



ORDINARY MEETING

MINUTES

21 NOVEMBER 2017

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 21 NOVEMBER 2017 COMMENCING AT 9.01AM**

1 OPENING**2 PRESENT**

Members Present:

Acting Mayor, Councillor A P Williams (Chairperson)
Councillor R A Swadling
Councillor C E Smith
Councillor M D Wickerson
Councillor S J Schwarten

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr S Waters – General Manager Aviation
Ms C Worthy – General Manager Community Services
Ms A Cutler – Chief Financial Officer
Ms T Sweeney – Manager Workforce and Strategy
Mr S Gatt – Manager Planning and Regulatory Services
Mr D Stevenson – Manager Corporate and Technology
Ms C Haughton – Manager Communities and Facilities
Mr M Crow – Manager Engineering Services
Mr C Wyatt – Manager Strategic Planning
Mr S Harvey – Coordinator Strategic Infrastructure
Ms T Fitzgibbon – Coordinator Development Assessment
Mr J McCaul – Coordinator Development Engineering
Ms A Brennan – Coordinator Corporate Improvement and Strategy
Ms N Ellawala – Coordinator Local Laws
Ms A Bartlett – Coordinator Marketing and Events
Mr L Sunderland – Senior Executive Economic and Business
Mr R Palmer – Senior Executive Industry Engagement
Ms S Czarkowski – Senior Sports and Education Advisor
Ms P Fry – Regional Development Advisor
Mr T Gardiner – Senior Planning Officer
Mr B Koelmeyer – Planning Officer
Mr J Trevett-Lyall – Planning Officer
Mr M Mansfield – Supervisor Media and Engagement
Ms E Brodel – Media Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Cherie Rutherford.

The Mayor, Councillor Margaret Strelow granted leave of absence until declaration of the State Government election poll.

COUNCIL RESOLUTION

THAT leave of absence for The Mayor, Councillor Strelow and Deputy Mayor, Councillor Rutherford be received.

Moved by: Councillor Schwarten

Seconded by: Councillor Wickerson

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting held on 7 November 2017 be taken as read and adopted as a correct record.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:03AM

In accordance with s173(2) of the *Local Government Act 2009*, Acting Mayor Councillor Tony Williams declared a perceived conflict of interest in respect of Item 9.2.3 – Request from Diggers Memorial Bowls Club for an Extension to Lease Term and Boundary Adjustment as he is Patron of Capricornia District Country Music Association and will leave the meeting when the matter is discussed.

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

7.1 QUEENSLAND BAG BAN CAMPAIGN

File No: 8029
Attachments: 1. Queensland Bag Ban Fact Sheet
Authorising Officer: Damon Morrison - Executive Coordinator to the Mayor
Ross Cheesman - Acting Chief Executive Officer
Author: Vikki Lawrie - Executive Assistant to the Mayor

SUMMARY

Ms Ebony Johnson, Project Coordinator at the National Retail Association has requested a meeting with Council to discuss the implementation of the Waste Reduction & Recycling Amendment Bill 2017 which will forbid retailers from providing or selling lightweight plastic bags (known as single-use singlet bags) from 01 July 2018.

9:04AM The deputation from Ms Ebony Johnson commenced.

9:14AM The deputation concluded.

COUNCIL RESOLUTION

THAT the deputation from the National Retail Association regarding the Queensland Government ban on retailers from providing or selling lightweight plastic bags be received.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 PLANNING AND REGULATORY COMMITTEE MEETING - 14 NOVEMBER 2017

COUNCIL RESOLUTION

THAT the Minutes of the Planning and Regulatory Committee meeting, held on 14 November 2017 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.1.10 – D/19-2017 Development Application for Reconfiguring a Lot (two lots into five lots) and Access Easement to be presented at the next Council meeting.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

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

Recommendation of the Planning and Regulatory Committee, 14 November 2017**9.1.1 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - SEPTEMBER 2017**

File No: 1464

Attachments:

1. Monthly Operations Report for Planning and Regulatory Services - September 2017
2. Traffic Light Report - September 2017

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: Steven Gatt - Manager Planning and Regulatory Services

SUMMARY

The Monthly Operations Report for the Planning and Regulatory Services Section for September 2017 is presented for Councillor's information.

COMMITTEE RECOMMENDATION

THAT the Planning and Regulatory Services Monthly Operations Report for September 2017 be 'received'.

Recommendation of the Planning and Regulatory Committee, 14 November 2017**9.1.2 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - OCTOBER 2017**

File No: 1464

Attachments:

1. **Monthly Operations Report for Planning and Regulatory Services - October 2017**
2. **Traffic Light Report - October 2017**

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: Steven Gatt - Manager Planning and Regulatory Services

SUMMARY

The Monthly Operations Report for the Planning and Regulatory Services Section for October 2017 is presented for Councillor's information.

COMMITTEE RECOMMENDATION

1. THAT the Planning and Regulatory Services Monthly Operations Report for October 2017 be 'received'; and
2. THAT Council extends its congratulations to Mr Thomas Gardiner upon being awarded the Planning Institute of Australia "Queensland Young Planner of the Year".

Recommendation of the Planning and Regulatory Committee, 14 November 2017**9.1.3 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, 14 November 2017**9.1.4 RECONFIGURATION OF A LOT INCENTIVES POLICY**

File No: 7028

Attachments: 1. DRAFT - Reconfiguration of a Lot Incentives Policy (V2)

Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

Council is desirous of introducing an incentive for reconfiguration of a lot approvals, by allowing the developer to pay infrastructure charges on a per lot basis either when the lot is transferred or within two (2) years of the approval (whichever is the earlier). These infrastructure charges are listed as a rate against the property until they are paid, with no penalty interest being payable when paid within the two (2) year timeframe.

COMMITTEE RECOMMENDATION

THAT Council adopt the Reconfiguration of a Lot Incentives Policy.

Recommendation of the Planning and Regulatory Committee, 14 November 2017**9.1.5 DEVELOPMENT INCENTIVES**

File No: D/312-2012

Attachments:

1. Streetscape Elevation
2. Final Report Rockhampton Accommodation
3. Development Incentives Application Form

Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

Mercy Health and Aged Care has constructed a unit complex to enable visiting Doctors and patients to stay at a location beside the Mater Hospital.

COMMITTEE RECOMMENDATION

THAT Council adopts Option 2 as detailed in the report.

Recommendation of the Planning and Regulatory Committee, 14 November 2017**9.1.6 PARKING OCCUPANCY AND TURNOVER - PILBEAM THEATRE**

File No: 8041
Attachments: Nil
Authorising Officer: Steven Gatt - Acting General Manager Community Services
Author: Nishu Ellawala - Coordinator Local Laws

SUMMARY

This report provides an analysis of the parking occupancy and the current revenue and expenses of the parking infrastructure at the Pilbeam Theatre Car Park and the impact of the introduction of 2 hour free parking.

COMMITTEE RECOMMENDATION

THAT the Committee adopts Option 3 as detailed in the report.

Recommendation of the Planning and Regulatory Committee, 14 November 2017
9.1.7 D/93-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES AND OFFICE AND OPERATIONAL WORKS FOR AN ADVERTISING DEVICE

File No: D/93-2017

Attachments:

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevation Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/93-2017

Applicant: RD Virtue

Real Property Address: Lot 1 on RP603291, Parish of Rockhampton

Common Property Address: 224 Canning Street, Allenstown QLD 4700

Area of Site: 809 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Nil Applicable

Existing Development: Dwelling House

Existing Approvals: Various Building Permits related to the Dwelling House

Approval Sought: Development Permit for a Material Change of Use for Health Care Services and/or Office; and Operational Works for Advertising Devices

Level of Assessment: Impact

Submissions: One (1)

Referral Agency(s): Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	31 July 2017
<i>Confirmation Notice issued:</i>	16 August 2017
<i>Request for Further Information sent:</i>	Not Applicable
<i>Request for Further Information responded to:</i>	Not Applicable
<i>Submission period commenced:</i>	15 September 2017
<i>Submission period end:</i>	6 October 2017
<i>Council request for additional time:</i>	Not Applicable

<i>Government Agency request for additional time:</i>	<i>Not Applicable</i>
<i>Government Agency Response:</i>	<i>Not Applicable</i>
<i>Last receipt of information from applicant:</i>	<i>16 October 2017</i>
<i>Statutory due determination date:</i>	<i>5 December 2017</i>

COMMITTEE RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services and/or an Office and Operational Works for Advertising Devices, made by RD Virtue, located on Lot 1 on RP603291, Parish of Rockhampton, located at 224 Canning Street, Allenstown - Council resolves to Approve the application subject to the following conditions:

Part A – Material Change of Use for Health Care Services and/or an Office

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, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council’s satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Access and Parking Works;
 - 1.5.2 Plumbing and Drainage Works; and
 - 1.5.3 Building Works.
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

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>
Site Plan	217-1224, Sheet No.1, Rev. 1	27 July 2017
Lower Floor Plan	217-1224, Sheet No.2, Rev. 1	27 July 2017
Elevations	217-1224, Sheet No.3, Rev. 1	27 July 2017
Elevations	217-1224, Sheet No.4, Rev. 1	27 July 2017

- 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.

- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works/Building 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 works on the development site.

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

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

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

- 3.6 A minimum of four (4) parking spaces must be provided on-site.

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

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

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

- 4.2 Internal Plumbing and Sanitary Drainage of existing buildings must be contained within the lot it serves.

- 4.3 Alteration or relocation of internal sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2002*.
- 5.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 5.1 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.
- 6.0 SITE WORKS
- 6.1 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 7.0 BUILDING WORKS
- 7.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction.
- 7.2 A minimum 1.8 metre high solid screen fence must be erected along the side and rear boundaries of the development site and any adjoining residential properties. The fence must be constructed of materials and finishes that are aesthetically pleasing and commensurate with the surrounding residential area.
- 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 undertaken and completed at no cost to Council.
- 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 ENVIRONMENTAL
- 9.1 An Erosion Control and Stormwater Control Management Plan prepared in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.
- 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 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

10.5 Air-conditioning units must be located so as not to cause a noise nuisance and maintained in proper working order at all times.

11.0 OPERATING PROCEDURES

11.1 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 Canning Street or William Street.

11.2 All waste storage areas must be:

11.2.1 kept in a clean and tidy condition; and

11.2.2 maintained in accordance with *Environmental Protection Regulation 2008*.

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 Partnerships website www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with *Standard Capricorn Municipal Development Guidelines, Standard Drawings*) may be accepted in place of the application for a Development Permit for Operational Works (access works).

NOTE 5. Infrastructure Charges Notice

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

Part B – Operational Works for Advertising Devices

12.0 ADMINISTRATION

12.1 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>
Site Plan	217-1224, Sheet No.1, Rev. 1	27 July 2017

- 12.2 A set of the above approved plans are returned to you as the Consultant. The Consultant is to supply one (1) Approved set to the contractor to be retained on site at all times during construction.
- 12.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 12.4 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council.
- 12.5 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.
- 12.6 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.
- 12.7 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 12.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 12.9 Any proposed changes to the approved stamped plans during the works will be generally considered minor amendments and require Council's approval. The stamped amended plans and a covering letter will be forwarded to the applicant.
- 13.0 OPERATING PROCEDURE
- 13.1 All signage must only display or advertise a matter associated with the primary purpose for which the premises are used, or the purpose stated in this approval.
- 14.0 ASSET MANAGEMENT
- 15.0 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately and completed at no cost to Council.
- 16.0 CONSTRUCTION AND MAINTENANCE
- 16.1 All signage must be installed flush with the fence and must not extend above the height of the fence at the location (refer to Condition 11) where the sign is affixed.
- 16.2 All signage must be maintained at all times on the premises by the owner to the same standard as it was when it was installed to ensure public safety and not adversely impact the visual amenity.
- 16.3 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the Environmental Protection Act 1994 and Environmental Protection Regulations 2008 must be observed at all times.

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 Partnerships website www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty - *Environmental Protection Act 1994, sec.319*

A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm (the *general environmental duty*).

In deciding the measures required to be taken, regard must be had to, for example—

- (a) the nature of the harm or potential harm; and
- (b) the sensitivity of the receiving environment; and
- (c) the current state of technical knowledge for the activity; and
- (d) the likelihood of successful application of the different measures that might be taken; and
- (e) the financial implications of the different measures as they would relate to the type of activity.

NOTE 3. General Safety Of Public During Construction

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

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services and/or an Office and Operational Works for Advertising Devices, made by RD Virtue, located on Lot 1 on RP603291, Parish of Rockhampton, located at 224 Canning Street, Allenstown. Council resolves to issue an Infrastructure Charges Notice for the amount of \$11,990.00.

Recommendation of the Planning and Regulatory Committee, 14 November 2017
9.1.8 D/77-2017 - DEVELOPMENT APPLICATION FOR A FOOD AND DRINK OUTLET

File No: D/77-2017

Attachments: 1. Locality Plan
2. Floor Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Jonathon Trevett-Lyall - Planning Officer

SUMMARY

Development Application Number: D/77-2017

Applicant: The Olive Catering Group

Real Property Address: Lot 0 on GTP60042 and Lot 5 on GTP60042, Parish of Rockhampton

Common Property Address: 116 William Street and 124 William Street, Rockhampton City

Area of Site: 180 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Not applicable

Existing Development: Shop

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a Food and Drink Outlet

Level of Assessment: Impact Assessable

Submissions: Seven (7) submissions

Referral Agency(s): Nil

Infrastructure Charges Area: Charge Area 2

Application Progress:

<i>Application Lodged:</i>	30 June 2017
<i>Acknowledgment Notice issued:</i>	12 July 2017
<i>Submission period commenced:</i>	18 September 2017
<i>Submission period end:</i>	9 October 2017
<i>Council request for additional time:</i>	24 October 2017
<i>Last receipt of information from applicant:</i>	16 October 2017
<i>Statutory due determination date:</i>	11 December 2017

COMMITTEE RECOMMENDATION

THAT in relation to the application for a Development Permit for a Material Change of Use for a Food and Drink Outlet, made by The Olive Catering Group, on land located at 116 William Street and 124 William Street, Rockhampton City, formally described as Lot 0 on GTP60042 and Lot 5 on GTP60042, Parish of Rockhampton, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions 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 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved 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>
Location Plan	SK-001 Rev 1	22 June 2017
Existing Floor Plan of Previous Use and Proposed Alterations	SK-002 Rev 1	22 June 2017

- 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 ASSET MANAGEMENT

- 3.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 3.2 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.

4.0 OPERATING PROCEDURES

- 4.1 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 William Street or Kent Street.

- 4.2 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"*.
- 4.3 The loading and/or unloading of delivery and waste collection vehicles is limited between the hours of 0700 and 1800 Monday to Saturday and between the hours of 0800 and 1500 on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
- 4.4 Noise emitted from the activity must not cause an environmental nuisance.
- 4.5 Operations on the development site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 4.6 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.
- 4.7 All waste storage areas must be:
- 4.7.1 kept in a clean and tidy condition; and
 - 4.7.2 maintained in accordance with *Environmental Protection Regulation 2008*.

ADVISORY NOTES

NOTE 1. 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 2. Licensable Activities

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

Recommendation of the Planning and Regulatory Committee, 14 November 2017**9.1.9 D/32-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR INDOOR SPORT AND RECREATION (PERSONAL TRAINING GYM)**

File No: D/32-2017

Attachments:

1. Locality Plan
2. Site Plan, Revised Parking Layout 170889-03

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/32-2017

Applicant: XO Fitness Centre Pty Ltd

Real Property Address: Lot 2 on RP619304, Parish of Rockhampton

Common Property Address: 121 Kent Street, Rockhampton City

Area of Site: 1,012 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Nil Applicable

Existing Development: Existing Workshop

Existing Approvals: Various Building Permits

Approval Sought: Development Permit for a Material Change of Use for Indoor Sport and Recreation (Personal Training Gym)

Level of Assessment: Impact Assessable

Submissions: One (1)

Referral Agency(s): Department of Infrastructure, Local Government and Planning

Infrastructure Charges Area: Charge Area 2

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a request for a Negotiated Decision Notice to Development Permit D/32-2017 for a Material Change of Use for Indoor Sport and Recreation (personal training gym), made by XO Fitness Centre Pty Ltd, on Lot 2 on RP619304, Parish of Rockhampton, located at 121 Kent Street, Rockhampton City, Council resolves that:

- 1. Conditions 1.5, 1.6, 3.1, 3.7 be deleted.**
- 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;
- 1.6 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 3.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.
- 3.7 Parking spaces must be line-marked in accordance with the Australian Standard AS2890 "Parking facilities" and the provisions of a Development Permit for Operational Works (access and parking works).

2. Conditions 3.2, 3.3 and 4.1 be amended by replacing:

- 3.2 All access and parking works must be designed and constructed in accordance with the *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 car parking and access areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, and Council's Plumbing and Drainage Policies.

With

- 3.2 All access and parking works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines*, and *Australian Standard AS2890 "Parking facilities"* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 3.3 All car parking and access areas must be paved or sealed to Council's satisfaction.
- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, and Council's Plumbing and Drainage Policies.

3. Item 8 be amended by replacing:

FURTHER DEVELOPMENT PERMITS REQUIRED

Type of development permit required	Subject of the required development permit
Operational Works	<i>Access and Parking Works</i>
Plumbing and Drainage Works	

With

FURTHER DEVELOPMENT PERMITS REQUIRED

NIL

RECOMMENDATION B

THAT in relation to the above changes, Council resolves to issue a Negotiated Decision Notice:

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, works, or requirements of this development approval must be undertaken and completed:
- 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 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.6 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 **APPROVED PLANS AND DOCUMENTS**

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan Showing Revised Parking Layout Proposed over part of Lot 2 on RP619304	170889-03	23 June 2017
Proposed Gymnasium – Floor Plan	170216-02	26 February 2017

- 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.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the prompt commencement of the use.
- 3.0 **ACCESS AND PARKING WORKS**
- 3.1 All access and parking works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Parking facilities"* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

- 3.2 All car parking and access areas must be paved or sealed to Council's satisfaction.
- 3.3 All vehicles must ingress and egress the development in a forward gear.
- 3.4 All vehicular access must be via Kent Street, with all egress via Denison Lane only.
- 3.5 A minimum of six (6) car parking spaces must be provided on-site.
- 3.6 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
- 4.0 PLUMBING AND DRAINAGE WORKS
- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002*, and Council's Plumbing and Drainage Policies.
- 4.2 Alteration or relocation of internal sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2002*.
- 4.3 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 2002* and Council's Plumbing and Drainage Policies.
- 5.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 5.1 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.
- 6.0 ASSET MANAGEMENT
- 6.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 6.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.
- 7.0 ENVIRONMENTAL HEALTH
- 7.1 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"*.
- 7.2 Noise emitted from the activity must not cause an environmental nuisance.
- 7.3 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.
- 7.4 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, dust or light. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.
- 7.5 The hours of operations for the Indoor Sport and Recreation (personal training gym) on the development site must be limited to:

0515 hours to 1900 hours on Monday to Friday, and
0630 hours to 1900 hours on Saturday,
with no operations on Sundays or Public Holidays.

7.6 Roller doors are to be kept closed outside the hours of 7:00AM and 10:00PM.

8.0 OPERATING PROCEDURES

8.1 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 Kent Street or Denison Lane.

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

8.3 Group class sizes are restricted to ten (10) members per class.

ADVISORY NOTES

NOTE 1. 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 2. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the premises, Council's Environment and Public Health Unit should be consulted to determine whether any approvals are required. Such activities may include preparation and sale of food to the public. Approval for such activities is required before 'fitout' and operation.

NOTE 3. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with *Standard Capricorn Municipal Development Guidelines, Standard Drawings*) may be accepted in place of the application for a Development Permit for Operational Works (access works).

NOTE 4. 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 request for a Negotiated Decision Notice to Development Permit D/32-2017 for a Material Change of Use for Indoor Sport and Recreation (personal training gym), made by XO Fitness Centre Pty Ltd, on Lot 2 on RP619304, Parish of Rockhampton, located at 121 Kent Street, Rockhampton City, Council resolves to issue a Negotiated Infrastructure Charges Notice for the amount of \$1,047.99.

Recommendation of the Planning and Regulatory Committee, 14 November 2017**9.1.10 D/19-2017 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (TWO LOTS INTO FIVE LOTS) AND ACCESS EASEMENT**

File No: D/19-2017

Attachments:

1. Locality Plan
2. Site Plan-Proposed Subdivision Layout-R17006-001 Rev C

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/19-2017

Applicant: Vicki Heilbronn

Real Property Address: Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison

Common Property Address: 277 Yeppoon Road and 66 Alfred Road, Parkhurst

Area of Site: 39.255 hectares

Planning Scheme: Rockhampton City Plan 2005

Planning Scheme Zone: Yeppoon Road Corridor Environmental Protection Area

Planning Scheme Overlays: Bushfire Prone Land
Environmentally Sensitive Location (Remnant Vegetation)
Waterway Corridor

Existing Development: Dwelling house and ancillary domestic outbuilding

Existing Approvals: D/121-2016 (Approval for application of superseded planning scheme request)

Approval Sought: Development Permit for Reconfiguring a Lot for (two lots into five Lots) and an Access Easement

This item was not dealt with at the meeting and will be presented at the next Council meeting on 12 December 2017.

9.2 PARKS, RECREATION AND SPORT COMMITTEE MEETING - 15 NOVEMBER 2017**COUNCIL RESOLUTION**

THAT the Minutes of the Parks, Recreation and Sport Committee meeting, held on 15 November 2017 as circulated, be received and that the recommendations contained within these minutes be adopted, excluding Item 9.2.3 – Request from Diggers Memorial Bowls Club for an Extension to Lease Term and Boundary Adjustment.

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

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

Recommendation of the Parks, Recreation and Sport Committee, 15 November 2017**9.2.4 GRANT APPLICATION - QUEENSLAND GOVERNMENT'S FEMALE FACILITIES PROGRAM**

File No:	12534
Attachments:	<ol style="list-style-type: none">1. Proposed facility for Rockhampton Netball Association Option One2. Proposed facility for Rockhampton Netball Association Option Two3. Proposed facility for Rockhampton BMX4. Proposed site layout for Rockhampton Cricket Grounds - change room upgrade5. Proposed floor plan for change room upgrades for Rockhampton Cricket Grounds
Authorising Officer:	Blake Hunton - Manager Parks Colleen Worthy - General Manager Community Services
Author:	Sophia Czarkowski - Sports and Education Supervisor
Previous Items:	11.4 - Grant Application - Queensland Government's Female Facilities Program - Ordinary Council - 12 Sep 2017 9.00 am

SUMMARY

Queensland Government released the Female Facilities Program, which aims to assist sport and recreation organisations and local government to develop functional and inclusive female change rooms and amenities that meet the current and future needs of sport and recreation participants. Council Officers sought support from Council to further investigate opportunities for an application from Council, this included:

- 1. Saleyards Park – upgrade to amenities and kiosk and construction of change facilities.*
- 2. Rockhampton Cricket Grounds – upgrades to existing change facilities.*
- 3. Jardine Park – upgrade of amenities to include baby change facilities.*
- 4. Underwood Park – development of change facilities.*
- 5. Norbridge Park – upgrades to amenities and change rooms.*

COMMITTEE RECOMMENDATION

THAT Council approves the submission of an application for the Female Facilities Program for up to \$500,000 for the Rockhampton Netball Association.

Recommendation of the Parks, Recreation and Sport Committee, 15 November 2017**9.2.5 BUSINESS OUTSTANDING TABLE FOR PARKS, RECREATION AND SPORT 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 Parks, Recreation and Sport Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Parks, Recreation and Sport Committee be received.

Recommendation of the Parks, Recreation and Sport Committee, 15 November 2017**9.2.6 REPORT ON OPPORTUNITIES FOR SKATE PARK EVENTS FOR ROCKHAMPTON REGIONAL COUNCIL**

File No: 8044
Attachments: Nil
Authorising Officer: Blake Hunton - Manager Parks
Colleen Worthy - General Manager Community Services
Author: Sophia Czarkowski - Sports and Education Supervisor

SUMMARY

At the August 2017 meeting of Parks, Recreation and Sport Committee an urgent business item was raised regarding training and activities at skate parks with a further report detailing a number of options to be presented.

COMMITTEE RECOMMENDATION

1. THAT the report on opportunities for skate park events for Rockhampton Regional Council be received; and
2. THAT a Working Group be established to commence discussion around opportunities for skate park events.

Recommendation of the Parks, Recreation and Sport Committee, 15 November 2017**9.2.7 THE CATHEDRAL COLLEGE DEVELOPMENT OF KETTLE PARK**

File No:	374
Attachments:	<ol style="list-style-type: none">1. Proposed scheduled of use proposed by The Cathedral College2. Plans for the development of Kettle Park3. Letter of support from Brothers AFL4. Letter of support from Brothers Rugby League5. Letter of support from Brothers Rugby Union6. Letter of Support from CQ Touch Football Association7. Letter of support from Rockhampton Oztag8. Copy of report presented to Committee in November 20169. Copy of report presented in August 2017
Authorising Officer:	Blake Hunton - Manager Parks Colleen Worthy - General Manager Community Services
Author:	Sophia Czarkowski - Sports and Education Supervisor
Previous Items:	9.5.4 - The Cathedral College request for support for development of Kettle Park - Parks, Recreation and Sport Committee - 16 Nov 2016 12.30 pm 9.5.3 - The Cathedral College development of Kettle Park - Parks, Recreation and Sport Committee - 16 Aug 2017 12.30 pm

SUMMARY

On 16 November 2016 the Parks, Recreation and Sport Committee considered a request from The Cathedral College Rockhampton (TCC), trading as Roman Catholic Trust Corporation Diocese of Rockhampton. Council committed to provide 'in principle' approval to enter into a tenure agreement for 20 years over Kettle Park, 12 Elizabeth Street, Allenstown (being Lot 450 on R2665).

A further report was submitted to the Parks, Recreation and Sport Committee on 16 August 2017 and the matter was laid on the table. This report contains additional information regarding the proposal specifically in relation to hours of use and shared use arrangements.

COMMITTEE RECOMMENDATION**THAT:**

- 1. Council enter into a Trustee Lease with The Cathedral College Rockhampton, trading as Roman Catholic Trust Corporation Diocese of Rockhampton, for a period of 20 years as outlined in the report;**
- 2. Council approve the demolition of the clubhouse as the asset is no longer required and is surplus to the requirements of the proposed tenant and that such demolition is carried out by The Cathedral College Rockhampton;**
- 3. Council approve the demolition of the amenities block as the asset is no longer required and is surplus to the requirements of the proposed tenant and that such demolition is carried out by The Cathedral College Rockhampton;**
- 4. Council dispose of the following assets to The Cathedral College Rockhampton:**

- (a) Shade shelter and seating structures Numbers 1, 2, 3, 4 and 5;
 - (b) Park lighting and associated switchboards;
 - (c) Park furniture and fixtures including park benches and tap;
 - (d) Disused underground irrigation and water tanks;
 - (e) Cricket pitches and practice nets;
 - (f) Bollards and gates; and
5. Any secondary use after daylight hours will be subject to Council approval.

Recommendation of the Parks, Recreation and Sport Committee, 15 November 2017**9.2.8 PARKS OPERATIONAL REPORT - SEPTEMBER - OCTOBER 2017**

File No: 1464
Attachments: 1. Parks Monthly Report September- October
Authorising Officer: Colleen Worthy - General Manager Community Services
Author: Blake Hunton - Manager Parks

SUMMARY

This report provides information on the activities and services of Parks section for September and October 2017.

COMMITTEE RECOMMENDATION

THAT the report on the activities and services of Parks Section for September and October 2017 be received.

9:24AM Acting Mayor, Councillor Williams left the meeting

COUNCIL RESOLUTION

9:24AM

THAT in accordance with s165(2) of the *Local Government Act 2009* and s8.1 *Council Meeting Procedures*, Councillor Rose Swadling be appointed Chairperson of the Ordinary Council meeting for the period of the Acting Mayor, Councillor Williams' absence.

Moved by: Councillor Wickerson

Seconded by: Councillor Schwarten

MOTION CARRIED

Recommendation of the Parks, Recreation and Sport Committee, 15 November 2017

9.2.3 REQUEST FROM DIGGERS MEMORIAL BOWLS CLUB FOR AN EXTENSION TO LEASE TERM AND BOUNDARY ADJUSTMENT

File No: 4231

Attachments:

1. Letter from Diggers Memorial Bowls Club
2. Map of Janet Pajolas Park
3. Survey plan identifying leased areas for Diggers Memorial Bowls Club
4. Map identifying Diggers Memorial Bowls Club boundaries

**Authorising Officer: Blake Hunton - Manager Parks
Colleen Worthy - General Manager Community Services**

Author: Sophia Czarkowski - Sports and Education Supervisor

Previous Items: 9.5.3 - Freehold Lease and Trustee Lease renewals for Parks until 30 June 2018 - Parks, Recreation and Sport Committee - 22 Jun 2016 12.30 pm

SUMMARY

Diggers Memorial Bowls Club Inc holds a Trustee Lease over part of Janet Pajolas Park that expires on 02 February 2018. The Club is seeking an extension to the term of the lease and an increased lease area.

COUNCIL RESOLUTION

THAT:

1. Council extend the Trustee Lease term for Diggers Memorial Bowls Club Inc from five years to nine years with the new expiry date being 30 June 2027;
2. Council decline the request for a Trustee Lease boundary realignment to include an area for exclusive car parking for Diggers Memorial Bowls Club Inc as detailed in the report; and
3. Council approve that the land surplus to the Diggers Memorial Bowls Club Inc requirements connecting to Berserker Street not be included in the Trustee Lease area.

Moved by: Councillor Schwarten

Seconded by: Councillor Smith

MOTION CARRIED

9:25AM Acting Mayor, Councillor Williams returned to the meeting and resumed the Chair.

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 FRENCHVILLE STATE SCHOOL TRAFFIC

File No: 5252

Attachments:

1. Drawing - Changes to Intersection phasing at Beasley Street/Frenchville Road intersection
2. Drawing - Changes to line marking on Geordie Street

Authorising Officer: Angus Russell - Senior Executive Strategic Projects
Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services

Author: Stuart Harvey - Coordinator Strategic Infrastructure

SUMMARY

Council has recently received correspondence regarding traffic and safety concerns at Frenchville School. This report proposes some potential works around the school area to improve traffic for parents and students.

COUNCIL RESOLUTION

THAT Council endorse the proposals as detailed in the report for discussion with the Frenchville State School Principal.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.2 ADVANCE ROCKHAMPTON OPERATIONAL REPORT OCTOBER 2017

File No: 12614

Attachments: 1. Advance Rockhampton Monthly Report - October 2017

Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Tony Cullen - General Manager Advance Rockhampton

Author: Chris Ireland - Manager Regional Development and Promotions

SUMMARY

The monthly operations report for the Advance Rockhampton Unit over the month of October 2017 is presented for Councillor's information.

COUNCIL RESOLUTION

THAT the Advance Rockhampton Operational Report for October 2017 be received.

Moved by: Councillor Williams
Seconded by: Councillor Swadling

MOTION CARRIED

11.3 COMMUNITY ASSISTANCE PROGRAM

File No: 12353
Attachments: Nil
Authorising Officer: Colleen Worthy - General Manager Community Services
Author: Cheryl Haughton - Manager Communities and Facilities

SUMMARY

An application from the Caribeae Rocky Crocs Masters Swim Club for Minor Sponsorship assistance towards the 2018 Masters State Championships event is presented for Council consideration.

COUNCIL RESOLUTION

THAT Council approves cash sponsorship of \$5,000 for the Caribeae Rocky Crocs Master Swim Club towards the 2018 Masters State Championships event to be held from 14 – 17 March 2018.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.4 AUSTRALIA DAY GRANT PROGRAM FOR 2018

File No: 5095

Attachments:

1. Rotary Club of Mt Morgan
2. Gracemere Lions Club
3. Friends of the Heritage Village
4. Upper Ulam Recreation Grounds Inc.

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: John Webb - Acting Manager Arts and Heritage

SUMMARY

In 2013 Council resolved to establish an Australia Day Community Grants Program to assist local organisations to coordinate community based Australia Day celebration across the region. Applications for funding to support activities for Australia Day 2018 are now presented for Council approval.

9:50AM

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Swadling disclosed a conflict of interest in respect of Item 11.4 – Australia Day Grant Program for 2018 due to involvement with Friends of the Heritage Village, the Councillor considered her position, was of the opinion that she could participate in the debate and vote on the matter in the public interest.

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Wickerson disclosed a conflict of interest in respect of Item 11.4 – Australia Day Grant Program for 2018 due to involvement with Friends of the Heritage Village, the Councillor considered his position, was of the opinion that he could participate in the debate and vote on the matter in the public interest.

9:52AM Councillor Schwarten left the meeting

COUNCIL RESOLUTION

THAT Council:

- award a grant of \$3,000 to the Rotary Club of Mt Morgan to assist the group in presenting a community-focused Australia Day celebration in Mt Morgan in 2018;
- award a grant of \$7,630 to the Lions Club of Gracemere to assist the group in presenting a community-focused Australia Day celebration in Gracemere in 2018; and
- award a grant of \$2,500 to the Friends of the Heritage Village to assist the group in presenting a community-focused Australia Day celebration in Rockhampton in 2018;
- award a grant of \$1,870 to the Upper Ulam Recreation Grounds Inc to assist the group in presenting a community-focused Australia Day celebration in Bajool in 2018.

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

11.5 ROCKHAMPTON HOCKEY ASSOCIATION PROJECT

File No: 4199
Attachments: Nil
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Robert Holmes - Coordinator Parks Operations

SUMMARY

At the previous Council meeting (7 November 2017) reports providing an update to the Council on the current status of the Rockhampton Hockey Association (RHA) relocation project and the discussions with parties involved. This report provides further information on the discussions held and the Council's direction on the finalization of the agreed site for the expanded hockey facility for Rockhampton is sought.

9:55AM Councillor Schwarten returned to the meeting

COUNCIL RESOLUTION

1. THAT the site at 5-71 Olive Street, Parkhurst no longer be identified as the preferred site for the construction of hockey facilities and associated infrastructure.
2. THAT Kalka Shades/Birdwood Park be endorsed as the location for the construction of expanded hockey facilities and associated infrastructure.
3. THAT future reports on the Rockhampton Hockey Association Project and associated assistance for the Rockhampton Cricket Incorporated be presented to and through the Works for Queensland Project Control Group.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.6 PROPOSED HOURS AND FEES ASSOCIATED WITH THE USE OF THE 42ND BATTALION MEMORIAL POOL WATER SLIDES

File No: 11795
Attachments: Nil
Authorising Officer: Colleen Worthy - General Manager Community Services
Blake Hunton - Manager Parks
Author: Sophia Czarkowski - Sports and Education Supervisor

SUMMARY

42nd Battalion Memorial Pool water slides are scheduled to open in November 2017. This report contains the proposed operating hours and fees as presented by Aqualification and Fitness the current pool operator.

COUNCIL RESOLUTION

THAT:

1. Council approve the proposed operating hours for the water slides as outlined in the report;
2. A further report be presented on fees and charges once usage is ascertained; and
3. Council does not authorise hire of the slides for exclusive use activities during the water slide operating hours.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

11.7 2018 QUEENSLAND MINING EXPO

File No: 11715

Attachments: 1. 2018 QME Prospectus
2. Latest floor plan

Authorising Officer: Chris Ireland - Manager Regional Development and Promotions
Tony Cullen - General Manager Advance Rockhampton

Author: Rick Palmer - Senior Executive Industry Engagement

SUMMARY

This report outlines the possibility of Council taking a booth at the 2018 Queensland Mining & Engineering Exhibition.

COUNCIL RESOLUTION

THAT Council participate as an exhibitor at the 2018 Queensland Mining & Engineering Exhibition.

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

11.8 ANNUAL GOODS AND SERVICES SPEND ANALYSIS AND LOCAL PREFERENCE POLICY REVIEW

File No: 5883
Attachments: 1. Draft Revised Local Preference Policy
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

Presenting details of the annual goods and services spend analysis for the 12 months from 1 November 2016 to 31 October 2017. This report also includes the annual review of the Local Preference Policy for Council's consideration and adoption.

COUNCIL RESOLUTION

THAT Council:

1. Receives the annual goods and services spend analysis report; and
2. Adopts the revised Local Preference Policy as attached to this report; noting the proposed amendments as summarised in this report.

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

11.9 SMART WAY FORWARD STRATEGY IMPLEMENTATION PROGRESS REPORT

File No: 12472

Attachments:

1. Smart Way Forward InfoGraphic
2. Smart Way Forward Action Plan Implementation Status

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer

Author: Drew Stevenson - Manager Corporate and Technology Services

SUMMARY

It has been just short of two years since the adoption of the Region's Smart Way Forward Strategy in December 2015. This report details the progress of the implementation of the Smart Way Forward Action Plan.

COUNCIL RESOLUTION

THAT Council receives this Smart Way Forward Strategy implementation progress report.

Moved by: Councillor Williams
Seconded by: Councillor Wickerson

MOTION CARRIED

11.10 COMMUNITY BENEFIT FUND

File No: 12534
Attachments: Nil
Authorising Officer: Tony Cullen - General Manager Advance Rockhampton
Author: Penelope-Jane Fry - Regional Development Advisor

SUMMARY

Rockhampton Regional Council has the opportunity to apply to the Queensland Government's Community Benefit Fund to seek funding to initiate the establishment of a trail Community Gym in Mount Morgan. This report recommends the project for submission.

10:20AM Chief Executive Officer left the meeting
10:23AM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION

THAT a further report be presented to the Community Services Committee on the details of the operations for a future round.

Moved by: Councillor Swadling
Seconded by: Councillor Wickerson

MOTION CARRIED

11.11 PROPOSED SUBMISSION: ADVANCE QUEENSLAND ROADMAP FOR THE SCREEN INDUSTRY**File No:** 5165**Attachments:**

1. Consultation Paper: 10-year Roadmap for the Screen Industry
2. Proposed Submission: 10-year Roadmap for the Screen Industry

Authorising Officer: Tony Cullen - General Manager Advance Rockhampton**Author:** Penelope-Jane Fry - Regional Development Advisor

SUMMARY

Rockhampton Regional Council has an opportunity to provide a submission in response to the 'Advance Queensland 10-year Roadmap for the Screen Industry Consultation Paper'.

COUNCIL RESOLUTION

THAT Council endorse the attached proposed submission to the Queensland Government in response to the 'Advance Queensland 10-year Roadmap for the Screen Industry Consultation Paper'.

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

**11.12 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED
31 OCTOBER 2017**

File No: 8148
Attachments: 1. Income Statement- October 2017
2. Key Indicator Graphs- October 2017
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Alicia Cutler - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 October 2017.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the Period ended 31 October 2017 be 'received'.

Moved by: Councillor Williams
Seconded by: Councillor Smith

MOTION CARRIED

**11.13 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT
OCTOBER 2017**

File No: 1392

Attachments:

1. Finance Monthly Report - October 2017
2. Workforce & Strategy Monthly Report - October 2017
3. CTS Monthly Report - October 2017
4. Smart Hub Progress Report

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Ross Cheesman - Acting Chief Executive Officer

SUMMARY

The monthly operations report for the Corporate Services department as at 31 October 2017 is presented for Councillor's information.

10:31AM Councillor Schwarten left the meeting
10:33AM Councillor Schwarten returned to the meeting

COUNCIL RESOLUTION

THAT the Corporate Services Departmental Operations Report as at 31 October 2017 be "received".

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

11.14 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No:	12660
Attachments:	1. Instrument of Delegation - Water Supply (Safety & Reliability) Act 2008 2. Instrument of Delegation - Building Act 1975 3. Instrument of Delegation - Local Government Act 2009 4. Instrument of Delegation - Environmental Protection Regulation 2008
Authorising Officer:	Tracy Sweeney - Manager Workforce and Strategy
Author:	Allysa Brennan - Coordinator Corporate Improvement and Strategy

SUMMARY

This report seeks Council's approval for delegations under State legislation to the position of Chief Executive Officer.

COUNCIL RESOLUTION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer, the exercise of powers contained in schedule 1 of the Instruments attached to the report:
 1. *Water Supply (Safety and Reliability) Act 2008*;
 2. *Building Act 1975*; and
 3. *Local Government Act 2009*;
2. Council resolves as per section 518(1)(b) of the *Environmental Protection Act 1994* to delegate its powers as the 'administering authority' to the Chief Executive Officer, the exercise of powers contained in schedule 1 of the Instrument of Delegation attached to the report:
 4. *Environmental Protection Regulation 2008*
3. Council resolves as per section 518(2)(b) of the *Environmental Protection Act 1994* to permit the sub-delegation of the 'administering authority's' power to Council officers.
4. These powers must be exercised subject to any limitations contained in schedule 2 of the Instruments of Delegation attached to the report.

Moved by: Councillor Williams
Seconded by: Councillor Swadling

MOTION CARRIED

11.15 2017/18 OPERATIONAL PLAN QUARTER ONE PROGRESS REPORT**File No:** 8320**Attachments:**

1. Operational Plan 2017-18
2. Operational Plan Progress Report as at 30 September 2017
3. Operational Plan Progress Report - Summary as at 30 September 2017

Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy**Author:** Allysa Brennan - Coordinator Corporate Improvement and Strategy

SUMMARY*Coordinator Corporate Improvement and Strategy presenting:*

1. *The amended Rockhampton Regional Council's Operational Plan for the financial year 2017-18 for adoption pursuant to s174(4) Local Government Regulation 2012; and*
2. *The 2017-2018 Operational Plan progress report for quarter 1 as at 30 September 2017, pursuant to s174(3) Local Government Regulation 2012.*

COUNCIL RESOLUTION

THAT:

1. Rockhampton Regional Council Operational Plan for financial year 2017-18 be adopted; and
2. 2017-2018 Operational Plan progress report for quarter 1 as at 30 September 2017 be 'received'.

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

11.16 LIFTING MATTERS FROM THE TABLE

File No: 11721
Attachments: Nil
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Ross Cheesman - Acting Chief Executive Officer

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 Council meeting on 21 November 2017.

COUNCIL RESOLUTION

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

- Request Internal Appeal Recommendation - Non-Compliance with Regulated Menacing Dog Keeping Conditions - Destruction Order – Regulated Dog.

Moved by: Councillor Williams
Seconded by: Councillor Smith

MOTION CARRIED

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS**14.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR STEPHEN SCHWARTEN
9-18 DECEMBER 2017 INCLUSIVE****File No: 10072****Responsible Officer: Evan Pardon – Chief Executive Officer**

SUMMARY

Councillor Stephen Swarten requesting leave of absence for the period 9 to 18 December 2017 inclusive.

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Stephen Swarten from Saturday 9 December to Monday 18 December 2017 inclusive.

Moved by: Councillor Swadling**Seconded by: Councillor Williams****MOTION CARRIED****14.2 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR ELLEN SMITH 8-19
DECEMBER 2017 INCLUSIVE****File No: 10072****Responsible Officer: Evan Pardon – Chief Executive Officer**

SUMMARY

Councillor Ellen Smith requesting leave of absence for the period 8 to 19 December 2017 inclusive.

COUNCIL RESOLUTION

THAT leave of absence be granted for Councillor Ellen Smith from Friday 8 December to Tuesday 19 December 2017 inclusive.

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

14.3 WATER INFRASTRUCTURE

File No: 5338

The Chief Executive Officer raised a matter to be discussed in closed session in relation to recent media articles on Rookwood Weir.

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 Parkhurst Drainage Scheme

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.

16.2 Internal Appeal Recommendation - Non-Compliance with Regulated Menacing Dog Keeping Conditions - Destruction Order – Regulated Dog

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.

16.3 Legal Matters Report - 31 October 2017

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.

16.4 Edenbrook Infrastructure Agreement

This report is considered confidential in accordance with section 275(1)(c) (g) (h), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; AND 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.

16.5 Cheney Street Drainage

This report is considered confidential in accordance with section 275(1)(c) (g) (h), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; AND 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.

16.6 Economic Development Opportunities

This report is considered confidential in accordance with section 275(1)(e) (h), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it; AND 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.

11.6 Proposed Hours and Fees Associated with the use of the 42nd Battalion Memorial Pool Water Slides

This report is considered confidential in accordance with section 275(1)(e)(h), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it; AND 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.

14.3 Water Infrastructure

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 Williams

Seconded by: Councillor Swadling

MOTION CARRIED

COUNCIL RESOLUTION

10:55AM

Acting Mayor, Councillor Williams declared a recess until 11:15am.

Moved by: Councillor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED

COUNCIL RESOLUTION

11:14AM

THAT the meeting be resumed.

Moved by: Councillor Williams

Seconded by: Councillor Swadling

MOTION CARRIED

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Cheesman – Deputy Chief Executive Officer
Mr P Kofod – General Manager Regional Services
Mr S Waters – General Manager Aviation
Ms C Worthy – General Manager Community Services
Ms A Cutler – Chief Financial Officer
Ms T Sweeney – Manager Workforce and Strategy
Mr S Gatt – Manager Planning and Regulatory Services
Mr M Crow – Manager Engineering Services
Mr J Plumb – Manager Fitzroy River Water
Mr S Harvey – Coordinator Strategic Infrastructure
Mr J McCaul – Coordinator Development Engineering
Ms A Brennan – Coordinator Corporate Improvement and Strategy
Ms N Ellawala – Coordinator Local Laws
Mr A Russell – Senior Executive Strategic Projects
Ms S Czarkowski – Senior Sports and Education Advisor

Mr M Mansfield – Supervisor Media and Engagement
Ms E Brodel – Media Officer
Ms L Leeder – Senior Governance Support Officer

COUNCIL RESOLUTION**11:14AM**

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

Moved by: **Councillor Swadling**

Seconded by: **Councillor Smith**

MOTION CARRIED

11:25AM Chief Executive Officer left the meeting
11:28AM Chief Executive Officer returned to the meeting
12:49PM Acting Mayor, Councillor Williams left the meeting
12:49PM Councillor Fisher attended the meeting
12:52PM Acting Mayor, Councillor Williams returned to the meeting
12:52PM Chief Executive Officer left the meeting
12:54PM Chief Executive Officer returned to the meeting

COUNCIL RESOLUTION**1:10PM**

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

Moved by: **Councillor Swadling**

Seconded by: **Councillor Wickerson**

MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 PARKHURST DRAINAGE SCHEME

File No: 1743

Attachments:

1. Parkhurst East Stormwater PFTI
2. Difference in PWSE
3. RRC Land Requirement Plans
4. NIR Background Information

Authorising Officer: Martin Crow - Manager Engineering Services
Peter Kofod - General Manager Regional Services

Author: Stuart Harvey - Coordinator Strategic Infrastructure

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.

SUMMARY

Strategic Infrastructure, in conjunction with the Department of Transport and Main Roads, has engaged AECOM to undertake some local catchment flood modelling for the East Parkhurst residential area. This report highlights the impacts of local catchment flooding in this area, proposes mitigation options and seeks Council approval to compulsorily acquire the land identified in this report for drainage purposes.

COUNCIL RESOLUTION

THAT Council:

- a) Endorse the proposed Parkhurst Drainage Scheme; and
- b) Authorise the Chief Executive Officer (Property and Resumptions Officer) to issue a Notice of Intention to Resume in accordance with Section 7 of the Acquisition of Land Act 1967 for the resumption of land identified in the report and attachments for road and drainage purposes.

Moved by: Councillor Swadling

Seconded by: Councillor Williams

MOTION CARRIED

16.2 INTERNAL APPEAL RECOMMENDATION - NON-COMPLIANCE WITH REGULATED MENACING DOG KEEPING CONDITIONS - DESTRUCTION ORDER – REGULATED DOG

File No: 11721
Attachments: 1. Behaviour Assessment Report
Authorising Officer: Colleen Worthy - General Manager Community Services
Author: Steven Gatt - Manager Planning and Regulatory Services

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

The independent report was requested by Rockhampton Regional Council (RRC) to help Council decide upon a course of action regarding a dog who has been a regulated menacing dog since May 2013. The dog was seized and impounded by Local Law Officers while roaming at large on 14 August 2017 and is currently kept at the Rockhampton City Pound and subject to a destruction order.

This matter was considered at Council meeting on 7 November and it was resolved “that the matter lay on the table until the next Council meeting on 21 November 2017.”

COUNCIL RESOLUTION

THAT Council authorise that the dog in question be rehomed as per the offer received on the proviso that all parties enter into appropriate agreements for this to occur. As this is exceptional circumstances, that all fees pertaining to this matter be waived, as well as ongoing fees associated with the ownership also be waived.

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

16.3 LEGAL MATTERS REPORT - 31 OCTOBER 2017

File No: 1392
Attachments: 1. Legal Matters Report 1 October 2017 to 31 October 2017
Authorising Officer: Tracy Sweeney - Manager Workforce and Strategy
Author: Allysa Brennan - Coordinator Corporate Improvement and Strategy

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

Presenting an update of current legal matters that Council is involved in as at 31 October 2017.

COUNCIL RESOLUTION

THAT the legal matters report containing updates on legal matters for Rockhampton Regional Council as at 31 October 2017 be received; and

THAT the legal matters report be presented quarterly, and any new matters be included in the Chief Executive Officer's monthly report.

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

16.4 EDENBROOK INFRASTRUCTURE AGREEMENT

File No: 76-2005
Attachments: 1. Parkhurst Development Area
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Martin Crow - Manager Engineering Services

This report is considered confidential in accordance with section 275(1)(c) (g) (h), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; AND 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.

SUMMARY

This report discusses aspects of the Edenbrook Infrastructure Agreement.

COUNCIL RESOLUTION

THAT Council endorse the proposed amendments to the Edenbrook Infrastructure Agreement and authorise the Chief Executive Officer to continue negotiations and complete these dealings.

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

16.5 CHENEY STREET DRAINAGE

File No: D29/2015
Attachments: 1. Cheney Street Catchment Plan
2. Cheney Street Stormwater Drainage Plan
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Martin Crow - Manager Engineering Services

This report is considered confidential in accordance with section 275(1)(c) (g) (h), of the *Local Government Regulation 2012*, as it contains information relating to the local government's budget; AND any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; AND 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.

SUMMARY

Council Officers have been progressing discussions with the proponents of The Gardens Estate development and are seeking Council's endorsement for a proposal to resolve drainage issues.

COUNCIL RESOLUTION

THAT Council endorse the proposal contained within the report and authorise the Chief Executive Officer to continue and complete these negotiations.

Moved by: Councillor Swadling
Seconded by: Councillor Williams

MOTION CARRIED

11.6 PROPOSED HOURS AND FEES ASSOCIATED WITH THE USE OF THE 42ND BATTALION MEMORIAL POOL WATER SLIDES

File No: 11795
Attachments: Nil
Authorising Officer: Colleen Worthy - General Manager Community Services
Blake Hunton - Manager Parks
Author: Sophia Czarkowski - Sports and Education Supervisor

SUMMARY

42nd Battalion Memorial Pool water slides are scheduled to open in November 2017. This report contains the proposed operating hours and fees as presented by Aqualification and Fitness the current pool operator.

COUNCIL RESOLUTION

THAT:

1. Council approve the proposed operating hours for the water slides as outlined in the report;
2. A further report be presented on fees and charges once usage is ascertained; and
3. Council does not authorise hire of the slides for exclusive use activities during the water slide operating hours.

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

14.3 WATER INFRASTRUCTURE**File No:** 5338**Responsible Officer:** Peter Kofod – General Manager Regional Services

SUMMARY*Chief Executive Officer presenting a verbal report on water infrastructure.***COUNCIL RESOLUTION**

THAT Council declares its interest in becoming a proponent for the Rookwood Weir project working jointly with Gladstone Area Water Board (GAWB) to deliver water security for Central Queensland with this fully funded Government project.

Moved by: Councillor Fisher**Seconded by:** Councillor Swadling**MOTION CARRIED UNANIMOUSLY**

16.6 ECONOMIC DEVELOPMENT OPPORTUNITIES

File No: 8444
Attachments: Nil
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Scott Waters - General Manager Aviation

This report is considered confidential in accordance with section 275(1)(e) (h), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it; AND 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.

SUMMARY

Project Rocky is focused upon resource sector opportunities for the Rockhampton community and the Rockhampton Airport, the project is in its final stages of delivery.

COUNCIL RESOLUTION

THAT Council authorise the Chief Executive Officer:

1. To form an investment special purpose vehicle named Rockhampton Aviation Services and the Director positions be held by the Mayor or delegate and Chief Executive Officer or delegate; and
2. To enter into and execute transaction documents that are reflective of the executed term sheet and that the transaction team, legal and financial advisors are satisfied that this is the case by advising the Chief Executive Officer in writing.

Moved by: Councillor Fisher
Seconded by: Councillor Swadling

MOTION CARRIED UNANIMOUSLY

17 CLOSURE OF MEETING

There being no further business the meeting closed at 1:13pm.

SIGNATURE

CHAIRPERSON

DATE