trustee Permitted area at Rosel Park</b></li><li><b>3. Proposed layout of Peace International Archery area at Rosel Park</b></li></ol>
<b>Authorising Officer:</b>	<b>Margaret Barrett - Manager Parks Peter Owens - Acting General Manager Community Services</b>
<b>Author:</b>	<b>Sophia Czarkowski - Sports and Education Supervisor</b>
<b>Previous Items:</b>	<b>17.1 - Request for assignment of Trustee Lease from Neil Collins to Magnum Paintball - Ordinary Council - 12 May 2015 9.00 am</b>

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**SUMMARY**

*Peace International Archery Club Inc currently uses a portion of the Rockhampton Clay Target Club Inc's Leased area at Weinholt Paddock, Dargel Road and it is proposed that the Club be provided with land at Rosel Park for its activities including archery, crossbow and medieval re-enactments.*

**COMMITTEE RECOMMENDATION**

THAT as Magnum Paintball has not entered into a Trustee Lease with Council, Council approve the request to enter into a Trustee Permit with Peace International Archery Club Inc at Rosel Park, 504 Quay Street (being part of Lot 439 on LN2827) subject to the conditions listed in the report.

**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9:16AM**

Councillor Rutherford declared a conflict of interest in regard to Item 9.5.4 – Extension to Leased Area for Victoria Park Gymnastic and Trampoline Club Inc due to previous involvement with the Club.

**9.5.4 EXTENSION TO LEASED AREA FOR VICTORIA PARK GYMNASTIC AND TRAMPOLINE CLUB INC**

**File No:** 4203

**Attachments:**

1. Proposed drainage channel around the club house
2. Proposed Trustee Lease area

**Authorising Officer:** Margaret Barrett - Manager Parks  
Peter Owens - Acting General Manager Community Services

**Author:** Sophia Czarkowski - Sports and Education Supervisor

**SUMMARY**

*Victoria Park Gymnastic and Trampoline Club Inc hold a Trustee Lease over part of Victoria Park, 1A Lion Creek Road (being part of Lot 40 on SP240869) until 31 December 2020 for the purposes of conducting gymnastics and trampoline activities. It is proposed that the Trustee Lease area be extended to include the proposed drainage improvements on Victoria Park as detailed in the report.*

**COUNCIL RESOLUTION**

THAT this matter lay on the table until the Special Council meeting on 2 August 2016.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9.5.5 THIRD PARTY SIGNAGE ON PARKLAND POLICY**

**File No:** 11979  
**Attachments:** 1. Third Party Signage on Parkland Policy  
**Authorising Officer:** Margaret Barrett - Manager Parks  
Peter Owens - Acting General Manager Community Services  
**Author:** Sophia Czarkowski - Sports and Education Supervisor

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**SUMMARY**

*A new policy has been drafted for Third Party Signage on Parkland as detailed in the report.*

**COMMITTEE RECOMMENDATION**

THAT Council not adopt the Signage Policy and instead ask for a fact sheet to be established to allow signage of an acceptable size and format to be installed to allow fundraising for our sporting organisations.

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**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9.5.6 CQ SPORTS PRECINCT INC**

**File No:** 5660

**Attachments:** 1. Proposed CQ Sports Precinct

**Authorising Officer:** Margaret Barrett - Manager Parks  
Peter Owens - Acting General Manager Community Services

**Author:** Brett Nicholls - Coordinator Parks Planning and Projects  
Rick Palmer - Manager Economic Development

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**SUMMARY**

*CQ Sports Precinct Inc has requested Council contribute funds towards a feasibility study for a proposed specialist sporting precinct on the northern side of Lion Creek.*

**COMMITTEE RECOMMENDATION**

1. THAT Council contribute \$10,000 towards a feasibility study for sports development (in multiple locations around the region) subject to:
  - The active and ongoing involvement of Regional Development Australia in the development of the proposal;
  - The outcomes of the Regional Sport, Recreation and Open Space Strategy;
  - Central Queensland University contributing a similar amount and be involved where necessary;
  - Council Officers developing the scope of the feasibility study; and
  - Council engaging and instructing Central Queensland University for the parts of the feasibility study.
2. THAT Council is clear in its statement that we support augmentation of the rowing and other aquatic facilities on the Fitzroy River; and
3. THAT the proposed West Rockhampton site is only suitable for aquatic based facilities.

**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9.5.7 NAMING OF PARKS AND RESERVES**

**File No:** 1313  
**Attachments:** 1. Feedback in response to Public Notice  
**Authorising Officer:** Peter Owens - Acting General Manager Community Services  
**Author:** Margaret Barrett - Manager Parks

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**SUMMARY**

*Two reserves are to be named to reflect the contribution of local residents to the Region's communities.*

**COMMITTEE RECOMMENDATION**

THAT Council approve naming of the area:

1. between the Somerset Connection Rd and Gracemere Industrial Access Road as 'Bruce Russell Reserve'; and
2. at the junction of Poison Creek Road and Razorback Road as 'Ken Rowley Reserve'.

**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9.5.8 DOG OFF LEASH AREAS**

**File No:** 7437, 1464  
**Attachments:** Nil  
**Authorising Officer:** Peter Owens - Acting General Manager Community Services  
**Author:** Margaret Barrett - Manager Parks

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**SUMMARY**

*This report recommends the process be commenced to establish additional dog off leash areas in Parks.*

**COMMITTEE RECOMMENDATION**

THAT Council approve the following area be advertised as a future dog off leash area:

- Eddie Baker Park, Norman Gardens (access via Currawong Street and Rosella Court) but limited to the areas designated as a dog off leash area by signpost.

**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016****9.5.9 PARKS AND OPEN SPACE OPERATIONS REPORT - JUNE 2016**

**File No:** 1464

**Attachments:** 1. Parks and Open Space Operations Report - June 2016

**Authorising Officer:** Peter Owens - Acting General Manager Community Services

**Author:** Margaret Barrett - Manager Parks

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**SUMMARY**

*This report provides information on the activities and services of Parks and Open Space Unit for the month of June 2016.*

**COMMITTEE RECOMMENDATION**

THAT the report on the activities and services of Parks and Open Space Unit for June 2016 be received.

**Recommendation of the Parks, Recreation and Sport Committee, 20 July 2016**

**9.5.10 VERBAL REPORT ON ROWING COURSE**

**File No:** 11460

**Responsible Officer:** Margaret Barrett – Manager Parks

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**SUMMARY**

*Manager Parks presenting a verbal report on the Fitzroy River rowing course.*

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**COMMITTEE RECOMMENDATION**

THAT the verbal report on the rowing course be received.

**10 COUNCILLOR/DELEGATE REPORTS**

Nil

## 11 OFFICERS' REPORTS

### 11.1 2016-2017 FEES AND CHARGES AMENDMENTS

**File No:** 7816  
**Attachments:** 1. 2016-17 Fees and Charges  
**Authorising Officer:** Ross Cheesman - Deputy CEO/General Manager  
Corporate Services  
**Author:** Alicia Cutler - Manager Finance

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#### SUMMARY

*The intention of this report is to submit minor amendments to Council's Fees and Charges Schedule for the 2016-2017 financial year.*

#### COUNCIL RESOLUTION

1. THAT in accordance with the requirements of the Local Government Act 2009, Council adopts the amendments to the Fees and Charges schedule for the 2016-2017 financial year; and
2. THAT the Parks Sport and Rec - Park Vending Fee be set at \$0.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Schwarten

**MOTION CARRIED UNANIMOUSLY**

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**11.2 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED  
30 JUNE 2016**

**File No:** 8148  
**Attachments:** 1. Income Statement - June 2016  
2. Key Indicator Graphs - June 2016  
**Authorising Officer:** Ross Cheesman - Deputy CEO/General Manager  
Corporate Services  
**Author:** Alicia Cutler - Manager Finance

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**SUMMARY**

*The Finance Manager presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2016.*

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2016 be 'received'.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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**11.3 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT  
JUNE 2016****File No:** 1392**Attachments:**

1. **Workforce & Strategy Monthly Operations Report - June 2016**
2. **Corporate & Technology Monthly Operations Report - June 2016**
3. **Finance Monthly Operations Report - June 2016**

**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Ross Cheesman - Deputy CEO/General Manager  
Corporate Services

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**SUMMARY**

*The monthly operations report for the Corporate Services department as at 30 June 2016 is presented for Councillor's information.*

**COUNCIL RESOLUTION**

THAT the Corporate Services Departmental Operations Report as at 30 June 2016 be "received".

**Moved by:** Councillor Schwarten**Seconded by:** Councillor Williams**MOTION CARRIED**

**11.4 REGIONAL DEVELOPMENT MONTHLY REPORT - JUNE 2016**

**File No:** 1830  
**Attachments:** 1. Regional Development Monthly Report June 2016  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Russell Claus - Executive Manager Regional Development

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**SUMMARY**

*This report provides information on the activities of the Regional Development Unit during the month of June 2016.*

**COUNCIL RESOLUTION**

1. THAT the Regional Development Monthly report for the month of June 2016 be received; and
2. THAT confidential matters contained in the Regional Development Monthly report be discussed in Closed Session.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

**11.5 SEWER CONNECTION TO 189 EAST STREET, ROCKHAMPTON****File No:** 7833053**Attachments:** Nil**Authorising Officer:** Russell Claus - Executive Manager Regional Development**Author:** Rick Palmer - Manager Economic Development

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**SUMMARY***Issue of new sewer main and connection point.***COUNCIL RESOLUTION**

THAT Council construct a new jump-up required to facilitate development of a new restaurant and events/function centre at 189 East Street.

**Moved by:** Mayor Strelow**Seconded by:** Councillor Schwarten**MOTION CARRIED UNANIMOUSLY**

**11.6 INFRASTRUCTURE AGREEMENT POLICY**

**File No:** 11979  
**Attachments:** 1. Infrastructure Agreement Policy  
**Authorising Officer:** Robert Holmes - General Manager Regional Services  
**Author:** Tarnya Fitzgibbon - Coordinator Development Assessment

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**SUMMARY**

*Coordinator Development Assessment is presenting a new policy – Infrastructure Agreement Policy for Council approval.*

**COUNCIL RESOLUTION**

THAT the new Infrastructure Agreement Policy be adopted.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Rutherford  
**MOTION CARRIED**

**11.7 NOMINATION FOR ELECTION OF LGAQ PRESIDENT**

**File No:** 4932  
**Attachments:** 1. Nomination for LGAQ President  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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**SUMMARY**

*LGAQ are seeking nominations for election of President for a term of four (4) years at the Annual Conference of the Association.*

**COUNCIL RESOLUTION**

THAT Council support the nomination of Ray Brown for LGAQ President.

**Moved by:** Councillor Williams  
**Seconded by:** Councillor Schwarten

**MOTION CARRIED**

**12 NOTICES OF MOTION**

Nil

**13 QUESTIONS ON NOTICE**

Nil

## 14 URGENT BUSINESS\QUESTIONS

### 14.1 BEST WISHES TO ALLAN SUTHERLAND

**File No:** 8191

**Responsible Officer:** Janet Boyd – Executive Personal Assistant to the Mayor

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#### SUMMARY

*Councillor Stephen Schwarten suggesting Council sends a message of support and best wishes to the Mayor of Moreton Bay Regional Council, Mr Allan Sutherland.*

#### COUNCIL RESOLUTION

THAT Council express its best wishes to Mayor Allan Sutherland from Moreton Bay Regional Council in his period of ill health.

**Moved by:** Councillor Schwarten

**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

## 15 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

### COUNCIL RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

#### 16.1 Legal Matters as at 30 June 2016

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

#### 11.4 Regional Development Monthly Report – June 2016

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Moved by: Mayor Strelow  
Seconded by: Councillor Schwarten  
MOTION CARRIED

### COUNCIL RESOLUTION

10:04AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Rutherford  
Seconded by: Councillor Schwarten  
MOTION CARRIED

### COUNCIL RESOLUTION

10:13AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Schwarten  
Seconded by: Councillor Rutherford  
MOTION CARRIED

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## 16 CONFIDENTIAL REPORTS

### 16.1 LEGAL MATTERS AS AT 30 JUNE 2016

**File No:** 1392

**Attachments:** 1. Legal Matters as at 30 June 2016

**Authorising Officer:** Tracy Sweeney - Manager Workforce and Strategy  
Ross Cheesman - Deputy CEO/General Manager  
Corporate Services

**Author:** Travis Pegrem - Coordinator Industrial Relations and  
Investigations

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

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#### SUMMARY

*Coordinator Industrial Relations and Investigations presenting an update of current legal matters that Council is involved in as at 30 June 2016.*

#### COUNCIL RESOLUTION

THAT the legal matters report containing updates on legal matters for Rockhampton Regional Council as at 30 June 2016 be received.

**Moved by:** Councillor Schwarten

**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

**11.4 REGIONAL DEVELOPMENT MONTHLY REPORT - JUNE 2016****File No: 1830****Responsible Officer: Russell Claus – Executive Manager Regional Development**

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**SUMMARY**

*This report provides information on the activities of the Regional Development Unit during the month of June 2016.*

**COUNCIL RESOLUTION**

THAT confidential matters contained in the Regional Development Monthly report for the month of June 2016 be received.

**Moved by: Mayor Strelow****Seconded by: Councillor Rutherford****MOTION CARRIED**

**17 CLOSURE OF MEETING**

There being no further business the meeting closed at 10:14am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE