



ORDINARY MEETING

MINUTES

27 SEPTEMBER 2016

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT	1
3	APOLOGIES AND LEAVE OF ABSENCE	1
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA.....	2
6	BUSINESS OUTSTANDING	3
	NIL	3
7	PUBLIC FORUMS/DEPUTATIONS	4
	NIL	4
8	PRESENTATION OF PETITIONS	5
	NIL	5
9	COMMITTEE REPORTS	6
9.1	PLANNING AND REGULATORY COMMITTEE MEETING - 20 SEPTEMBER 2016	6
9.2	INFRASTRUCTURE COMMITTEE MEETING - 20 SEPTEMBER 2016	21
9.3	AIRPORT, WATER AND WASTE COMMITTEE MEETING - 20 SEPTEMBER 2016.....	28
9.4	PARKS, RECREATION AND SPORT COMMITTEE MEETING - 21 SEPTEMBER 2016	32
10	COUNCILLOR/DELEGATE REPORTS	35
	NIL	35
11	OFFICERS' REPORTS.....	36
11.1	LOCAL DISASTER MANAGEMENT PLAN	36
11.2	GREEN PAPER SUBMISSION TO THE DEPARTMENT OF AGRICULTURE AND FISHERIES (FISHERIES REFORM)	37
11.3	CBD FACADE IMPROVEMENT SCHEME	38
11.4	FEEES ASSOCIATED WITH REGISTRATION OF LEASES, LICENCE AND PERMITS FOR PARKS.....	39
11.5	COMMUNITY ASSISTANCE PROGRAM.....	40
11.6	RISK REGISTERS - QUARTERLY UPDATE AS AT 26 AUGUST 2016	41
11.7	ANNUAL REVIEW OF DELEGATION OF POWERS TO THE CHIEF EXECUTIVE OFFICER	42
11.8	ANNUAL FINANCIAL STATEMENTS 30 JUNE 2016	43

11.9	SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 AUGUST 2016.....	44
11.10	CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT AUGUST 2016.....	45
11.11	REGIONAL DEVELOPMENT - MONTHLY REPORT AUGUST 2016.....	46
11.12	2016-2017 LOCAL GOVERNMENT GRANTS & SUBSIDIES PROGRAM.....	47
12	NOTICES OF MOTION.....	49
	NIL	49
13	QUESTIONS ON NOTICE.....	50
	NIL	50
14	URGENT BUSINESS\QUESTIONS	51
14.1	SAFE NIGHT PRECINCT	51
14.2	OLIVE STREET PROPERTY DEVELOPMENT	52
15	CLOSED SESSION	53
16.1	LEGAL MATTERS AS AT 31 AUGUST 2016	53
16.2	OLIVE STREET PROPERTY DEVELOPMENT	53
16	CONFIDENTIAL REPORTS.....	54
16.1	LEGAL MATTERS AS AT 31 AUGUST 2016	54
16.2	OLIVE STREET PROPERTY DEVELOPMENT	55
17	CLOSURE OF MEETING	56

**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 27 SEPTEMBER 2016 COMMENCING AT 9:03AM**

1 OPENING

2 PRESENT

Members Present:

Acting Mayor, Councillor C R Rutherford (Chairperson)
Councillor N K Fisher
Councillor A P Williams
Councillor C E Smith
Councillor M D Wickerson

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy CEO/ General Manager Corporate Services
Mr P Kofod – General Manager Regional Services
Mr S Waters – Executive Manager Regional Development
Ms M Barrett – Manager Parks
Mr M Clerc – Acting Manager Finance
Ms S Sommerville – Acting Manager Communities and Facilities
Mr S Gatt – Manager Planning and Regulatory Services
Mr D Morrison – Executive Coordinator to the Mayor
Mr T Pegrem – Coordinator Industrial Relations and Investigations
Mr R Truscott – Coordinator Strategic Planning
Mr C Wyatt – Senior Strategic Planner
Mr A de Klerk – Senior Planning Officer
Ms K Ramm – Risk Management Officer
Mr S Williams – Strategic Mapping/ Disaster Management Officer
Ms D Meyer - Planning Assistant
Mr A Wratten – Communication and Marketing Supervisor
Ms E Brodel – Media Officer
Ms J O'Neill – Marketing and Media Officer
Ms L Leeder – Senior Governance Support Officer
Ms S Friske – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Margaret Strelow

Leave of Absence for the meeting was previously granted to Councillor Rose Swadling

Leave of Absence for the meeting was previously granted to Councillor Stephen Schwarten

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 13 September 2016 be taken as read and adopted as a correct record.

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

COUNCIL RESOLUTION

THAT the minutes of the Special Meeting held on 21 September 2016 be taken as read and adopted as a correct record.

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

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 20 SEPTEMBER 2016

COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 20 September 2016 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.1.4 - Applications to be Decided Under Delegation; and Item 9.1.6 - D/174-2015 – Application Under the Development Incentives Policy for Development Permit for a Material Change of Use for a Residential Care Facility.

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

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

Recommendation of the Planning and Regulatory Committee, 20 September 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

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.

Recommendation of the Planning and Regulatory Committee, 20 September 2016**9.1.2 PLANNING SECTION - AUGUST OPERATIONS REPORT**

File No: 7028
Attachments: 1. Monthly Report - August 2016
Authorising Officer: Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

The monthly operations report for the Planning Section (Development Assessment and Building Compliance) as at 31 August 2016 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Planning Section (Development Assessment and Building Compliance) report for August 2016 be received.

Recommendation of the Planning and Regulatory Committee, 20 September 2016**9.1.3 DELIVERY OF CONSISTENT STANDARD BUILDING SERVICES AND FURTHER REPORT FOR PLANNING SERVICES - JULY OPERATIONS REPORT**

File No: 7028

Attachments:

1. Old Report for Building Approvals Stats
2. New Report for Building Approval Stats
3. Further Monthly Report for July 2016

Authorising Officer: Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report is provided on request of the Planning and Regulatory Committee and explains how Council delivers consistent standard building certification services.

An updated monthly operations report for Planning Section (Development Assessment & Building Compliance) as at 31 July 2016 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT this report and the updated Planning Section (Development Assessment and Building Compliance) report for July 2016 be received.

Recommendation of the Planning and Regulatory Committee, 20 September 2016**9.1.4 APPLICATIONS TO BE DECIDED UNDER DELEGATION**

File No: 7028
Attachments: Nil
Authorising Officer: Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the development applications received in August 2016 and whether they will be decided under delegation or decided by Council.

COUNCIL RESOLUTION

THAT this report be received and a report be returned to the Planning and Regulatory Committee regarding Development Application D/137-2016 – Request to Apply Superseded Scheme for Operational Works – 2 Pilbeam Drive, Frenchville.

Moved by: Councillor Fisher
Seconded by: Councillor Smith

MOTION CARRIED

Recommendation of the Planning and Regulatory Committee, 20 September 2016
**9.1.5 D/3-2016 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE
A MULTIPLE DWELLING (EIGHT UNITS)**

File No: D/3-2016

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/3-2016

Applicant: Kascol Design Studios

Real Property Address: Lot 13 on RP603409 and Lot 15 on RP603409, Parish of Archer

Common Property Address: 110 and 112 Clifton Street, Berserker

Area of Site: 2,266 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone

Planning Scheme Overlays: Nil

Existing Development: Two (2) Dwelling Houses

Existing Approvals: New Dwelling (3780/RHISTC), and New Dwelling (3781/RHISTC)

Approval Sought: Development Permit for a Material Change of Use for a Multiple Dwelling (eight units)

Level of Assessment: Impact Assessable

Submissions: Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	11 January 2016
<i>Acknowledgment Notice issued:</i>	25 January 2016
<i>Request for Further Information sent:</i>	9 February 2016
<i>Request for Further Information responded to:</i>	22 June 2016
<i>Submission period commenced:</i>	20 July 2016
<i>Submission period end:</i>	17 August 2016
<i>Last receipt of information from applicant:</i>	22 August 2016
<i>Council request for additional time (until 17 October 2016)</i>	1 September 2016
<i>Statutory due determination date:</i>	18 October 2016

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

That in relation to the application for a Development Permit for a Material Change of Use for Multiple Dwelling (eight units), made by Kascol Design Studios, located at 110 Clifton Street and 112 Clifton Street, Berserker, described as Lot 13 on RP603409 and Lot 15 on RP603409, Council resolves to Approve the application despite its conflict with the planning scheme (subject to Recommendations B and C) and provide the following grounds to justify the decision despite the conflict:

- a) A mixture of residential land use types that provide for long-term residency are promoted as a result of the proposal, while also maintaining the existing low rise urban form which is predominant in the surrounding area;
- b) The proposal will result in the formation of low-rise multiple dwellings which are located in proximity to parks and public transport nodes;
- c) The development encourages sustainable in-fill development in an area that has full access to social and medical amenities;
- 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 Multiple Dwelling (eight units), made by Kascol Design Studios, located at 110 Clifton Street and 112 Clifton Street, Berserker, described as Lot 13 on RP603409 and Lot 15 on RP603409, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and his 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 of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Access and Parking Works;
 - (iii) Stormwater Works;

- (iv) Roof and Allotment Drainage Works; and
 - (v) Site Works
- 1.6.2 Plumbing and Drainage Works; and
- 1.6.3 Building Works.
- 1.7 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.
- 1.8 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.9 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.10 Lot 13 RP 603409 and Lot 15 RP 603409 must be amalgamated and registered as one title prior to issue of a Development Permit for Building Works.

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	DAJC050915, Sheet A101, Revision C	8 March 2016
Landscaping Plan	DAJC050915, Sheet A102, Revision C	8 March 2016
Floor Plan Units 1, 2, 7, 8	DAJC050915, Sheet A103, Revision C	8 March 2016
Floor Plan Units 3 - 6	DAJC050915, Sheet A104, Revision C	8 March 2016
North and South Elevation Unit 2, 7	DAJC050915, Sheet A105, Revision C	8 March 2016
North and South Elevation Unit 9	DAJC050915, Sheet A106, Revision C	8 March 2016
North and South Elevation Unit 4 - 7	DAJC050915, Sheet A107, Revision C	8 March 2016
East and West Elevation Unit 1	DAJC050915, Sheet A108, Revision C	8 March 2016
East and West Elevation Unit 7	DAJC050915, Sheet A109, Revision C	8 March 2016
East and West Elevation Unit 4 - 7	DAJC050915, Sheet A110, Revision C	8 March 2016
Swept Paths Analysis Plan	K3384, Drawing P006, Issue B	15 April 2016
Conceptual Stormwater Management Plan	K3384-0003/A	15 April 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 ROAD WORKS

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

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

3.3 A concrete pathway, with a minimum width of 1.2 metres, must be constructed on the southern side of Clifton Street for the full frontage of the site.

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 site.

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

4.3 All parking spaces, access driveway(s), and vehicular manoeuvring areas associated with this proposed development must be concrete paved or asphalted.

4.4 The existing access to the development at Lot 13 on RP603409 and Lot 15 on RP603409 must be closed.

4.5 A new access to the development must be provided at Clifton Street in accordance with the *Capricorn Municipal Development Guidelines* standards.

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

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

4.8 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard 2890.2 "Parking Facilities - Off Street Commercial Facilities"*.

4.9 A minimum of twelve (12) parking spaces must be provided on-site. This includes eight (8) covered car parking spaces and four (4) visitor's car parking spaces.

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

4.11 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans which demonstrate the turning movements/swept paths of the largest vehicle to access the site including refuse collection vehicles.

4.12 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"* and *Australian Standard AS2890.1 "Parking Facilities – Off-street Car Parking"*.

4.13 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.

5.0 SEWERAGE WORKS

5.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008* and the *Plumbing and Drainage Act 2002*.

- 5.2 The development must be connected to Council's reticulated sewerage network via single service connection point. All other redundant service connection point(s) must be removed.
- 5.3 The existing sewerage connection point(s) must be retained and upgraded, if necessary, to service the development.
- 5.4 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.
- 5.5 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 6.0 WATER WORKS
- 6.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008* and the *Plumbing and Drainage Act 2002*.
- 6.2 The development must be connected to Council's reticulated water supply network via single service connection point. All other redundant service connection point(s) must be removed.
- 6.3 The existing water service connection point(s) must be retained and upgraded, if necessary, to service the development.
- 6.4 The proposed development must be provided with a master meter at the property boundary and sub meters for each sole occupancy building in accordance with the *Queensland Plumbing and Drainage Code* and Council's Sub-metering Policy.
- 6.5 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 6.6 A new fire hydrant must be installed on 100 millimetre diameter water main at Clifton Street in front of the common property boundary.
- 7.0 PLUMBING AND DRAINAGE WORKS
- 7.1 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act 2002* and Council's Plumbing and Drainage Policies.
- 7.2 Disconnection of internal plumbing and sanitary drainage works associated with the existing dwellings must be in accordance with regulated work under the *Plumbing and Drainage Act 2002*.
- 8.0 STORMWATER WORKS
- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 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).
- 8.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 8.4 Stormwater pipe works must be constructed to accommodate stormwater from adjacent eastern property. Detailed design must be finalised and approval must be obtained at Operational Works application stage.
- 8.5 Proposed stormwater detention tank must be re-designed or re-located to maintain

- adequate distance with existing sewerage main. Detail must be finalised at the Operational Works application stage.
- 8.6 The proposed development must achieve no increase in peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 9.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 9.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 9.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 9.3 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan which clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
 - 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 10.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 10.3 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 10.4 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 a nuisance or worsening to adjoining properties or infrastructure.
- 10.5 Proposed retaining walls must be re-designed to suit with proposed stormwater pipe structures for the eastern property. Detailed design must be finalised and approved at the Operational Works application stage.
- 10.6 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.
- 10.7 The approved design and/or the construction of the retaining walls must not be modified or altered without Council's prior written approval.
- 11.0 BUILDING WORKS
- 11.1 The existing dwellings on the subject land must be demolished and a Development Permit for Building Works (demolition) must be obtained prior to the commencement of demolition works on the development site.
- 11.2 All external elements, such as air conditioners, pool and spa pumps and associated

equipment, must be adequately screened from public view, to Council's satisfaction.

11.3 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"*.

11.4 All building works and proposed car parking roof structures must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4* for building over or near relevant infrastructure

12.0 LANDSCAPING WORKS

12.1 All landscaping must be constructed and/or established in accordance with the approved plans (refer to condition 2.1), prior to the commencement of the use.

12.2 The landscaped areas must be subject to:

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

12.2.2 an ongoing maintenance and replanting programme.

12.3 The private open space of each unit must be appropriately screened to Council's satisfaction to prevent viewing of the private open space from a public space and adjoining properties.

13.0 ELECTRICITY

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

13.2 Evidence that the development is provided with electricity services from the relevant service provider must be provided to Council, prior to the commencement of the use.

14.0 TELECOMMUNICATIONS

14.1 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.

14.2 Evidence that the development is provided with telecommunications services from the relevant service provider must be provided to Council, prior to the commencement of the use.

Note: The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.

Note: For telecommunications services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra or a "Notice of Practical Completion" where such services are provided by the NBN.

15.0 ASSET MANAGEMENT

15.1 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.

15.2 Any damage to existing water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

15.3 '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 Manual for Submission of Digital As Constructed Information.

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 site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Clifton Street.

17.0 ENVIRONMENTAL HEALTH

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

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

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

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 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. 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 5. Adopted Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a Multiple Dwelling (eight units), made by Kascol Design Studios, located at 110 Clifton Street and 112 Clifton Street, Berserker, described as Lot 13 on RP603409 and Lot 15 on RP603409, Council resolves to issue an Infrastructure Charges Notice for the amount of \$102,000.00.

Recommendation of the Planning and Regulatory Committee, 20 September 2016
9.1.6 D/174-2015 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A RESIDENTIAL CARE FACILITY

File No: D/174-2015

Attachments:

1. Locality Plan
2. Proposed Floor Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Alyce James - Planning Officer

SUMMARY

Development Application Number: D/174-2015

Applicant: Rockhampton Benevolent Homes Society Incorporated C/- ADAMS + SPARKES Town Planning

Real Property Address: Lot 2 on CP890319 and Lot 4 on SP220782

Common Property Address: 60 West Street, The Range

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone

Type of Approval: Development Permit for a Material Change of Use for a Residential Care Facility

Date of Decision: 24 May 2016

Application Lodgement Fee: \$3,178.00

Infrastructure Charges: \$229,251.00

Infrastructure charges incentive: Eligible for a 50% discount for infrastructure charges (All other areas)

Incentives sought: Refund of Development Application Fees (100%)
Refund of Service and Connection Fees
Applied for a 75% discount for infrastructure charges
Refund of Development Application Fees (100%)
Refund of Service and Connection Fees

Suspension of Standing Orders**COUNCIL RESOLUTION****9:19AM**

That pursuant to s7(10) *Council Meeting Procedures* the provisions of the Rockhampton Regional Council Meeting Procedures be suspended to allow adequate time for informal discussion on Item D/174-2015 - Application under the Development Incentives Policy for Development Permit for a Material Change of Use for a Residential Care Facility, prior to entering into formal debate.

Moved by: Councillor Williams

Seconded by: Councillor Fisher

MOTION CARRIED

Resumption of Standing Orders**COUNCIL RESOLUTION****9:24AM**

That pursuant to s7(10) *Council Meeting Procedures* the provisions of the Rockhampton Regional Council Meeting Procedures be resumed.

Moved by: Councillor Rutherford

Seconded by: Councillor Williams

MOTION CARRIED

COUNCIL RESOLUTION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a Residential Care Facility, on Lot 2 on CP890319 and Lot 4 on SP220782, located at 60 West Street, The Range, Council resolves to approve the request as follows:

- a. A seventy-five (75) per cent reduction of infrastructure charges to the amount of \$171,938.25 (therefore the total infrastructure charge would be \$57,312.75);
- b. A refund of the application lodgement fee of \$3,178.00 on completion of the development;
- c. A refund of Council's water meter and service connection fees on completion of the development; and
- d. That Council enter into an agreement with the applicant in relation to (a), (b) and (c).

Moved by: Councillor Smith

Seconded by: Councillor Williams

MOTION CARRIED

Councillor Rutherford and Councillor Fisher recorded their vote against the motion

9.2 INFRASTRUCTURE COMMITTEE MEETING - 20 SEPTEMBER 2016**COUNCIL RESOLUTION**

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

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

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

Recommendation of the Infrastructure Committee, 20 September 2016**9.2.1 CROSSOVER COMPLIANCE LOCAL LAW 4 - AMENDMENTS**

File No:	7028, 11698
Attachments:	1. Local Law 4 - Section 11 Amendment 2. King & Company - Legal Opinion 3. King & Company - Compliance Notice 4. King & Company - Local Law 4 Amendments
Authorising Officer:	Martin Crow - Acting General Manager Regional Services
Author:	David Bremert - Manager Civil Operations

SUMMARY

Approval is sought to amend and or add wording in Section 11 (1) and Section 11 (1) (c) and to delete Paragraph 2 Section 11 Local Law No 4. (Local Government Controlled Areas, Facilities and Roads) 2011 - "Compliance notice about a road or footpath".

COMMITTEE RECOMMENDATION

THAT Council take the necessary actions in accordance with the *Local Government Act 2009* to amend Local Law No 4. (Local Government Controlled Areas, Facilities and Roads) 2011, as per instructed by Council's Legal Advisor, King & Co Solicitors (Attachment 2), to give effect to the following:-

1. Section 11 (1) delete the wording of "*the local government*" and replace with "*An authorised person*" as per Attachment 1.
2. Section 11 (1) (b) delete the wording of "*by the local government*" as per Attachment 1.
3. Section 11 (1) (c) delete the wording "*maintain or repair a vehicle crossing which provides vehicular access between the land and the road to a standard specified by the local government*" and add the wording "*If a vehicle crossing provides vehicular access between the land and the road - maintain, repair or alter the vehicle crossing, or construct a new or modified vehicle crossing, to a standard specified*" as per Attachment 1.
4. Section 11 (1) (d) delete the wording "*by the local government*" as per Attachment 1.
5. Section 11 (2), (1) delete and replace with "*(1) (a) or (b)*", as per Attachment 1.

Recommendation of the Infrastructure Committee, 20 September 2016**9.2.2 BUSINESS OUTSTANDING TABLE**

File No: 10097
Attachments: 1. Business Outstanding Table
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 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, 20 September 2016**9.2.3 ENGINEERING SERVICES MONTHLY OPERATIONS REPORT - SEPTEMBER 2016**

File No: 7028
Attachments: 1. Monthly Operations Report
Authorising Officer: Martin Crow - Acting General Manager Regional Services
Author: Martin Crow - Acting General Manager Regional Services

SUMMARY

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

COMMITTEE RECOMMENDATION

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

Recommendation of the Infrastructure Committee, 20 September 2016**9.2.4 CIVIL OPERATIONS MONTHLY OPERATIONS REPORT - AUGUST 2016**

File No: 7028

Attachments:

1. Monthly Operations Report - Civil Operations 31 August 2016
2. Works Program August - September 2016

Authorising Officer: Martin Crow - Acting General Manager Regional Services

Author: David Bremert - Manager Civil Operations

SUMMARY

This report outlines Civil Operations Monthly Operations Report 31 August 2016 (attachment 1), and also Works Program of planned projects for the months August – September 2016.

COMMITTEE RECOMMENDATION

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

Recommendation of the Infrastructure Committee, 20 September 2016**9.2.5 BEVIS STREET - RECONSTRUCTION OF THE ROAD INCLUDING KERBING**

File No: 216609

Attachments:

1. Attachment 1 - Location of Bevis Street
2. Attachment 2 - Bevis Street Current Condition

Authorising Officer: Martin Crow - Acting General Manager Regional Services

Author: David Bremert - Manager Civil Operations

SUMMARY

Bevis Street is an urban street that runs from Cavell Road to Wandal Road. The road is sealed and has existing kerbing and stormwater system.

The road is in poor condition and requires rectification works. This project was included in the 2015/16 Budget but was not completed and for various reasons the project has not been funded in the 2016/17 Capital Budget.

COMMITTEE RECOMMENDATION

1. THAT Council approves the reconstruction of Bevis Street with a spray seal only for \$100,000 budget.
2. THAT Council transfers the funds from 1064932 (N) UCC-FP-Carlton Street – Orr Avenue to McLaughlin Street - \$102,000 to fund the Bevis Street reconstruction.
3. THAT the Carlton Street – Orr Avenue to McLaughlin Street footpath for \$102,000 be placed in the 2017/18 Capital program.

Recommendation of the Infrastructure Committee, 20 September 2016**9.2.6 RE-NAMING SECTION OF PANDORA ROAD, ALTON DOWNS****File No:** 8054**Attachments:**

1. Road naming submissions (included in Confidential)
2. Assessment criteria and results (included in Confidential)
3. Map location of road to be re-named
4. Survey plan

Authorising Officer: Peter Kofod - General Manager Regional Services
Martin Crow - Manager Engineering Services
Angus Russell - Coordinator Strategic Infrastructure**Author:** Stuart Singer - Technical Officer

SUMMARY

This report provides a recommendation for the re-naming of the discontinuous 450m southern section of Pandora Road, Alton Downs and seeks Council's adoption of this name.

COMMITTEE RECOMMENDATION

THAT the existing discontinuous 450m southern section of Pandora Road, Alton Downs be re-named 'Harrett Road'.

9.3 AIRPORT, WATER AND WASTE COMMITTEE MEETING - 20 SEPTEMBER 2016**COUNCIL RESOLUTION**

THAT the Minutes of the Airport, Water and Waste Committee meeting, held on 20 September 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Fisher
Seconded by: Councillor Williams

MOTION CARRIED

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

Recommendation of the Airport, Water and Waste Committee, 20 September 2016**9.3.1 FRW MONTHLY OPERATIONS REPORT - AUGUST 2016**

File No: 1466
Attachments: 1. FRW Monthly Operations Report - August 2016
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Jason Plumb - Manager Fitzroy River Water

SUMMARY

This report details Fitzroy River Water's financial position and other operational matters for the Council's information as at 31 August 2016.

COMMITTEE RECOMMENDATION

THAT the FRW Monthly Operations Report for August 2016 be received.

Recommendation of the Airport, Water and Waste Committee, 20 September 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 - Acting Chief Executive Officer

Author: Scott Waters - Acting Executive Manager Regional Development

SUMMARY

The monthly operations and annual performance plan report for the Rockhampton Airport as at 31 August 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 31 August 2016 be "received".

Recommendation of the Airport, Water and Waste Committee, 20 September 2016**9.3.3 ROCKHAMPTON REGIONAL WASTE AND RECYCLING OPERATIONAL REPORT FOR PERIOD 1 TO 31 AUGUST 2016**

File No: 7927
Attachments: 1. RRWR Operational Report August 2016
Authorising Officer: Martin Crow - Acting General Manager Regional Services
Author: Craig Dunglison - Manager RRWR

SUMMARY

The purpose of this report is to provide Council with an operational overview of Rockhampton Regional Waste and Recycling (RRWR) for the month of August 2016.

COMMITTEE RECOMMENDATION

THAT the RRWR Operations report for August 2016 be received.

9.4 PARKS, RECREATION AND SPORT COMMITTEE MEETING - 21 SEPTEMBER 2016**COUNCIL RESOLUTION**

THAT the Minutes of the Parks, Recreation and Sport Committee meeting, held on 21 September 2016 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Rutherford

Seconded by: Councillor Fisher

MOTION CARRIED

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

Recommendation of the Parks, Recreation and Sport Committee, 21 September 2016**9.4.1 PARKS AND OPEN SPACE OPERATIONS REPORT - AUGUST 2016**

File No: 1464
Attachments: 1. Parks and Open Space Operations Report - August 2016
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Margaret Barrett - Manager Parks

SUMMARY

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

COMMITTEE RECOMMENDATION

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

Recommendation of the Parks, Recreation and Sport Committee, 21 September 2016**9.4.2 MOUNT ARCHER ACTIVATION MASTER PLAN TASKFORCE UPDATE NO.1**

File No: 5918

Attachments: 1. Taskforce Meeting No.1 Mount Archer
Activation Master Plan 4 August Meeting

Authorising Officer: Margaret Barrett - Manager Parks
Michael Rowe - General Manager Community Services

Author: Wade Clark - Community Engagement Officer

SUMMARY

The Mount Archer Activation Master Plan Taskforce group has met for the first time and an update is provided to Council on various projects that are being progressed by this group.

COMMITTEE RECOMMENDATION

THAT the report on the Mount Archer Activation Master Plan Taskforce be received.

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 LOCAL DISASTER MANAGEMENT PLAN

File No: 3086
Attachments: 1. Rockhampton Region Local Disaster Management Plan 2016
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Peter Kofod - General Manager Regional Services

SUMMARY

A local government may review, or renew, its local disaster management plan when the local government considers it appropriate. The Rockhampton Region Local Disaster Management Plan has recently been reviewed and is submitted for endorsement by the Council.

COUNCIL RESOLUTION

THAT the Rockhampton Region Local Disaster Management Plan 2016 be endorsed.

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED UNANIMOUSLY

11.2 GREEN PAPER SUBMISSION TO THE DEPARTMENT OF AGRICULTURE AND FISHERIES (FISHERIES REFORM)

File No: 8026

Attachments:

1. Green Paper on Fisheries Management Reform in Queensland
2. Draft Council Response to Green Paper

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Wade Clark - Community Engagement Officer

SUMMARY

The State Government is undertaking a fisheries management reform process. A submission has been prepared that is in line with the Council adopted Rockhampton Recreational Fishing Development Strategy.

COUNCIL RESOLUTION

THAT the Council approves the attached submission on fisheries reforms proposals and that this be sent to the State Government through its Green Paper process.

Moved by: Councillor Williams
Seconded by: Councillor Wickerson

MOTION CARRIED

11.3 CBD FACADE IMPROVEMENT SCHEME**File No:** 11359**Attachments:**

1. Facade Improvement Scheme Information Package
2. Facade Improvement Scheme Consultation Strategy
3. Facade Improvement Scheme Fact Sheet
4. Facade Improvement Scheme Trial Area Map
5. Facade Improvement Scheme Application Form
6. Facade Improvement Scheme Letter

Authorising Officer: Peter Kofod - General Manager Regional Services**Author:** Robert Truscott - Coordinator Strategic Planning

SUMMARY

Facade improvement schemes are used by Councils to encourage property and business owners to invest in revitalising their storefront facades. An allocation of \$40,000 has been approved in the 2016/2017 budget towards trialling the scheme. Grants will be either \$3,000 or \$5,000 dependent on the size of the shop frontage. Council's contribution is to be matched by the applicant. There has been a strong level of business interest in participating. It is proposed that the Rockhampton Regional Council CBD Façade Improvement Scheme commence on 27 September 2016.

COUNCIL RESOLUTION

THAT Council undertakes a trial 12 months CBD Façade Improvement Scheme for the trial area proposed to commence on 27 September 2016 and with the addition that the scheme use local tradespeople to undertake the works, where practicable.

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

11.4 FEES ASSOCIATED WITH REGISTRATION OF LEASES, LICENCE AND PERMITS FOR PARKS

File No: 374
Attachments: Nil
Authorising Officer: Margaret Barrett - Manager Parks
Michael Rowe - General Manager Community Services
Author: Sophia Czarkowski - Sports and Education Supervisor

SUMMARY

Organisations hold tenure over park land and a number of these agreements require registration with the Department of Natural Resources and Mines for which there are associated fees. This report identifies the fees and which entity is responsible for payment.

COUNCIL RESOLUTION

THAT Council accede to the fee reimbursement structure identified in the report.

Moved by: Councillor Rutherford

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

11.5 COMMUNITY ASSISTANCE PROGRAM

File No: 7822
Attachments: Nil
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Naomi Brownless - Acting Manager Communities and Facilities

SUMMARY

An application from the Citizens Radio Emergency Service Teams Queensland has been received for funding from the Community Assistance Program to assist with the installation and commissioning of citizens band channel 5 emergency repeater at Mount Archer.

9:54AM Councillor Williams left the meeting
9:56AM Councillor Williams returned to the meeting

COUNCIL RESOLUTION

THAT Council grants the funding requested and approves the allocation of \$2,627.50 from the Community Assistance Program to the Citizens Radio Emergency Service Teams Queensland.

Moved by: Councillor Fisher
Seconded by: Councillor Smith

MOTION CARRIED

11.6 RISK REGISTERS - QUARTERLY UPDATE AS AT 26 AUGUST 2016**File No:** 8780

- Attachments:**
1. Potential and Current Risk Exposure Profile as at 26 August 2016
 2. Comparison of Current and Potential Exposure Risk Ratings Broken Down by Level of Consequence as at 26 August 2016
 3. Assorted New and Amended Risks as at 26 August 2016
 4. Corporate Risk Register - Quarterly Update as at 26 August 2016
 5. Office of the CEO Risk Register - Quarterly Update as at 26 August 2016
 6. Community Services Risk Register - Quarterly Update as at 26 August 2016
 7. Corporate Services Risk Register - Update as at 26 August 2016
 8. Regional Services Risk Register - Quarterly Update as at 26 August 2016

Authorising Officer: Drew Stevenson - Manager Corporate and Technology Services
Ross Cheesman - Deputy CEO/General Manager Corporate Services**Author:** Kisane Ramm - Risk Management Officer

SUMMARY

Presenting the quarterly risk register updates as at 26 August 2016.

COUNCIL RESOLUTION

THAT the quarterly risk register updates as at 26 August 2016, as presented in the attachments to this report, be adopted.

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

11.7 ANNUAL REVIEW OF DELEGATION OF POWERS TO THE CHIEF EXECUTIVE OFFICER

File No: 4107

Attachments: 1. Legislative Delegations
2. Financial Delegations

Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - Acting Chief Executive Officer

Author: Travis Pegrem - Coordinator Industrial Relations and Investigations

SUMMARY

In accordance with s257(4) of the Local Government Act 2009 the legislative delegations to the Chief Executive Officer are presented for Council's annual review.

COUNCIL RESOLUTION

THAT:

1. In accordance with s257(4) of the *Local Government Act 2009*, the report containing the annual review of the legislative delegations to the CEO, including local law delegations, as well as the financial delegations be 'received'; and
2. The powers previously delegated to the CEO for Local Law No. 6 (Bathing Reserves) 2011 be revoked for the reasons stated within the report.

Moved by: Councillor Fisher
Seconded by: Councillor Wickerson
MOTION CARRIED

11.8 ANNUAL FINANCIAL STATEMENTS 30 JUNE 2016

File No: 9509
Attachments: Nil
Authorising Officer: Ross Cheesman - Deputy CEO/General Manager
Corporate Services
Author: Alicia Cutler - Manager Finance

SUMMARY

Manager Finance presenting the report on Annual Financial Statements (which were included as part of the Audit and Business Improvement Committee and adopted by Council on 13 September 2016). The report is included with additional information regarding budget.

COUNCIL RESOLUTION

THAT the Financial Statements 2015/16 report be received.

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

**11.9 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED
31 AUGUST 2016**

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

SUMMARY

The Manager Finance presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 August 2016.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the Period ended 31 August 2016 be 'received'.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

**11.10 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT
AUGUST 2016****File No:** 1392**Attachments:**

1. Finance Monthly Operations Report - August 2016
2. Workforce & Strategy Monthly Operations Report - August 2016
3. CTS Monthly Operations Report - August 2016

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

SUMMARY

The monthly operations report for the Corporate Services department as at 31 August 2016 is presented for Councillor's information.

10:25AM Chief Executive Officer left the meeting

10:27AM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

THAT the Corporate Services Departmental Operations Report as at 31 August 2016 be "received".

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

11.11 REGIONAL DEVELOPMENT - MONTHLY REPORT AUGUST 2016

File No: 1860
Attachments: 1. Regional Development Monthly Report - August 2016 (in Closed Session)
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Scott Waters - Acting Executive Manager Regional Development

SUMMARY

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

10:33AM Councillor Williams left the meeting
10:36AM Councillor Williams returned to the meeting

COUNCIL RESOLUTION

THAT the Regional Development Monthly report for the month of August 2016 be received.

Moved by: Councillor Fisher
Seconded by: Councillor Wickerson
MOTION CARRIED

11.12 2016-2017 LOCAL GOVERNMENT GRANTS & SUBSIDIES PROGRAM

File No:	1018, 4199
Attachments:	Nil
Authorising Officer:	Michael Rowe - General Manager Community Services
Author:	Margaret Barrett - Manager Parks
Previous Items:	5.1 - 2016-2017 Grants and Subsidies Program - Ordinary Council - 21 Sep 2016 10.00 am (Special) 9.5.9 - Request for tenure at Olive Street Sporting Precinct for Rockhampton Hockey Association - Parks, Recreation and Sport Committee - 17 Aug 2016 12.30 pm 16.1 - Update on Rockhampton Hockey Association's Application for a second synthetic hockey surface - Ordinary Council - 26 Apr 2016 9:00am 16.3 - Rockhampton Hockey Association Proposal for a second artificial surface - Ordinary Council - 12 Apr 2016 9:00am 9.2.3 - Rockhampton Hockey Association and Rockhampton Netball Association - Grant Applications under the next round of Get Playing Plus Funding - Ordinary Council - 08 Sep 2015 9:00am

SUMMARY

Council has resolved to submit an Expression of Interest under the 2016-2017 Local Government Grants & Subsidies Program for an additional artificial hockey surface at Olive Street, Parkhurst; an allocation in the current budget is required in order to support this application.

COUNCIL RESOLUTION

THAT Council approve an allocation of \$1,066,280 being 40% of the estimated eligible cost for the additional hockey surface and associated carpark, access and services and utility connections.

Moved by: Councillor Rutherford

Seconded by: Councillor Wickerson

MOTION CARRIED

DIVISION:

Councillors C Rutherford, E Smith and D Wickerson voted in the affirmative.
Councillors N Fisher and T Williams voted in the negative.

COUNCIL RESOLUTION**11.16AM**

Acting Mayor, Councillor Rutherford declared a recess until 11:30am.

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

11.32AM The meeting resumed

Members Present:

Acting Mayor, Councillor C R Rutherford
Councillor N K Fisher
Councillor A P Williams
Councillor C E Smith
Councillor M D Wickerson

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy CEO/ General Manager Corporate Services
Mr P Kofod – General Manager Regional Services
Ms M Barrett – Manager Parks
Mr S Gatt – Manager Planning and Regulatory Services
Mr D Morrison – Executive Coordinator to the Mayor
Mr T Pegrem – Coordinator Industrial Relations and Investigations
Ms J O'Neill – Marketing and Media Officer
Ms L Leeder - Senior Governance Support Officer
Ms S Friske – Governance Support Officer

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

14.1 SAFE NIGHT PRECINCT

File No: 4894

Attachments: Nil

Author: Evan Pardon – Chief Executive Officer

SUMMARY

The Chief Executive Officer provided a verbal update regarding the 'Safe Night Precinct' and the Tackling Alcohol-Fuelled Violence Legislating Amendment Act 2016 laws.

COUNCIL RESOLUTION

THAT the verbal report from the Chief Executive Officer be received and that further information be provided to Councillors so that a response to the letter from the Commissioner for Liquor and Gaming can be prepared.

Moved by: Councillor Wickerson

Seconded by: Councillor Fisher

MOTION CARRIED

14.2 OLIVE STREET PROPERTY DEVELOPMENT**File No:** 8052, 4199**Responsible Officer:** Evan Pardon – Chief Executive Officer

SUMMARY

Councillor Neil Fisher raised matters in regard to the Olive Street Property Development to be discussed in closed session.

COUNCIL RESOLUTION

THAT matters relating to the Olive Street Property Development be discussed in closed session.

Moved by: Councillor Fisher**Seconded by:** Councillor Williams**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 31 August 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.

16.2 Olive Street Property Development

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: Councillor Smith

Seconded by: Councillor Fisher

MOTION CARRIED

COUNCIL RESOLUTION

11.45AM

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

Moved by: Councillor Fisher

Seconded by: Councillor Smith

MOTION CARRIED

COUNCIL RESOLUTION

12.12PM

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

Moved by: Councillor Fisher

Seconded by: Councillor Smith

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 LEGAL MATTERS AS AT 31 AUGUST 2016

File No: 1392
Attachments: 1. Legal Matters as at 31 August 2016
Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy
Ross Cheesman - Acting Chief Executive Officer
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.

SUMMARY

Coordinator Industrial Relations and Investigations presenting an update of current legal matters that Council is involved in as at 31 August 2016.

COUNCIL RESOLUTION

THAT the legal matters report containing updates on legal matters for Rockhampton Regional Council as at 31 August 2016 be received.

Moved by: Councillor Fisher
Seconded by: Councillor Smith

MOTION CARRIED

16.2 OLIVE STREET PROPERTY DEVELOPMENT**File No:** 8052, 4199**Attachments:** Nil**Author:** Evan Pardon – Chief Executive Officer

SUMMARY

Chief Executive Officer provided a brief overview on the Olive Street Property Development timeline thus far.

COUNCIL RESOLUTION

THAT the Chief Executive Officer's verbal report regarding the Olive Street Property Development be received.

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

17 CLOSURE OF MEETING

There being no further business the meeting closed at 12:13pm.

SIGNATURE

CHAIRPERSON

DATE