



PLANNING AND REGULATORY COMMITTEE MEETING

AGENDA

30 JULY 2019

Your attendance is required at a meeting of the Planning and Regulatory Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 30 July 2019 commencing at 9.00am for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be "C. P.", is written over a faint, light blue circular official stamp.

CHIEF EXECUTIVE OFFICER
23 July 2019

Next Meeting Date: 13.08.19

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING**2 PRESENT**

Members Present:

Councillor C E Smith (Chairperson)
Councillor N K Fisher
Councillor C R Rutherford
Councillor M D Wickerson

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)
Mr R Cheesman – Acting Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

The Mayor, Councillor Margaret Strelow is representing Council at meetings in Canberra.

4 CONFIRMATION OF MINUTES

Minutes of the Planning and Regulatory Committee held 9 July 2019

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/120-2018 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A TELECOMMUNICATIONS FACILITY

File No:	D/120-2018
Attachments:	1. Locality Plan 2. Site Access and Locality Plan 3. North West Elevation Plan
Authorising Officer:	Tarnya Fitzgibbon - Coordinator Development Assessment Karen Moody - Acting Manager Planning and Regulatory Services Colleen Worthy - General Manager Community Services
Author:	Thomas Gardiner - Planning Officer

SUMMARY

<i>Development Application Number:</i>	<i>D/120-2018</i>
<i>Applicant:</i>	<i>Telstra C/- Visionstream</i>
<i>Real Property Address:</i>	<i>Lot 16 on SP208184, Parish of Calliungal</i>
<i>Common Property Address:</i>	<i>346A Archer Road, Mount Morgan</i>
<i>Area of Site:</i>	<i>8.1 hectares</i>
<i>Planning Scheme:</i>	<i>Rockhampton Region Planning Scheme 2015</i>
<i>Planning Scheme Zone:</i>	<i>Rural Zone</i>
<i>Planning Scheme Overlays:</i>	<i>Biodiversity Overlay</i> <i>Bushfire Hazard Overlay</i>
<i>Existing Development:</i>	<i>Dwelling House</i>
<i>Existing Approvals:</i>	<i>Nil</i>
<i>Approval Sought:</i>	<i>Development Permit for a Material Change of Use for a Telecommunications Facility</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>Six (6)</i>
<i>Referral Agency(s):</i>	<i>Department of State Development, Manufacturing, Infrastructure and Planning</i>
<i>Infrastructure Charges Area:</i>	<i>Charge Area 3</i>

OFFICER'S RECOMMENDATION

RECOMMENDATION A:

THAT in relation to the application for a request for a Negotiated Decision Notice to Development Permit for a Material Change of Use for Telecommunications Facility, made by Telstra C/- Visionstream located at 346A Archer Road, Mount Morgan, described as Lot 16 on SP208184, Parish of Calliungal Council resolves that:

- Condition 2.4 is deleted.**

RECOMMENDATION B:

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

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 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 Works; and
 - 1.5.2 Building Works.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

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 Access and Locality Plan	Q115564 S1, Rev 2	18 November 2018
Site Layout	Q115564 S1-1, Rev 2	18 November 2018
Antenna Layout	Q115564 S1-2, Rev 2	18 November 2018
North West Elevation	Q115564 S3, Rev 2	18 November 2018
Antenna Configuration Table	Q115564 S3-1, Rev 2	18 November 2018
Ecological Assessment Report	PR132412-45, Ver 3	7 December 2018

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 commencement of the use.

3.0 ACCESS WORKS

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

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*.

3.3 The existing access from Archer Road to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.

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

4.0 SITE WORKS

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

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

5.0 ASSET MANAGEMENT

5.1 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.

6.0 ENVIRONMENTAL

6.1 An Erosion Control and Stormwater Control Management Plan 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, or landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

6.2 Implement the mitigation measures outlined in the Ecological Assessment Report (refer to condition 2.1).

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, 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.

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 residential Streets.
- 8.2 The hours of operations for the construction of the development site must be limited to 0700 hours to 1800 hours on Monday to Friday only, with no operations on Saturdays, Sundays or Public Holidays.

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).

BACKGROUND

Council, at its meeting dated 18 June 2019, approved a development application for a Material Change of Use for a Telecommunications Facility, located at 364A Archer Road, Mount Morgan. On 25 June 2019, the applicant suspended the appeal period to make change representations, and made the subsequent representations on 1 July 2019.

The applicant has requested to delete condition 2.4. This condition reads follows:

"That the tower height is limited to 35m above natural ground level (RL316.5m A.H.D)"

It is requested to delete condition 2.4 as it is considered an unreasonable imposition on the development.

PLANNING ASSESSMENT

Description of the development	The proposed development is for Material Change of Use for a Telecommunications Facility	
Reasons for Decision	<p>a) The proposed Telecommunications Facility is ideally situated in a Rural Zone because it is not in proximity to any sensitive land uses and is located outside of the Rockhampton region's major urban footprint;</p> <p>b) The siting and design of the proposed Telecommunications Facility will have minimal impacts on visual, landscape and scenic amenity values on the surrounding community;</p> <p>c) The proposed Telecommunications Facility is located in a location on the subject site that requires minimal clearing of native vegetation;</p> <p>d) The electromagnetic emissions from the proposed Telecommunications Facility are 0.15% of the safe levels identified by ARPANSA and will have minimal public health effects on the surrounding local community;</p> <p>e) The proposed use does not compromise the strategic framework in the <i>Rockhampton Region Planning Scheme 2015</i>;</p> <p>f) 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;</p> <p>g) The proposed development does not compromise the relevant State Planning Policy; and</p> <p>h) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Rural Zone Code; • Biodiversity Overlay Code; • Bushfire Hazard Overlay Code; • Steep Land Overlay Code; and • Telecommunications Facilities and Utilities Code. 	
Compliance with assessment benchmarks	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	Rural Zone Code	The height and location of the Telecommunications Facility will not unduly impact on the existing amenity and character of the locality. The colour

		and design of the proposed Telecommunications Facility will limit the visual impact on the adjoining area.
	Biodiversity Overlay Code	The siting of the Telecommunications Facility will only require the removal of minimal vegetation. The clearing of vegetation was identified in an Ecological Assessment Report and mitigation measures were identified to limit the potential impacts on the environmental values of the development site and surrounds.
	Telecommunications Facilities and Utilities Code	The height of the Telecommunications Facility is necessary in order to meet the required coverage requirements. The tower will be painted in a colour that will blend as much as possible into the surrounding area.
Relevant Matters	<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> The proposed Telecommunications Facility is infrastructure that has been identified as necessary under the Australian Government's Mobile Black Spot Program to improve mobile phone coverage and competition in regional and remote Australia. 	
Matters raised in submissions	Issue	How matter was dealt with
	The EME report shows a value that will be different to the location of our home due to elevation.	Council requested the submission of a further EME report to address this concern raised in the public submission (dated: 5 March 2019) to identify EME levels at each of the submitter's premises. The report provided clear evidence that none of the EME levels at these locations exceeded the previously identified level of 0.15% of the public exposure limit.
	The EME levels will increase with future co-location.	Any future co-location at the subject site must meet the requirements of the <i>Telecommunication (Low-impact Facilities) Determination 2018</i> (Low Impact Determination). If the future co-location did not meet the requirements of a 'low-impact facility', then a further material change of use application to Council would be required. The application would have to demonstrate that the future co-location would still comply with ARPANSA's requirements for the public exposure limit to EME.

	Concerned about the health impacts of EME.	The current research that ARPANSA bases their EME public exposure limits from indicates that there are no established health effects from low exposure to EME from mobile phone base station antennas.
	Property prices will decrease due to the Telecommunications Facility.	Property values are not a planning matter.
	The effect that any lighting will have on the local residents and fauna.	The height and location of the tower does not require any lighting by the Civil Aviation Safety Authority. There will be no lighting at the facility, including the tower, so there will be no impact on the local residents or fauna. A condition will be added for the development to be in accordance with the relevant Australian Standard for outdoor lighting.
	The impact of EME on the bat and bee colonies.	There is limited evidence to show that EME has any significant environmental impact on flora and fauna.
	The television reception will be impacted and will require signal boosters to compensate.	Interference with TV signals and internet services from Telecommunications Facility are usually caused by strong signals outside of TV frequencies which overload the amplifier. A signal booster would not fix this problem and there are other alternate, cheaper solutions available if there are any issues.
	The heavy machinery used during the construction of the Telecommunications Facility will cause further deterioration of the local road.	The applicant will only use the roads if there has been no more than short-term moderate rain on the road. Once constructed there will be minimal visits required as it will be an unmanned station.
	The applicant could have selected other sites ahead of this site.	The applicant's scope was limited by the Mobile Black Spot Program and the best site was selected following a candidate site study within the scope area.
Matters prescribed by regulation	<ul style="list-style-type: none"> • The <i>State Planning Policy – Part E</i>; • The <i>Central Queensland Regional Plan</i>; • The <i>Rockhampton Region Planning Scheme 2015</i>; and • The common material, being the material submitted with the application. 	

CONCLUSION

Condition 2.4

Applicant's representation:

In accordance with section 65 of the *Planning Act 2016*, the applicant argues that the condition represents an unreasonable imposition on the development and the use of the premises as a consequence of the development. This is based on the following grounds:

- It was not made clear by Council why or how 35 metres was determined to be the acceptable height limit for the proposed facility.
- A parabolic dish at or below 35 metres will result in radiowaves being obstructed by vegetation, preventing access to the wider telecommunication network and not being able to provide wireless services to the community.
- The applicant has demonstrated that the approved location is the best location within the area given the network requirements of the facility and the demonstrated sensitivities with regards to amenity impacts and clearing of vegetation.

In its current form, condition 2.4 prohibits the development from providing wireless services to the Mount Morgan, Bajool and Struck Oil community. For this reason, the condition is considered to be an unreasonable imposition on the development and the use of the premises as a consequence of the development.

Council response:

Council officers agree with the representation made by the applicant to delete condition 2.4. This condition prohibits the Telecommunications Facility's core functionality from occurring. It will prevent the surrounding area from receiving any wireless services, which includes the localities of Mount Morgan, Bajool and Struck Oil.

Substantial evidence has been provided by the applicant to demonstrate that this location is the most suitable for providing wireless services, protecting amenity impacts and minimising clearing of vegetation. In considering the applicant's request, Council officers provide the following comments in support of the request to delete condition 2.4:

- Understanding the importance of providing a functioning Telecommunications Facility for all residences of Mount Morgan, Bajool and Struck Oil, particularly given its designation as a "Mobile Black Spot";
- Based on previous information provided by the applicant, there is no other location in the area more appropriate for a Telecommunications Facility; and
- Recognising that a Telecommunications Facility limited in height to 35 metres will not provide wireless services to surrounding residences.

Based on the above information, it is recommended that condition 2.4 is deleted. Council officers agree with the applicant and consider that the condition represents an unreasonable imposition on the development and the use of the premises as a consequence of the development.

**D/120-2018 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Locality Plan

Meeting Date: 30 July 2019

Attachment No: 1

D/120-2018 - Locality Plan



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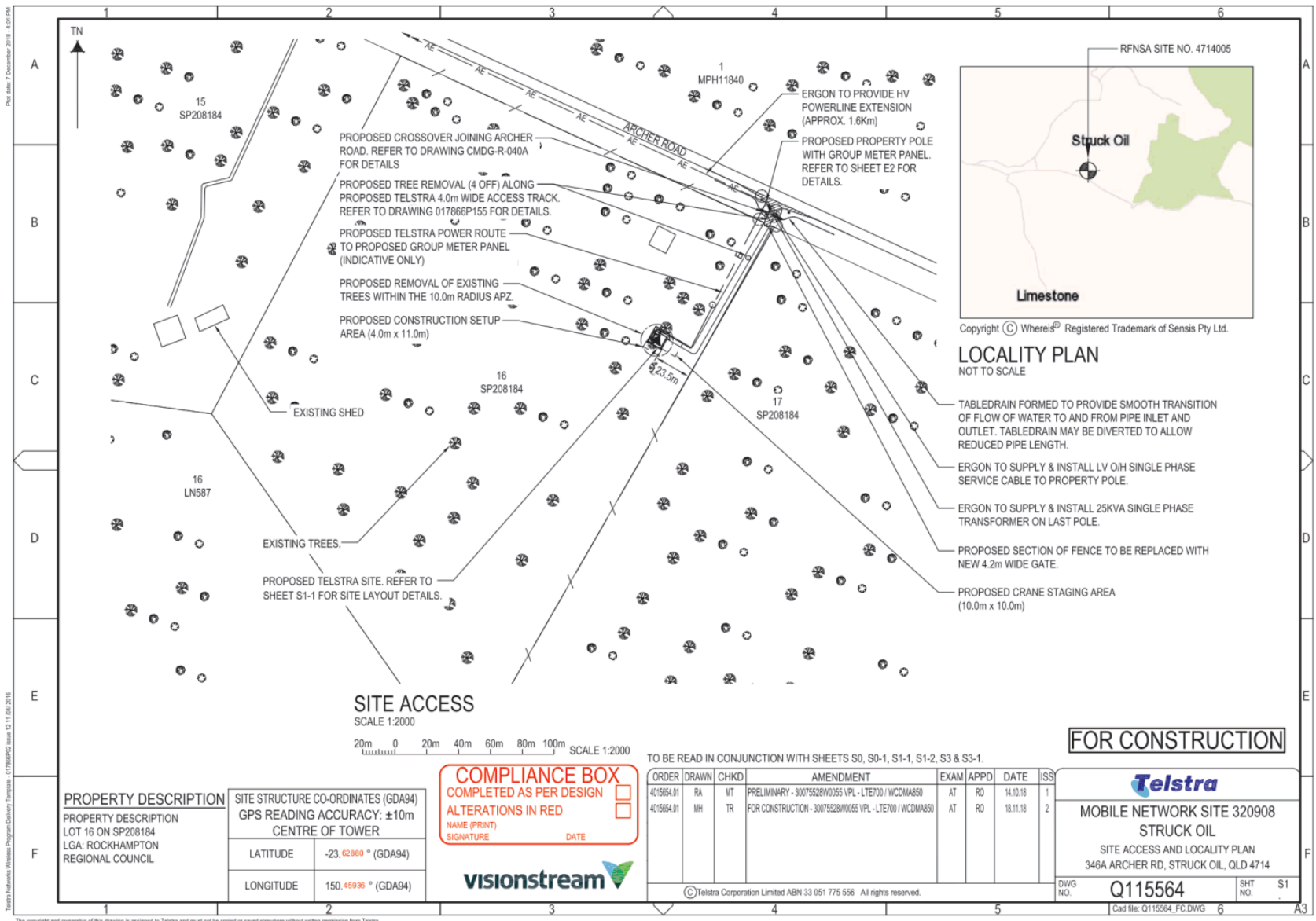


**D/120-2018 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Site Access and Locality Plan

Meeting Date: 30 July 2019

Attachment No: 2

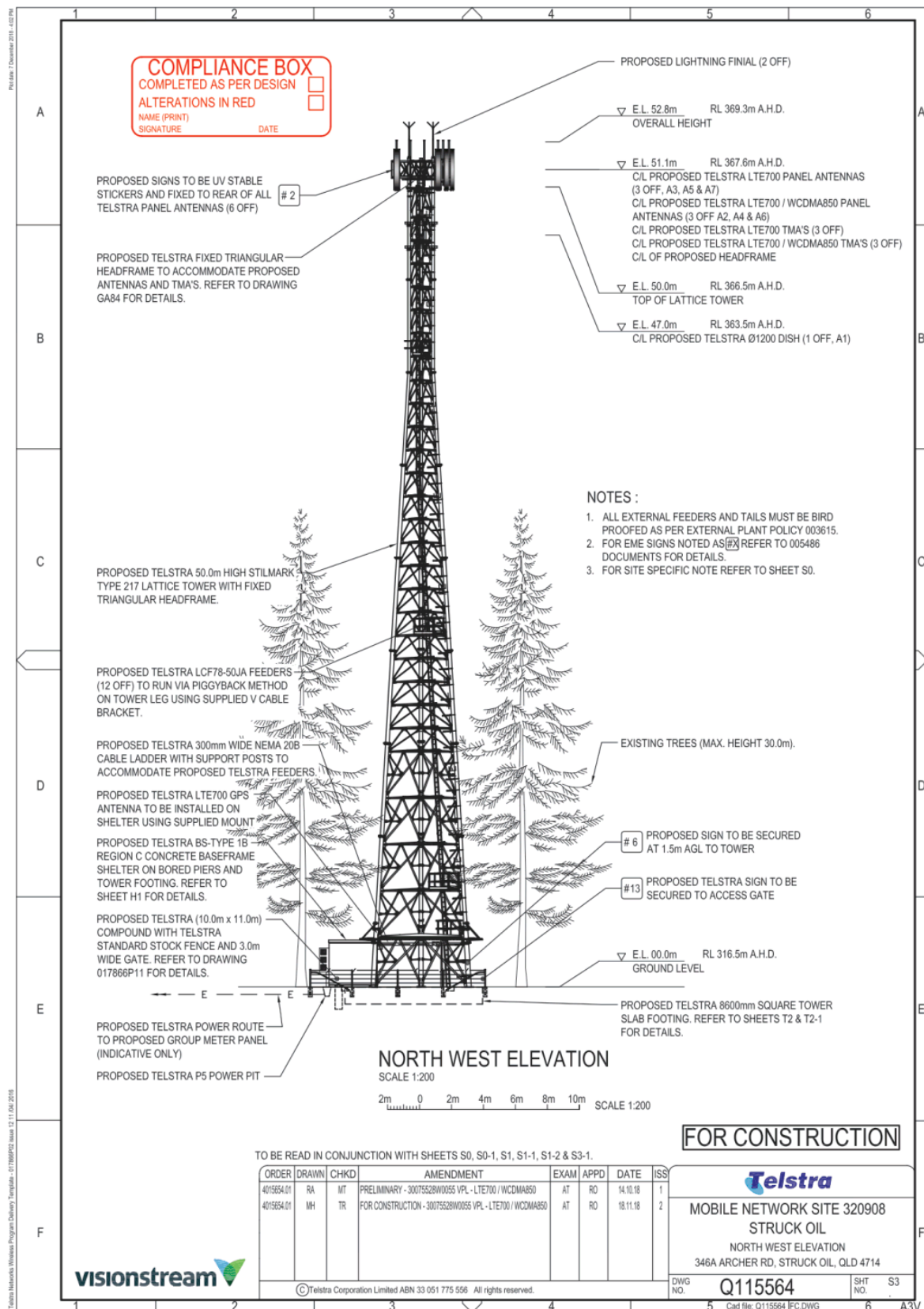


**D/120-2018 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

North West Elevation Plan

Meeting Date: 30 July 2019

Attachment No: 3



8.2 PROPOSED ANIMAL INSPECTION PROGRAM

File No: 11741

Attachments:

1. **Locality of Berserker Map**[↓](#)
2. **Notice of Proposed Inspection Program**
Locality of Berserker[↓](#)

Authorising Officer: Karen Moody - Acting Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Nishu Ellawala - Coordinator Local Laws

SUMMARY

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

OFFICER'S RECOMMENDATION

THAT in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Local Government Act 2009*, Council approves a systematic inspection program, the Systematic Inspection Program, for the locality of Berserker between 2 September 2019 and 24 November 2019.

COMMENTARY

The *Animal Management (Cats and Dogs) Act 2008* places a mandatory requirement throughout Queensland for all dogs over the age of twelve weeks to be registered with the Local Authority in which the dog(s) reside.

Dog registration identifies the animal owner and their key contact information together with a description of the registered dog on the corporate animal management system. In the event the dog escapes, gets lost or wanders, identification (registration tag and microchip) is vital to ensuring prompt reunification with the owner. Registration also assists to identify the number and type of dogs residing within the Rockhampton Regional Council and their demographic location.

Under Section 113 of the *Animal Management (Cats and Dogs) Act 2008* and Section 134 of the *Local Government Act 2009*, Council may by resolution approve a program (an approved inspection program) under which an authorised person may enter a place to monitor compliance with, or aspect of, the Act and local government acts.

It is proposed to undertake a systematic inspection program of all properties within Berserker, to be undertaken between between 2 September 2019 and 24 November 2019 by visiting, and if necessary entering yards of premises to monitor compliance with the *Animal Management (Cats and Dogs) Act 2008* with regards to registration and microchipping requirements, *Rockhampton Regional Council Local Law 1 (Administration) 2011*, and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011* in relation to the keeping of animals (dogs) requirements including number of animals kept.

Notice is required to be given of the proposed inspection program at least 14 days, but no more than 28 days before an inspection program commences. Notice of the program must be published in a newspaper circulating generally in the local government's area and must be placed on Council's website (see attached notice).

If non-compliance's are identified, compliance notices and/or infringement notices may be issued.

BUDGET IMPLICATIONS

Increased registration will generate additional income to offset operating expenditure associated with delivering the community's expectation for an animal control program.

The program is funded within the 2019/2020 Local Laws operational budget.

LEGISLATIVE CONTEXT

Local Government is responsible for the administration of the *Animal Management (Cats and Dogs) Act 2008* (the Act) and Council's Local Laws.

STAFFING IMPLICATIONS

The Systematic Inspection Program requires the equivalent of six full time officers for the period of the Program.

RISK ASSESSMENT

An assessment regarding Workplace Health and Safety considerations has identified all activities associated with the implementation of the Selective Inspection Program as low risk.

CORPORATE/OPERATIONAL PLAN

The Systematic Inspection Program has been identified as an action within Council's previous Operational Plan.

CONCLUSION

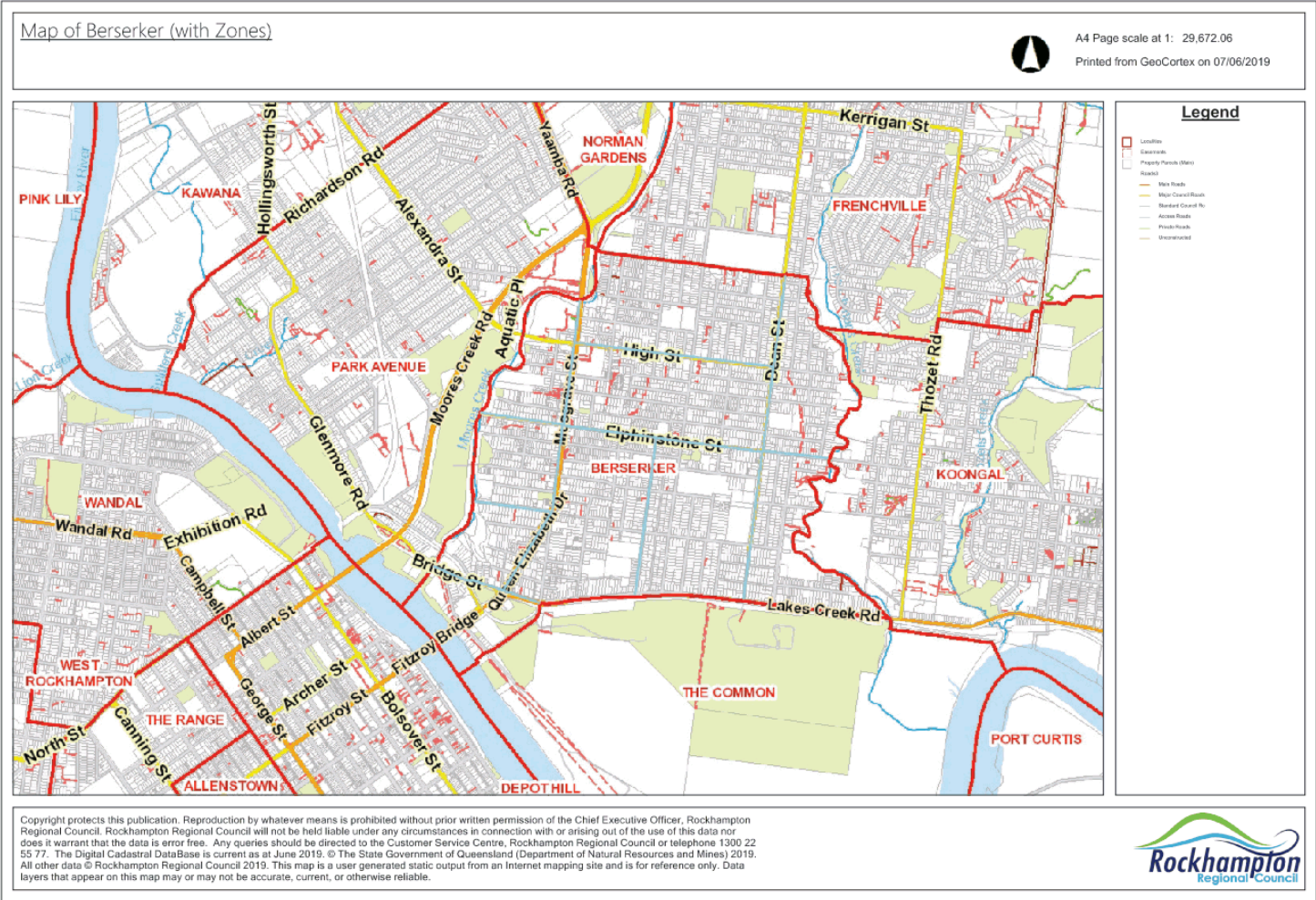
This report presents to Council a Systematic Inspection Program for consideration and approval. The implementation of this Systematic Inspection Program assists Council to fulfill its responsibilities under the *Animal Management (Cats and Dogs) Act 2008 and Local Government Act 2009* by allowing Council to monitor compliance with the requirements of the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011*, and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011*.

PROPOSED ANIMAL INSPECTION PROGRAM

Locality of Berserker Map

Meeting Date: 30 July 2019

Attachment No: 1



PROPOSED ANIMAL INSPECTION PROGRAM

Notice of Proposed Inspection Program Locality of Berserker

Meeting Date: 30 July 2019

Attachment No: 2

NOTICE OF APPROVED SYSTEMATIC INSPECTION PROGRAM**ROCKHAMPTON REGIONAL COUNCIL**

Animal Management (Cats and Dogs) Act 2008 Section 113
Local Government Act 2009 Section 134

Survey area:

Property inspections will be conducted throughout part of the Rockhampton Regional Council area focusing on the locality of Berserker.

Area Selection Criteria:

The focus areas are a portion of Rockhampton Regional Council for which inspection by authorised persons is feasible within twelve weeks and are considered a high priority for monitoring compliance with the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011* and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011*.

Program Purpose:

To monitor compliance with the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011* and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011* in relation to the keeping of dogs.

Properties Inspected:

Inspections will be conducted on all properties within the above stated areas.

Commencement and Duration of Survey:

This survey will commence on **2 September 2019** and will be in force for a period of six weeks expiring on **24 November 2019**. Properties will be inspected from 7:00 am to 6:00 pm Monday to Sunday.

Copy of program

A copy of the program may be purchased at the public offices of Rockhampton Regional Council until the end of the program. The price of a copy of the program is \$2.

By resolution of Rockhampton Regional Council Meeting on **DATE** 2019.

CHIEF EXECUTIVE OFFICER
ROCKHAMPTON REGIONAL COUNCIL
DATE 2019

8.3 PROPOSED ANIMAL INSPECTION PROGRAM

File No: 11741

Attachments: 1. Notice of Proposed Inspection Program for all Non-Renewed Animal from the 2018/2019 Registration Period [↓](#)

Authorising Officer: Karen Moody - Acting Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Nishu Ellawala - Coordinator Local Laws

SUMMARY

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

OFFICER'S RECOMMENDATION

THAT in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Local Government Act 2009*, Council approves an inspection program, the Selective Inspection Program for all properties within the Rockhampton Regional Council where a dog had been registered up to 30 August 2019 and Council has not received a renewal for that registration to be undertaken between 2 September 2019 and 24 November 2019.

COMMENTARY

The *Animal Management (Cats and Dogs) Act 2008* places a mandatory requirement throughout Queensland for all dogs over the age of twelve weeks to be registered with the Local Authority in which the dog(s) reside. The *Act* also requires that registrations be renewed.

Dog registration identifies the animal owner and their key contact information together with a description of the registered dog on the corporate animal management system. In the event the dog escapes, gets lost or wanders, identification (registration tag and microchip) is vital to ensuring prompt reunification with the owner. Registration also assists to identify the number and type of dogs residing within the Rockhampton Regional Council and their demographic location.

Under Section 113 of the *Animal Management (Cats and Dogs) Act 2008* and Section 134 of the *Local Government Act 2009*, Council may by resolution approve a program (an approved inspection program) under which an authorised person may enter a place to monitor compliance with, or aspect of, the Act and local government acts.

It is proposed to undertake a selective inspection program of all properties within the Rockhampton Regional Council area where a dog had been registered up to 30 August 2019, and Council has not received a renewal for that registration. The program is to be undertaken between 2 September 2019 and 24 November 2019 by visiting, and if necessary entering yards of premises to monitor compliance with the *Animal Management (Cats and Dogs) Act 2008* with regards to registration and microchipping requirements, *Rockhampton Regional Council Local Law 1 (Administration) 2011*, and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011* in relation to the keeping of animals (dogs) requirements including number of animals kept.

Notice is required to be given of the proposed inspection program at least 14 days, but no more than 28 days before an inspection program commences. Notice of the program must be published in a newspaper circulating generally in the local government's area and must be placed on Council's website (see attached notice).

If non-compliance's are identified, compliance notices and/or infringement notices may be issued.

BUDGET IMPLICATIONS

Increased registration will generate additional income to offset operating expenditure associated with delivering the community's expectation for an animal control program.

The program is funded within the 2019/2020 Local Laws operational budget.

LEGISLATIVE CONTEXT

Local Government is responsible for the administration of the *Animal Management (Cats and Dogs) Act 2008* (the Act) and Council's Local Laws.

STAFFING IMPLICATIONS

The combined Systematic Inspection Programs requires the equivalent of six full time officers for the period of the Programs.

RISK ASSESSMENT

An assessment regarding Workplace Health and Safety considerations has identified all activities associated with the implementation of the Selective Inspection Program as low risk.

CORPORATE/OPERATIONAL PLAN

The Systematic Inspection Program has been identified as an action within Council's previous Operational Plan.

CONCLUSION

This report presents to Council a Selective Inspection Program for consideration and approval. The implementation of this Selective Inspection Program assists Council to fulfill its responsibilities under the *Animal Management (Cats and Dogs) Act 2008* and *Local Government Act 2009* by allowing Council to monitor compliance with the requirements of the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011*, and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011*.

PROPOSED ANIMAL INSPECTION PROGRAM

**Notice of Proposed Inspection
Program for all Non-Renewed Animal
from the 2018/2019 Registration Period**

Meeting Date: 30 July 2019

Attachment No: 1

NOTICE OF APPROVED SYSTEMATIC INSPECTION PROGRAM**ROCKHAMPTON REGIONAL COUNCIL**

Animal Management (Cats and Dogs) Act 2008 Section 113
Local Government Act 2009 Section 134

Survey area:

Property inspections will be conducted throughout the Rockhampton Regional Council area where a dog had been registered up to 30 August 2019 and Council has not received a renewal for that registration.

Area Selection Criteria:

The focus area is a portion of Rockhampton Regional Council for which inspection by authorised persons is feasible within six weeks and are considered a high priority for monitoring compliance with the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011* and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011*.

Program Purpose:

To monitor compliance with the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011* and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011* in relation to the keeping of dogs.

Properties Inspected:

Inspections will be conducted on all properties within the above stated areas.

Commencement and Duration of Survey:

This survey will commence on 2 September 2019 and will be in force for a period of twelve weeks expiring on 24 November 2019. Properties will be inspected from 7:00 am to 6:00 pm Monday to Sunday.

Copy of program

A copy of the program may be purchased at the public offices of Rockhampton Regional Council until the end of the program. The price of a copy of the program is \$2.

By resolution of Rockhampton Regional Council Meeting on

CHIEF EXECUTIVE OFFICER
ROCKHAMPTON REGIONAL COUNCIL
DATE 2019

8.4 ANIMAL MANAGEMENT COMMUNITY EDUCATION PLAN 2019-2020

File No: 1464

Attachments: 1. **Animal Management Community Education Plan 2019-2020**[u](#)

Authorising Officer: Karen Moody - Acting Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Nishu Ellawala - Coordinator Local Laws

SUMMARY

This report presents the Animal Management Community Education Plan 2019-2020 (The Plan) for Council's consideration and adoption. The Plan has been developed to address key issues identified in the Animal Management Strategy 2017-2020, in particular Community education and awareness to ensure the community is adequately informed of their obligations in relation to responsible pet ownership.

OFFICER'S RECOMMENDATION

THAT the Animal Management Community Education Plan 2019-2020 be received.

COMMENTARY

Education is an important proactive tool to bring long-term, positive social change in relation to pet owners and their responsibilities within the Rockhampton Region. Council is charged with legislative responsibilities that protect individuals and the community as a whole.

The Plan outlines comprehensive Community Education Program scheduling appropriate events and promotions across the year and including information to new residents to reinforce responsible pet ownership and voluntary compliance with State legislation and Council's local laws. A significant plan of action has been in progress with the development of responsible pet ownership promotional campaign and provision of prep, pre-school and school-based program '*Part of the Pack*', which is attracting great interest from early learning centres and kindergartens as well as primary schools.

The Plan outlines and addresses five key objectives:

- Educate our community about responsible pet ownership
- Minimise the number of companion related incidents
- Maximise the benefits to the community that may be gained by owning companion animals
- Minimise the number of domestic animals being handed in/brought into the Animal Management Centre
- To create an environment where people and domestic animals can peacefully coexist within the community.

PREVIOUS DECISIONS

The Animal Management Strategy 2017-2020 which included a strategic outcome to develop Animal Management Community Education Plan was approved by Council on the 31 January 2017

BUDGET IMPLICATIONS

The Plan will be implemented with the current budget resources.

CORPORATE/OPERATIONAL PLAN

Animal Management Community Education Plan has been identified as an action within Council's Animal Management Strategy and therefore works towards achieving target 4.2.1.2 of Councils 2019-2020 Operational Plan strategy outcomes.

CONCLUSION

It is recommended that Council receive the Animal Management – Community Education Plan 2019-2020 as attached.

ANIMAL MANAGEMENT COMMUNITY EDUCATION PLAN 2019-2020

Animal Management Community Education Plan 2019-2020

Meeting Date: 30 July 2019

Attachment No: 1

ANIMAL MANAGEMENT COMMUNITY EDUCATION PLAN 2019-2020



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PREAMBLE

Education is an important tool to bring long-term, positive social change in relation to pet owners and their responsibilities within the Rockhampton Region.

Council is charged with legislative responsibilities that protect individuals and the community as a whole. Education is a key proactive tool to legislative compliance and maintaining minimum standards in the community to reduce the need to enforce compliance.

Council's Local Laws Unit is responsible for the administration of the following legislation and related regulations and policies:

- Local Government Act 2009
- Animal Management (Cats and Dogs) Act 2008
- Animal Management (Cats and Dogs) Regulation 2009
- Local Law No.1 (Administration) 2011 and Subordinate Local Law No.1.5 (Keeping of Animal) 2011
- Local Law No.2 (Animal Management) 2011 and Subordinate Local Law No.2 (Animal Management) 2011
- Animal Care and Protection Act 2001
- Workplace Health and Safety Act 2011.

ANIMAL MANAGEMENT Community Education Plan 2019-2020 ... / 3

COMMUNITY EDUCATION PLAN



PURPOSE

The purpose of this plan is to develop and implement a range of proactive community education and engagement approaches to address the key issues identified in Appendix B.

DEFINING COMMUNITY EDUCATION

Community education is a process used for relationship development and knowledge sharing to:

- Create awareness of an issue
- Enhance people's knowledge, understanding and skills
- Influence people's values and attitudes
- Encourage more responsible behaviour.

Community means all residents, ratepayers, businesses, organisations and groups who have a stake or interest in the Rockhampton Region.

Community education incorporates aspects of:

- Collaboration
- Community involvement
- School education
- Adult education
- Vocational education and training
- Communication or social marketing (mass media, public relations and campaigns).

COUNCIL'S CORPORATE PLAN

Rockhampton Regional Council's Corporate Plan 2017-2022 sets the strategic direction and priorities for our organisation for the next five financial years.

The Operational Plan is an annual document which outlines the activities and actions Council will undertake for the financial year in accordance with the adopted budget.

Action 4.2.1.2 of the Operational Plan 2019-2020, targets what education programs are implemented in accordance with program milestones to ensure the public and community are aware of their legislative obligations.

COUNCIL'S ENFORCEMENT STRATEGY

This strategy outlines Council's approach to enforcement matters and provides staff with direction about the manner in which enforcement activities are to be undertaken. Education is a key tool in building relationships that encourage voluntary compliance.



OBJECTIVES OF COMMUNITY EDUCATION

The objectives of community education are to:

- Create or raise awareness
- Enhance knowledge, understanding and skills
- Empower residents
- Encourage behavioural change
- Influence values and attitudes
- Gain compliance with legislative requirements.

This will be achieved by applying the activities outlined in the Action Plan (Appendix A).

OUTCOMES OF COMMUNITY EDUCATION

The outcomes of community education are to:

- Educate our community about responsible pet ownership
- Minimise the number of companion related incidents
- Maximise the benefits to the community that may be gained by owning companion animals
- Minimise the number of domestic animals being handed in/brought into the Animal Management Centre
- To create an environment where people and domestic animals can peacefully coexist within the community.

ANIMAL MANAGEMENT Community Education Plan 2019-2020 ... / 5



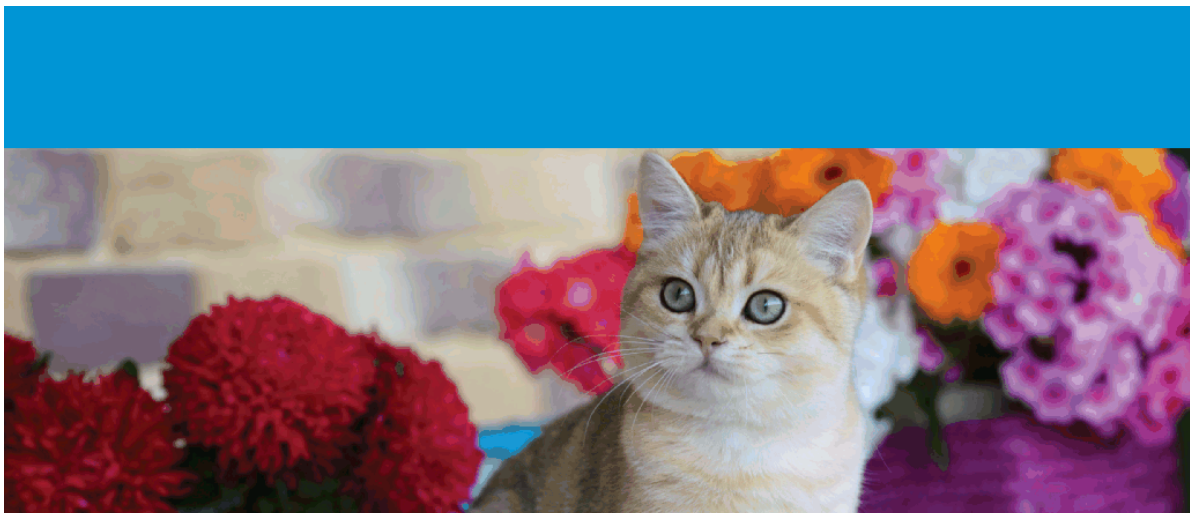
LEARNING NEEDS

Understanding the kind and extent of learning needs existing within the community is essential to determining the community education that is provided. Different areas and population groups may have different learning needs, and the more accurately these can be identified, the more readily education can be tailored to meet specific demand.

The prioritised learning needs are:

- The principles of responsible animal ownership
- Safety consciousness around animals
- Appropriate control and constraint of pets
- Animal identification
- Compliance with State and Local Laws
- Nuisance and menacing animal behaviours
- Council regulations, infringement penalties and management of interventions
- Unwanted cats and dogs
- Good neighbour behaviour.

6 / ...



BARRIERS

Because education can have a profound effect on the ability of individuals to understand, achieve and comply with legislative requirements, identifying barriers to education is a key concern. When developing educational material, the following barriers will be considered:

LANGUAGE AND LITERACY

Language difficulties may present where English is the second language. Whilst language and literacy are not considered a barrier to the majority of the community, it is recognised that it is to some members of the community.

The use of technical terminology impacts on the readability and ability of the community to understand educational material and should be minimally used. Correct language and high literacy standards are particularly important in education material used for children and young persons.

CULTURAL BACKGROUND

People from different cultural backgrounds may have different views and experiences in relation to animal management issues and what is required by Queensland legislation. It is common for people to use traditional views, techniques and practices and any education will need to be targeted to ensure that these cultural views, techniques and practices are considered.

LEARNING STYLES

People have different styles of learning including: - visual, auditory and kinaesthetic.

MOTIVATION

Members of the community may not be highly motivated or not interested in learning. The delivery of an interesting educational programme will stimulate and encourage members of the community to take an interest in the learning opportunity. Learning must be relevant and beneficial to an individual's knowledge.

PERCEPTION OF INDIVIDUALS

Education will be used to dispel the thought that animal management issues are someone else's responsibility by promoting the message "Your pet, your responsibility".

PERCEPTION OF COUNCIL

Members of the community may have a negative perception of Council and are therefore less likely to engage in a positive manner.

STAFFING AND RESOURCING

Council's budget and staff resources can impact on the level of education provided especially in times of changing legislation.

COMMUNITY EDUCATION STRATEGY

PARTNERS

Partners who may assist in the development and delivery of the education include:

- Units within Council including Marketing and Engagement and the library
- Local Government Association of Queensland
- Schools
- RSPCA
- Australian Institute of Animal Management
- Australian Veterinary Association
- Local Rescue Agencies
- Workplace Health and Safety Queensland.
- Animal Welfare Agencies

MECHANISMS FOR DELIVERY

The mechanisms which community education may be delivered include the following:

- Training programs and presentations to a range of audiences including community based groups
- School based programs presented in schools
- A range of education and information products including guides and fact sheets
- Council's website
- Customer Service screen
- Councillor radio spots
- Newspaper
- Radio
- Television
- On-hold messages
- Newsletters
- Displays
- Social media
- Emails
- Activity books and story books.

KEY ISSUES

This plan details six key issues for animal management and outlines the actions required to achieve Council's Corporate Plan objectives. The issues are:

1. Animals not being under effective control
2. Safety around pets
3. Unregistered dogs
4. Unidentified dogs and cats
5. Unwanted dogs and cats
6. Management of Animal Management Facilities
7. Barking dogs and animal nuisance

MONITORING AND EVALUATION

The education program will be monitored and evaluated by:

- Conducting surveys of trainers
- Conducting surveys of participants in training sessions
- Consulting with stakeholders to obtain feedback
- Consulting with organisations who were/are doing similar work to identify improvement opportunities
- Monitoring changes in keeping practices
- Media monitoring.



ANIMAL MANAGEMENT Community Education Plan 2019-2020 ... / 9

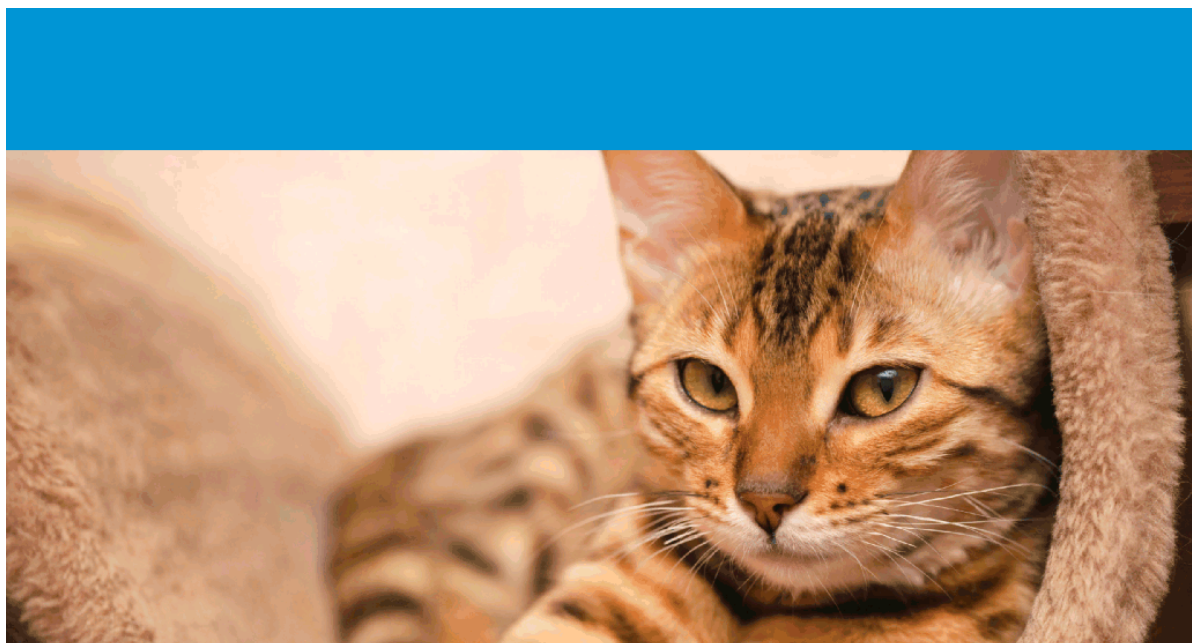
COMMUNITY EDUCATION STRATEGY

APPENDIX A - ACTION PLAN

RESOURCES DEVELOPMENT

ACTION	TIMEFRAME	MEASURE
Factsheets and handbooks		
▪ Develop required factsheets	Mar 2019	Factsheets available
▪ Review factsheets and handbooks	Annually	Factsheets reviewed
▪ Your Pet Your Responsibility handbook	Mar 2019	Available to public/e-book on website
▪ How to be a good neighbour handbook	Aug 2019	Available to public/e-book on website
Website		
▪ Develop and update website content	May 2019	Information available on website
▪ Review website information including links to relevant websites	Annually	Website information reviewed
▪ Virtual tour of AMC	Sept 2019	Virtual tour available on website
Activity books – for use with Schools Education Program		
▪ Develop a children's (Prep-Year2) activity booklet	Apr 2019	Activity book completed/ready to use
▪ Develop a children's (Years 3-4) activity booklet	Apr 2019	Activity book completed/ready to use
▪ Develop a children's (Years 5-6) activity booklet	Apr 2019	Activity book completed/ready to use
▪ Review activity books	Annually	Activity books reviewed
Activity sheets – for use at Community Awareness Events		
▪ Develop age appropriate activity sheets	May 2019	Activity sheets completed/ready to use
▪ Review activity sheets	Annually	Activity sheets reviewed





ACTION	TIMEFRAME	MEASURE
Story books		
▪ Develop a "Paws and be Safe" story book	Aug 2019	Book for distribution
▪ Identify and develop a series of dog/pet story books	Dec 2019	Books ready for use
▪ Review story books	Annually	Story books reviewed
▪ Present a story at storytime at the library	As arranged	Story read at storytime
▪ Present story book at primary schools during Book Week or at an arranged time	Annually/as requested	Story read at book presentation
Promotional Items (with animal management messages)		
▪ Identify and acquire promotional items	As identified	Items identified and purchased
▪ Stocktake and review requirements	Annually	Items reviewed
Visual displays items		
▪ Fencing sample	June 2019	Visual display available for use
▪ Identify visual items required – including posters	May 2019	Presentation materials available
▪ Shop window display	As arranged	Shop window display
Information packages		
▪ New dog registrations/pet package	Sept 2019	New dog registration/pet package
▪ New residents/welcome package	Nov 2019	New residents/welcome package
Incentive development		
▪ Vouchers		
▪ Discounts		
Renewal notices and account statements advertising		
▪ Arrange ads to be placed on renewal notices and account statements	Apr 2019	Animal management message on renewal notices and statements

COMMUNITY EDUCATION STRATEGY

EDUCATION PROGRAM

ACTION	TIMEFRAME	MEASURE
School based programs		
▪ Develop a program for Prep-Year 2 school students – Safety around dogs	Apr 2019	Presentation in schools
▪ Develop a program for Year 3-4 school students – Pet safety and health	Apr 2019	Presentation in schools
▪ Develop a program for Year 5-6 school students – Pet safety & responsible pet ownership	Apr 2019	Educational package developed
▪ Promote programs to schools	From May 2019	Schools aware of educational program
▪ Deliver programs in schools	Ongoing	Educational programs delivered in schools
▪ Staff training	Apr 2019	Staff trained in delivering educational programs in school
Events/activities		
▪ Identify relevant events to attend	Feb 2019 – Mar 2019	Schedule of events
▪ Good Neighbour Street Campaign (in partnership with Waste & Recycling)	Monthly	Community presence
▪ Local Laws events ie Microchipping & Vaccination days; Pets in the Park days; Information days at dogs off-leash parks and shopping centres	As scheduled	Events
▪ Open day at AMC	As appropriate	Day on the lawn
▪ Dog obedience schools	Jul 2019	Dog obedience training school program
▪ Develop static/visual displays or presentations for use at shows or locations within the community	Apr 2019	Displays/presentations plan
▪ Pet Expo	Sept 2020	Event
▪ Pet photo day – fundraising event	Sept 2019	Event
Arrange community displays		
▪ Identify venues eg shopping centres and vacant shops	Ongoing	Schedule of venues
▪ Prepare display or presentation	May 2019	Displays/presentations resources
Radio		
▪ Develop messages and arrange advertising	Campaign	Messages developed and put to air
Television		
▪ Develop messages and arrange advertising	Campaign	Messages developed and put to air



ACTION	TIMEFRAME	MEASURE
Social media		
▪ Develop messages and send to media for posting	Per schedule	Messages posted on social media
On-hold messages		
▪ Develop messages and send to Corporate Services for processing	Seasonal	On-hold messages posted on Council telephone system
Community eNewsletter		
▪ Develop an Animal Management/Local Laws Newsletter	Quarterly	- Send newsletter to database email addresses - Send newsletter with renewals - Email to schools
Communicate legislative changes		
▪ Review Animal Management Act	Review every two years or as legislation changes	Awareness of changes and implementation of changes where required
▪ Review factsheets	Feb 2019	Full set of current fact sheets
▪ Information put on Councils website	Ongoing	Updated when required
▪ Plan roll-out of information to the community eg shopping centre display	As required	Presentation of information
▪ Update Customer Service knowledge library	As required	Information provided to Customer Service



ANIMAL MANAGEMENT Community Education Plan 2019-2020 ... / 13

COMMUNITY EDUCATION STRATEGY

APPENDIX B - KEY ISSUES ADDRESSED THROUGH EDUCATION PROGRAM

ACTION	TIMEFRAME	MEASURE
Key Issue 1 – Animals not being under effective control		
▪ Dog obedience training schools – investigate available services; identify potential partnerships; consider Council program	Jul 2019	Dog obedience training school schedule
▪ Develop suitable resources (including fence sample) for visual display at events or in shop windows	May 2019	Visual display ready for use
▪ Address issue in “Your Pet Your Responsibility” handbook	Mar 2019	Handbook available on website
Key Issue 2 – Unregistered dogs		
▪ On-hold messages/social media – need to register dogs; annual registrations	Aug/Sept 2019 & various	On-hold messages posted on Council telephone system
▪ Promote the importance of/responsibility for keeping a pet’s information (microchip details) up to date at events	At events	Council presence at events
▪ Information stand at shopping centres/ designated venue prior to dog registration	Jul/Aug 2019	Information days at designated shopping centres
▪ Microchipping/vaccination/desexing days	As scheduled	Events
Key Issue 3 – Unidentified dogs and cats		
▪ Information days at dog off-leash areas	Off season	Information and fun day at dog off-leash parks
▪ Promote the importance of keeping information up-to-date on microchips at events	Various	Council presence at events
▪ On-hold messages and social media releases – importance of updating microchip information	Jul-Oct 2019	On-hold messages posted on Council telephone system
▪ Investigate microchipping updating days – promote the importance of updating microchip details (Council to give consideration of offering and updating microchip details service)	Winter months	Pets in the Park days at designated parks
▪ Reminder to update details to be sent with dog registration renewals	Apr 2019	Information provided on registration renewal
▪ Provide information to new residents	As required	New residents’ pets package/ information



ACTION	TIMEFRAME	MEASURE
Key Issue 4 – Unwanted dogs and cats		
▪ Responsible pet ownership materials/ resources	Apr 2019	- Fact sheet/handbook available on website
▪ Schools education program	May 2019	- Activity booklets Delivery of program in schools
▪ Promotions to encourage desexing of pets	As required	Incentives to encourage desexing, including vouchers and reduced registration fees
Key Issue 5 – Management of pound facilities		
▪ Fact sheet	Mar 2019	Informative flyer including services information; care/treatment of impounded animals; address/ location; and opening times
▪ Virtual tour available on the website	Sept 2019	Virtual tour available on the website
Key Issue 6 – Barking dogs and animal nuisance		
▪ Bark Behaviour Pack	As appropriate	
▪ Good neighbour handbook	Aug 2019	Available to public/e-book accessible on website
▪ Promotions encouraging good neighbour behaviours	Ongoing	Information day or information provided at dog off-leash parks
▪ Website information	Mar 2019	Updated content
▪ Fact sheet	As appropriate	Fact sheet
▪ Good Neighbour Street Campaign (in partnership with Waste & Recycling)	27 June 2019	Monthly events

ANIMAL MANAGEMENT Community Education Plan 2019-2020 ... / 15



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8.5 DECISIONS UNDER DELEGATION - JUNE 2019

File No: 7028

Attachments: Nil

Authorising Officer: Karen Moody - Acting Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the properly made development applications received in June 2019 and whether they will be decided under delegation or decided by Council.

OFFICER'S RECOMMENDATION

THAT this report into the applications lodged in June 2019 be received.

BACKGROUND

Matters are referred to Committee for decision where:

- Refusals;
- The development is inconsistent with the intent of the zone;
- Submissions are received during the notification period.

The following properly made applications were received in June 2019. They will be decided in the following manner:

Application type	Applicant	Address	Decision
D/46-2019 – ROL (two lots into two lots)	GM Finch and JW Wilkinson	15 and 17 East Street Extended, Mount Morgan	Delegation
D/48-2019 – Operational Works for Road Work, Stormwater and Earthworks. The primary approval is an MCU for Multiple Dwelling (3 units).	McMurtrie Consulting Engineers	114 William Street, Rockhampton City	Delegation
D/49-2019 – MCU for Health Care Services	Wheatmen Pty Ltd	112-114 Denham Street, Rockhampton City	Committee
D/50-2019 – Operational Works for Road Works, Stormwater, Landscaping and Access and Parking Works. The primary approval is an MCU for a Vehicle Depot.	GP and JL Agius	330 Leichhardt Street, Parkhurst	Delegation

Application type	Applicant	Address	Decision
D/51-2019 – Operational Works for Water Works. The primary approval is for a compliance assessment under SPA for 1 lot into two lots.	A Grillmeier	89 Douglas Street, Gracemere	Delegation
D/278-2013 – Other change for Extractive Industry (meaning no new MCU application is required under PA it is considered an ‘other change’ to the approval)	P Waardyk and M Stokes	Lot 100 Nine Mile Road, Fairy Bower	Impact assessable so may go to Committee if there are submissions

For some matters it is not possible to determine if they will go to Committee until the notification period ends. If there have been submissions the application will go to Committee to be decided.

CONCLUSION

This report outlines the applications received in June 2019 and the manner in which they will be decided.

8.6 MONTHLY OPERATIONS REPORT FOR PLANNING & REGULATORY SERVICES - JUNE 2019**File No:** 1464**Attachments:** 1. Monthly Operations Report for Planning & Regulatory Services - June 2019 [1](#)**Authorising Officer:** Colleen Worthy - General Manager Community Services**Author:** Karen Moody - Acting Manager Planning and Regulatory Services

SUMMARY

The Monthly Operations Report for Planning & Regulatory Services for June 2019 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Planning & Regulatory Services Monthly Operations Report for June 2019 be 'received'.

COMMENTARY

The monthly operations report for Planning & Regulatory Services is attached for Councils consideration. The performance information contained within the attached report relates directly to the adopted 2019/2020 Operational Plan Key Performance Indicators.

MONTHLY OPERATIONS REPORT FOR PLANNING & REGULATORY SERVICES - JUNE 2019

Monthly Operations Report for Planning & Regulatory Services - June 2019

Meeting Date: 30 July 2019

Attachment No: 1

MONTHLY OPERATIONS REPORT

PLANNING & REGULATORY SERVICES

PERIOD ENDED JUNE 2019



1. Operational Summary

Local Laws

Systematic Inspection Program – Gracemere

The Systematic Inspection Program occurring in Gracemere was completed during June. Whilst the program has been completed, follow-up compliance action with regard to the non-complying properties will continue as part of general operations.

Program statistics are shown below:

Statistics	Total
No. of properties attended in Gracemere	4342
No. of dogs currently registered in Gracemere	4008
No. of Properties with Dogs	1978
No. of Properties with No Dogs	2326
No. of Fully Compliant Premises at the time of inspection	763
No. of Compliance Notices	79
No. Dogs Impounded	8
No. of PIN's issued	106

Rockhampton Show

Local Law Officers had a stall at the Rockhampton Show where information was disseminated on responsible pet ownership and general Local Law matters. A number of dog enclosure fencing panels were on display providing a valuable opportunity to engage with the community and provide specific advice on suitable dog enclosure and fencing requirements/standards.

Education Program

Delivery of the new pet education program continued during the month with two sessions held at C&K Leichhardt Community Kindergarten. The program has only been running for a few weeks and already a number of schools and childcare centres have booked a session.



Development Engineering

The Development Engineering Unit has updated the residential development spreadsheet for the Rockhampton Region and provided a detailed summary to compliment this. With the significant projects which have commenced, or are about to commence, in Central Queensland it is important to understand RRC's status with regards to land stock and what could be brought to the market fairly quickly.

Development Assessment

The Development Assessment unit had a busy month with the controversial Telstra Tower at Struck Oil going back before Council; which was approved subject to conditions. The Gracemere Soccer Club lighting towers required priority assessment due to funding deadlines for the club. While Council had informed the club that it would have the assessment completed by 10 July, the approval went out on 18 June 2019.

Health & Environment

The Health and Environment Unit undertook activities at the Rockhampton Show including Biosecurity Operations (Chief Biosecurity Officer), and Food Business inspections. Additionally, both Pest and Vector had a stall at the event. Feedback was positive in the number of interactions with the public and the quality of the stalls set up. Pest Management also attended the Ridgeland's show in early June and both Pest Management and Vector Management attended the Big Boys Toys event.

Vector Management Officers and Environmental Health Officers presented to a regional cluster of STEM (Science, Technology, Engineering & Mathematics) students virtually as part of their Grand Challenge on Mitigating the Spread of Disease. Vector focused on mosquito borne diseases and health on food safety. It is planned a further session will be held with different students later in 2019. The students participating in this program are chosen because of their ability in this area and may now develop ideas on how to tackle these issues within our community.



Vector Management Officers and Environmental Health Officers have continued to respond to the Dengue notifications in the region in conjunction with QH. As of 3 July, there has been 11 confirmed cases of Dengue (type 2) in Rockhampton. The response (until the 30 June) includes:

- 950 properties inspected;
- 810 properties sprayed;
- Aedes Aegypti breeding has been detected at 95 properties; and
- 433 properties have had lethal ovitraps set.

In preparation for the upcoming Tailsman Sabre event, Vector Management Officers undertook property inspections of the Rockhampton airport facilities and properties within 400m of the airport in late June. These inspections found no presence of Aedes Aegypti mosquitoes.

Building, Plumbing & Compliance

The Building, Plumbing & Compliance unit with the assistance of the Development Advice Centre have finalised our processes and are ready for the new *Plumbing Act* and *Plumbing Regulations* coming into force on 1 July 2019. The main change for our unit is the introduction of a fast track plumbing application for Class 1a and Class 10 buildings to a two day completion.

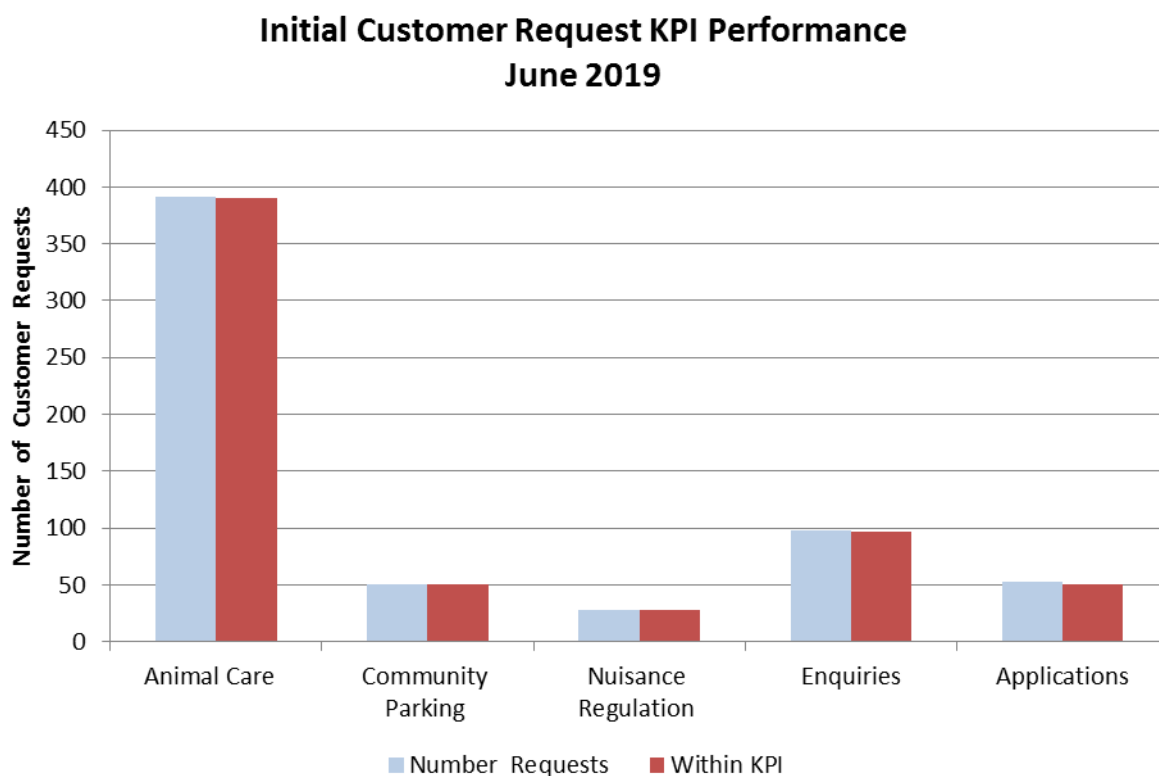
2. Customer Service Requests

The Planning and Regulatory Services section has received in the vicinity of 7,209 customer requests from January 2019 to date. Of these, 5,995 have been completed giving an average completion rate of 83% across the spectrum of operations.

Local Laws

- The Local Laws unit received 755 requests in June resolving 422 requests during the period.
- 171 wandering and restrained for collection customer requests were received during the month.
- Response times for completing customer requests in this reporting period of June 2019 are within the set timeframes for our KPIs.

Graph
2.1

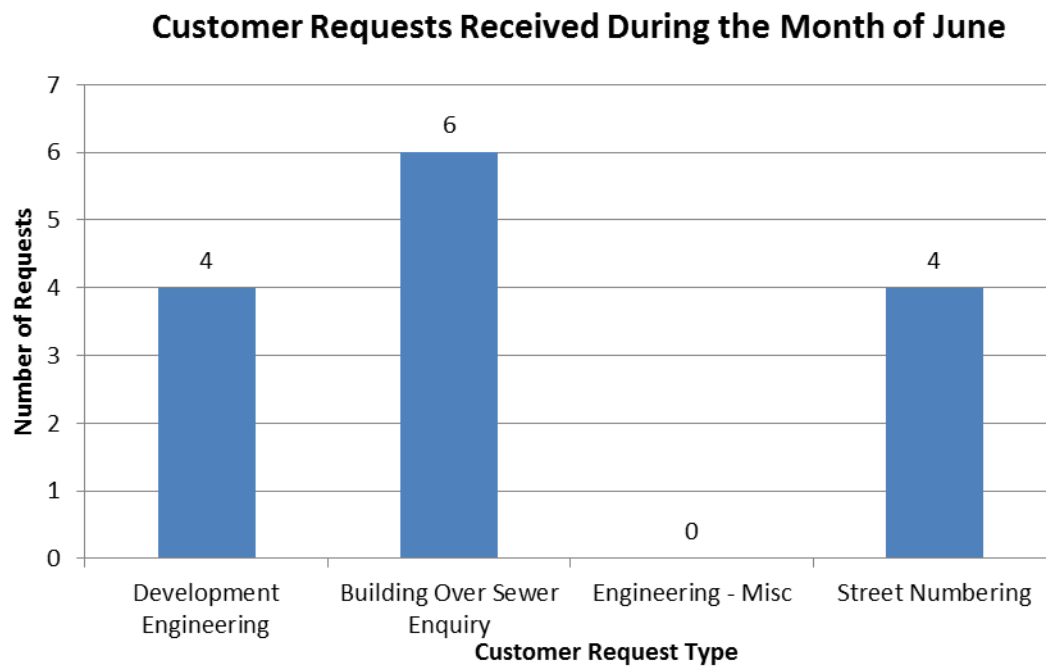


Development Engineering (DEU)

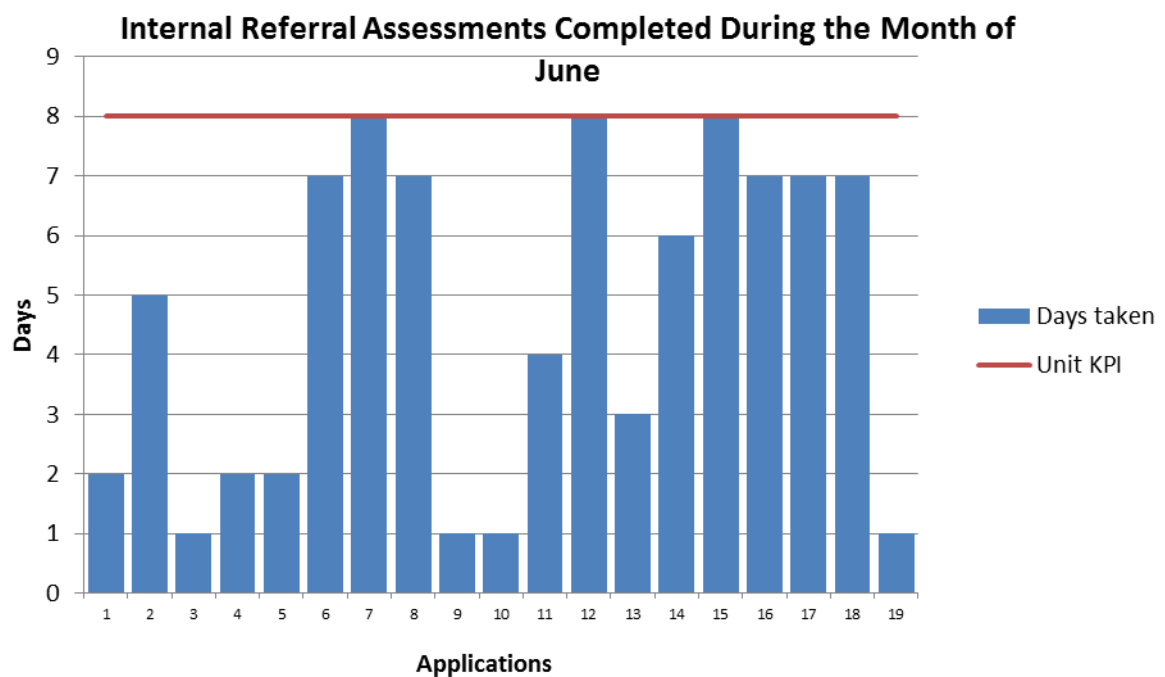
Response times for completing customer requests in this reporting period for June 2019 are within the set timeframes. The one engineering request type that extended out to 13 days required investigation before a decision could be made.

The number of development applications referred to DEU for the period of June was 19. The unit's KPI for completing the assessment of applications is 90% within eight business days of receiving the application. All 19 applications were responded to within the eight business days.

Graph 2.2



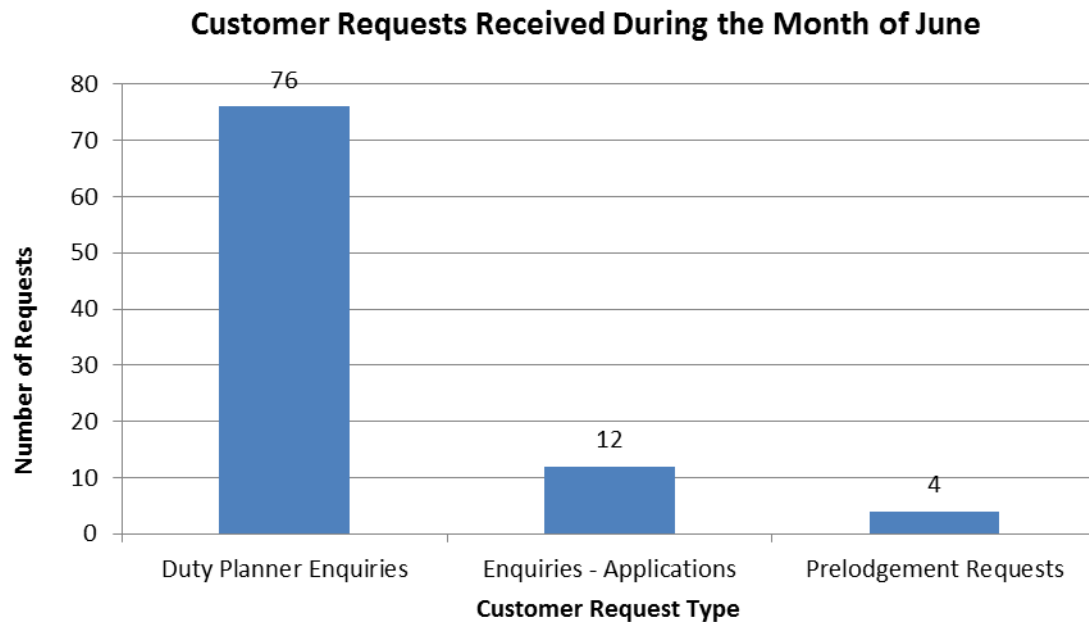
Graph 2.3



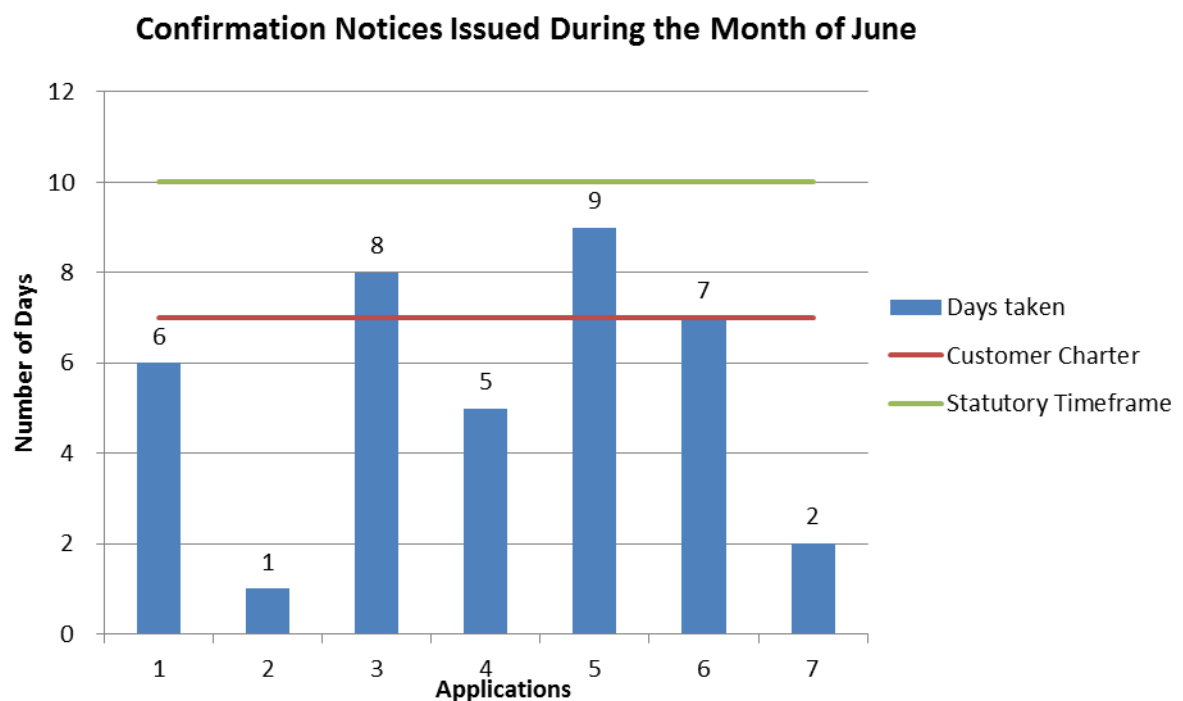
Development Assessment

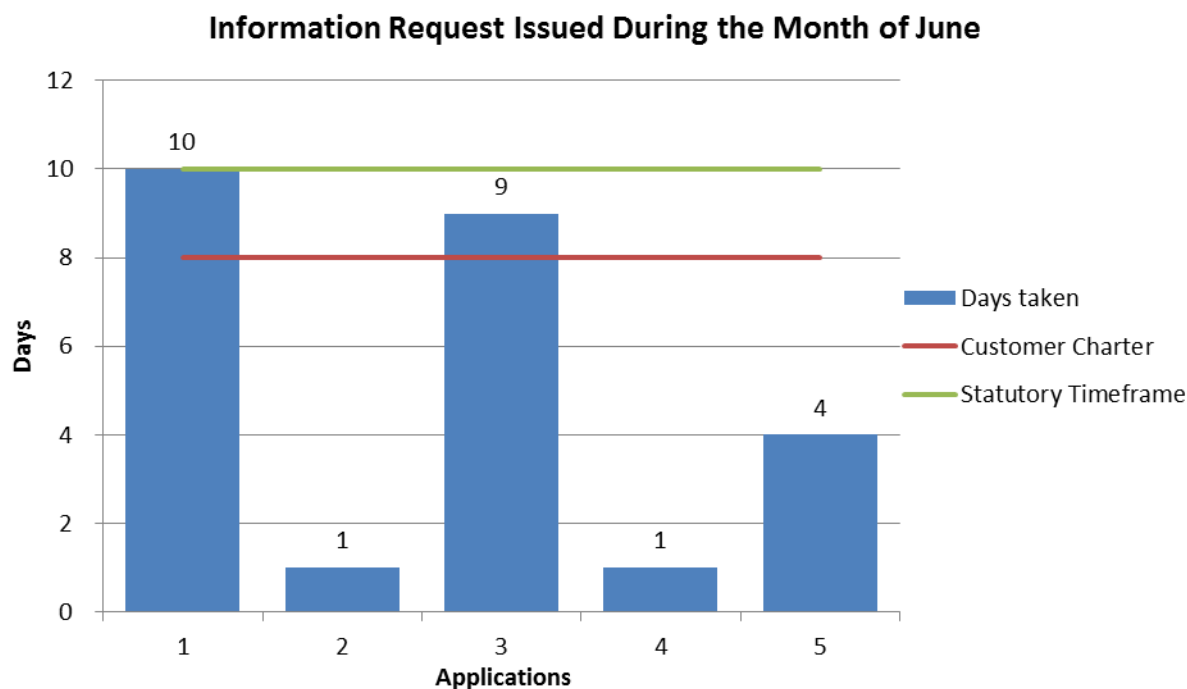
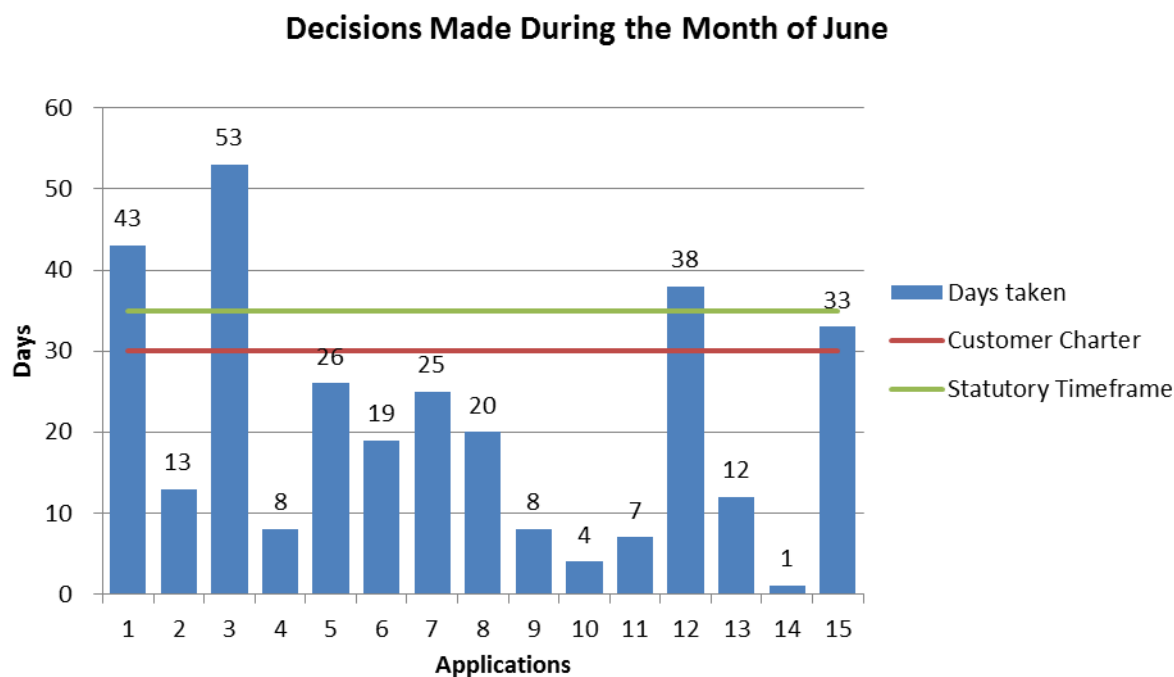
The Development Assessment Unit received 88 customer requests for June. All but two of these requests were completed during the month. Response times for completing customer requests in this reporting period are within the set timeframes.

Graph 2.4



Graph 2.5



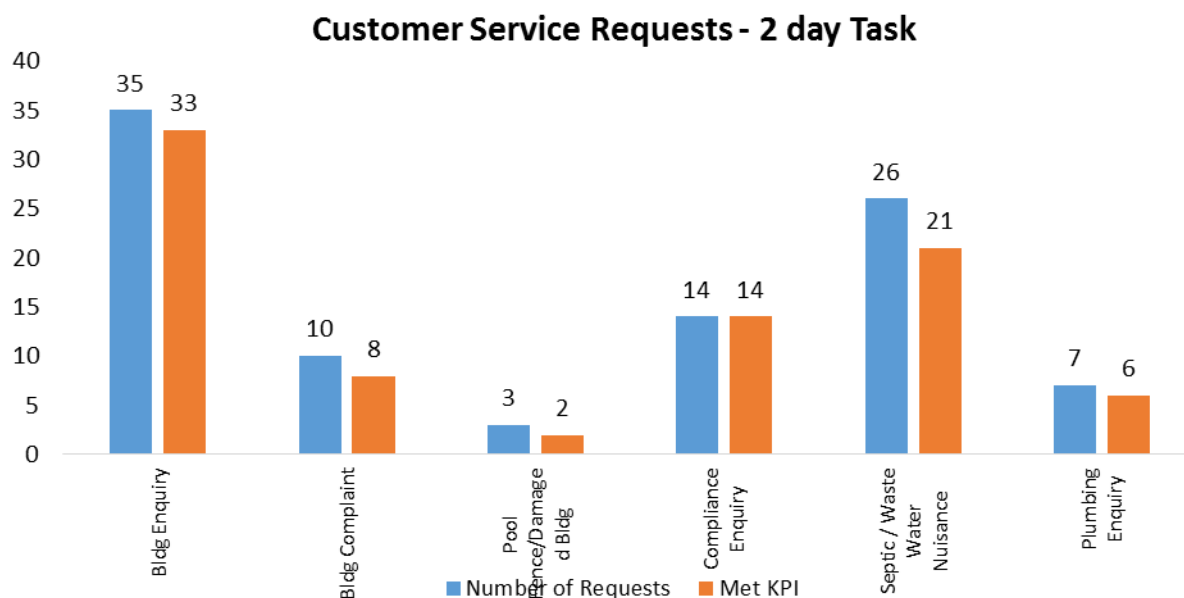
Graph
2.6Graph
2.7

All but three applications were decided within the statutory 35 business days. The longest approval time was 53 days and all applications that were not approved within the 35 business day timeframe were properly extended in accordance with the provisions of the *Planning Act 2016*.

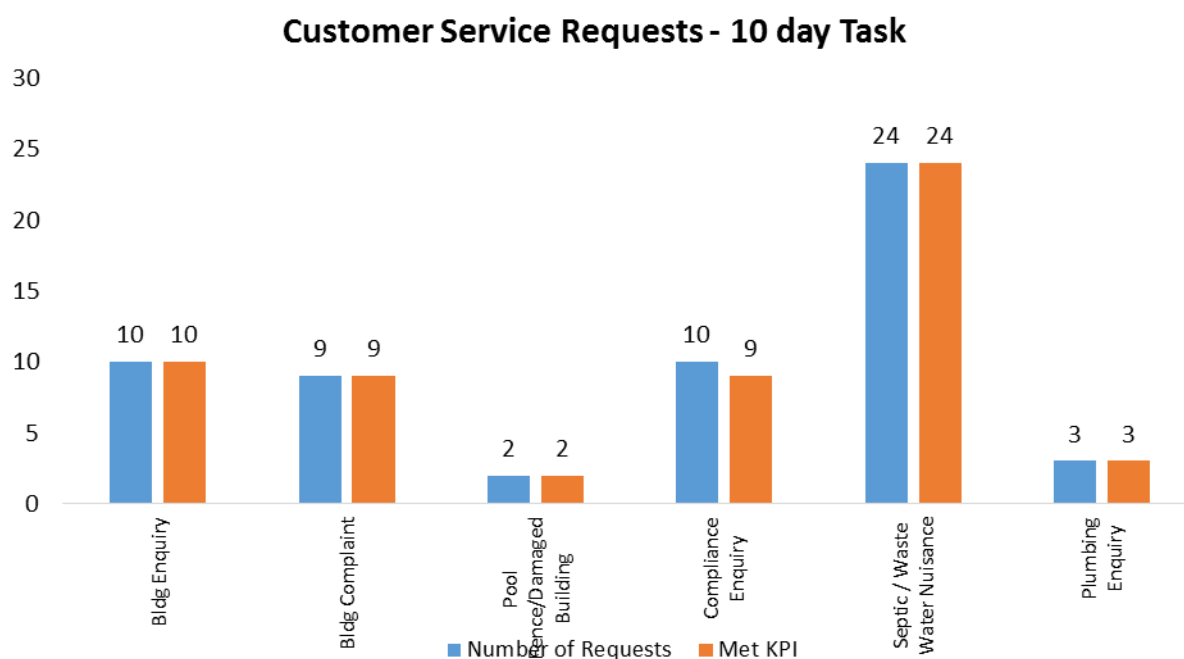
Building, Plumbing & Compliance

The unit received a total of 109 customer requests for the month of June and completed 64%. Overall the customer service KPIs were met for the reporting period June 2019.

Graph 2.8



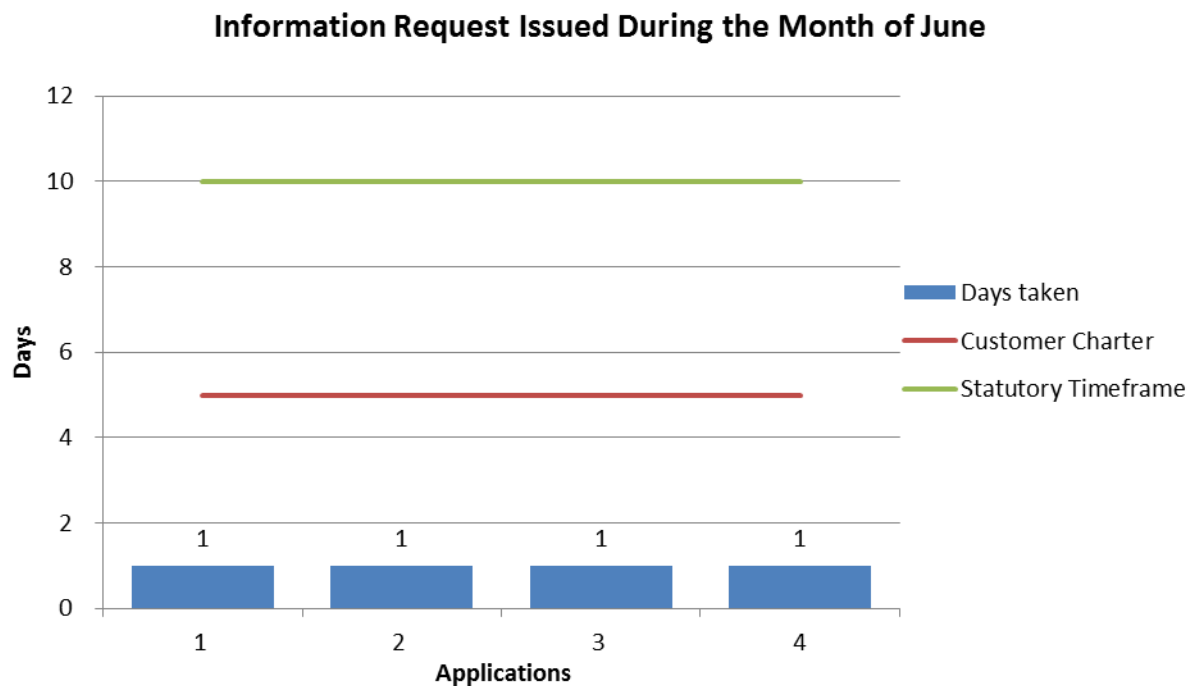
Graph 2.9

**Building and Referral Applications**

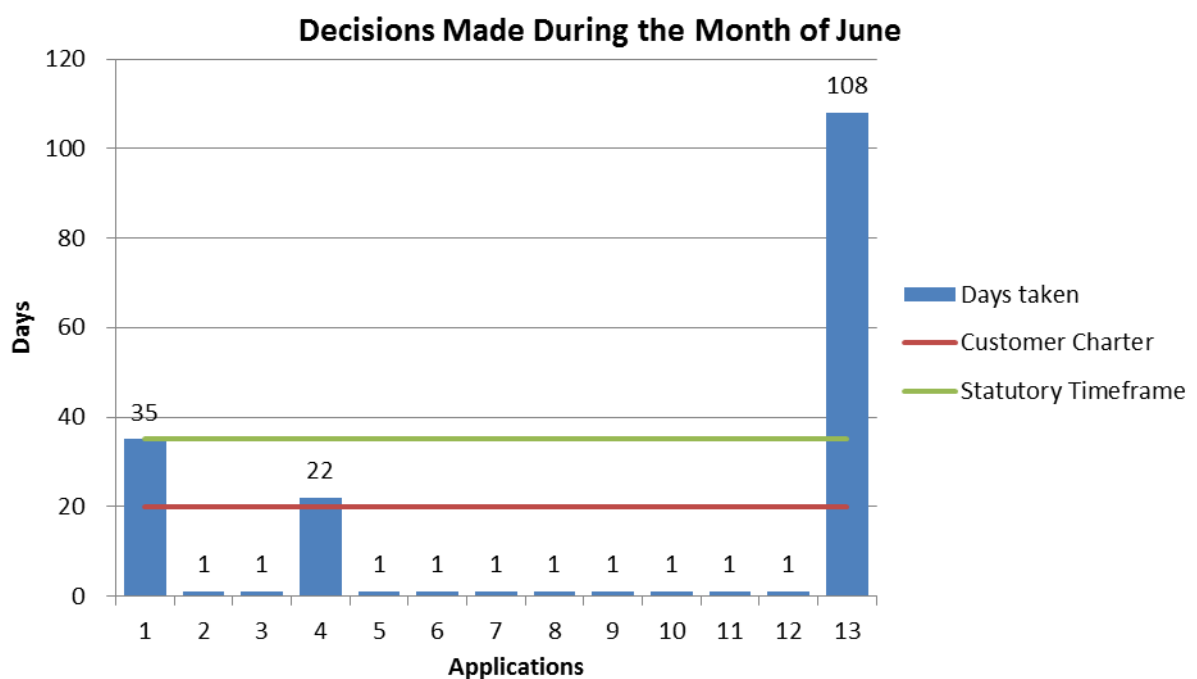
All of the building and referral application information requests that were issued, all were issued within statutory timeframes and were generally issued within the customer charter targets. Decisions on building approvals show three were issued with an extended time frame.

Building Applications

Graph 2.10

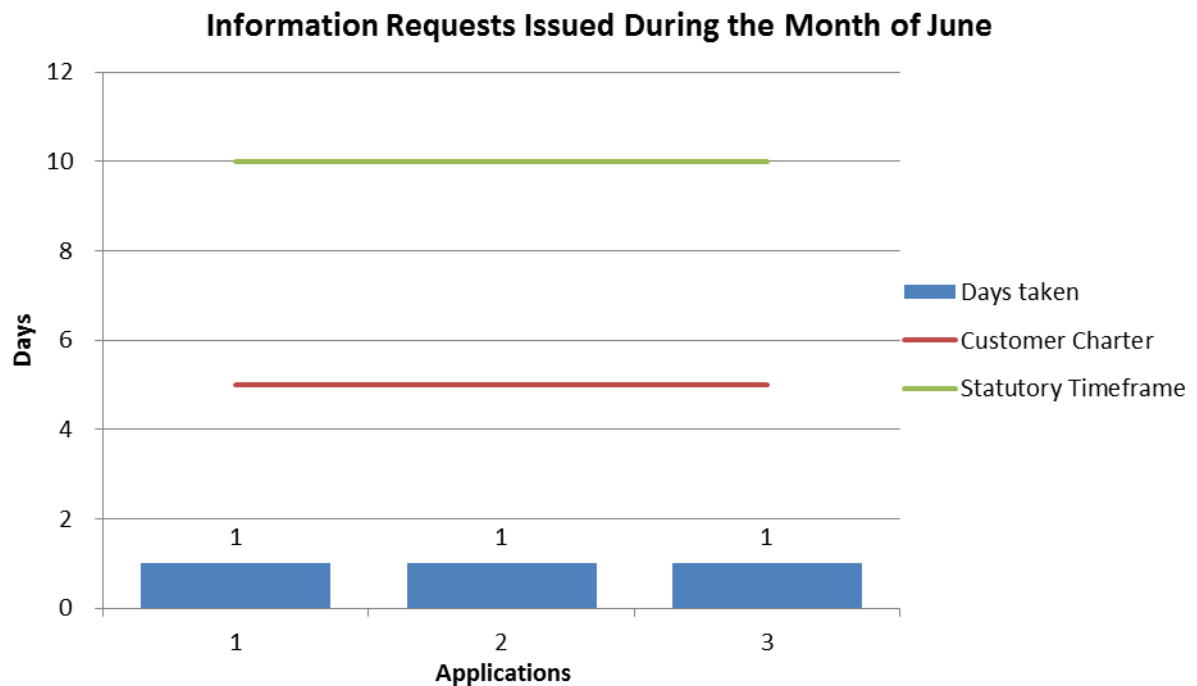


Graph 2.11

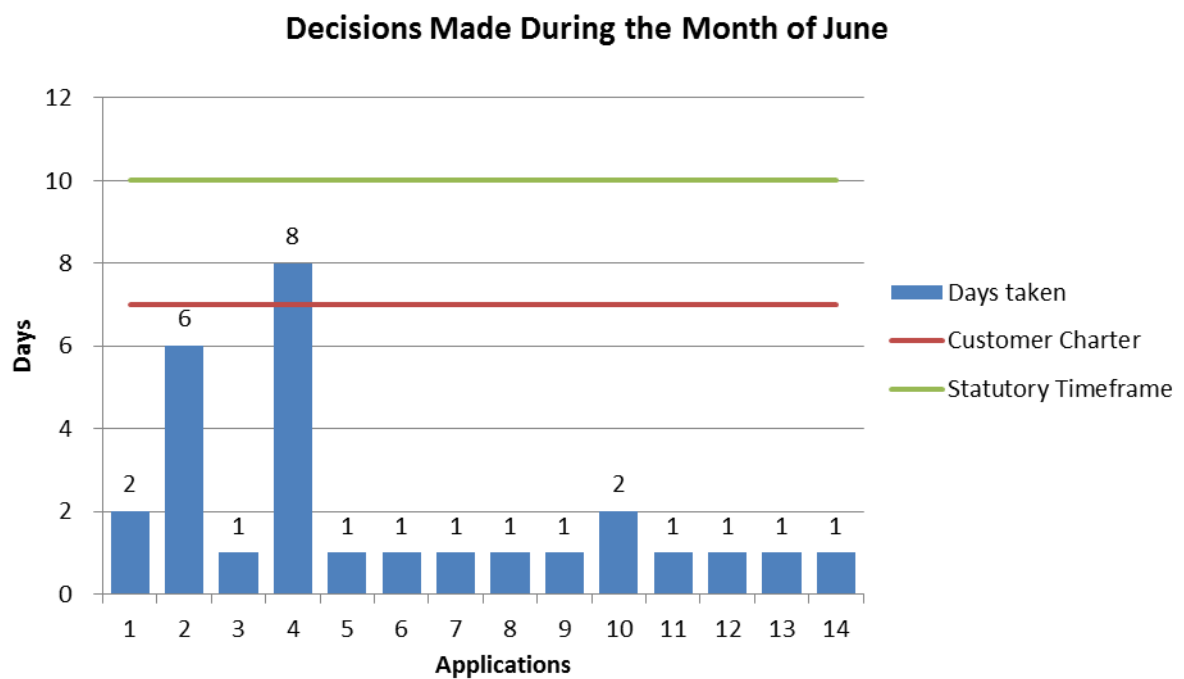


Referral Agency Applications

Graph 2.12



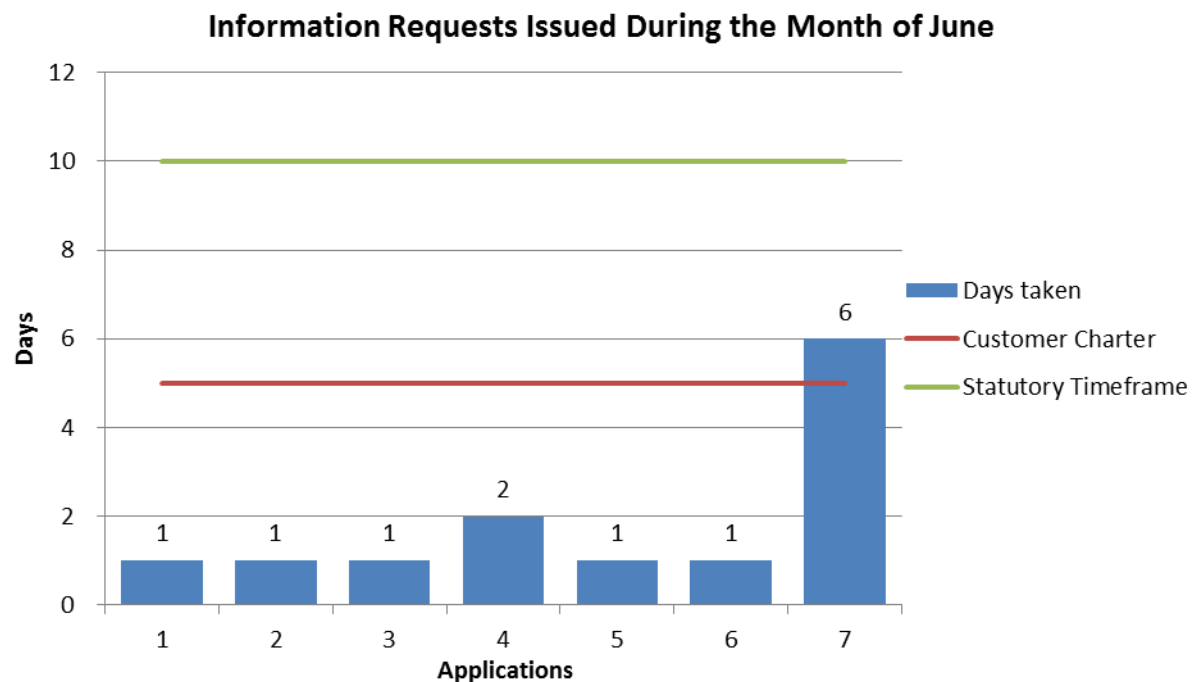
Graph 2.13



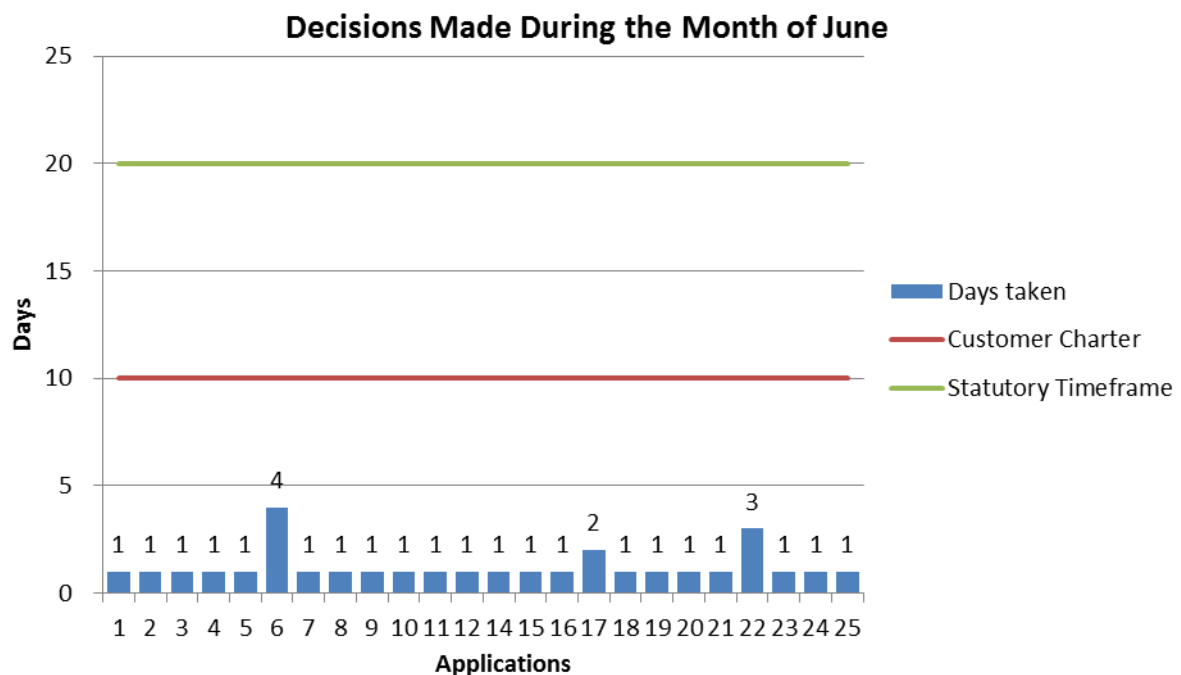
Plumbing Applications

All plumbing application information requests and decision notices were issued within statutory time frames and within the customer charter targets.

Graph
2.14



Graph
2.15



Health & Environment

The Health and Environment unit responded to 90 requests during June, most were completed within the customer service timeframes. At times, Council's Vector Unit was unable to respond to the customer within 24 hours (priority one requests), due to the commitment to the Dengue Response, most customers were contacted within 48 hours. The most common requests received were for food enquiries, pest plant complaints and misting requests. Seasonal trends in the cooler months of increased pest animal and vermin complaints have remained with a slight increase in these complaints in June.

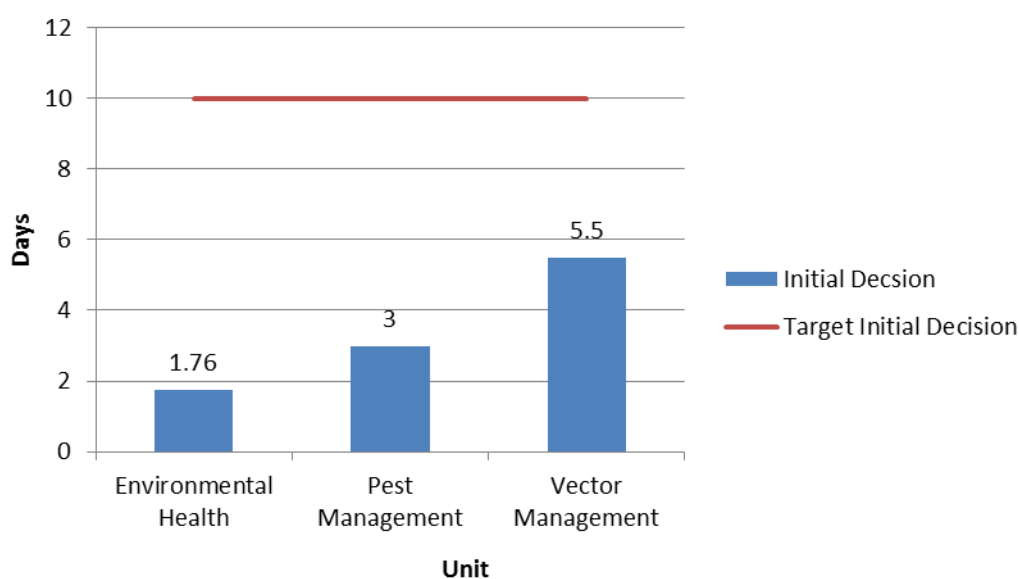
Graph
2.16

**Average Time to Contact Customer -
All Enquiries and Complaints**

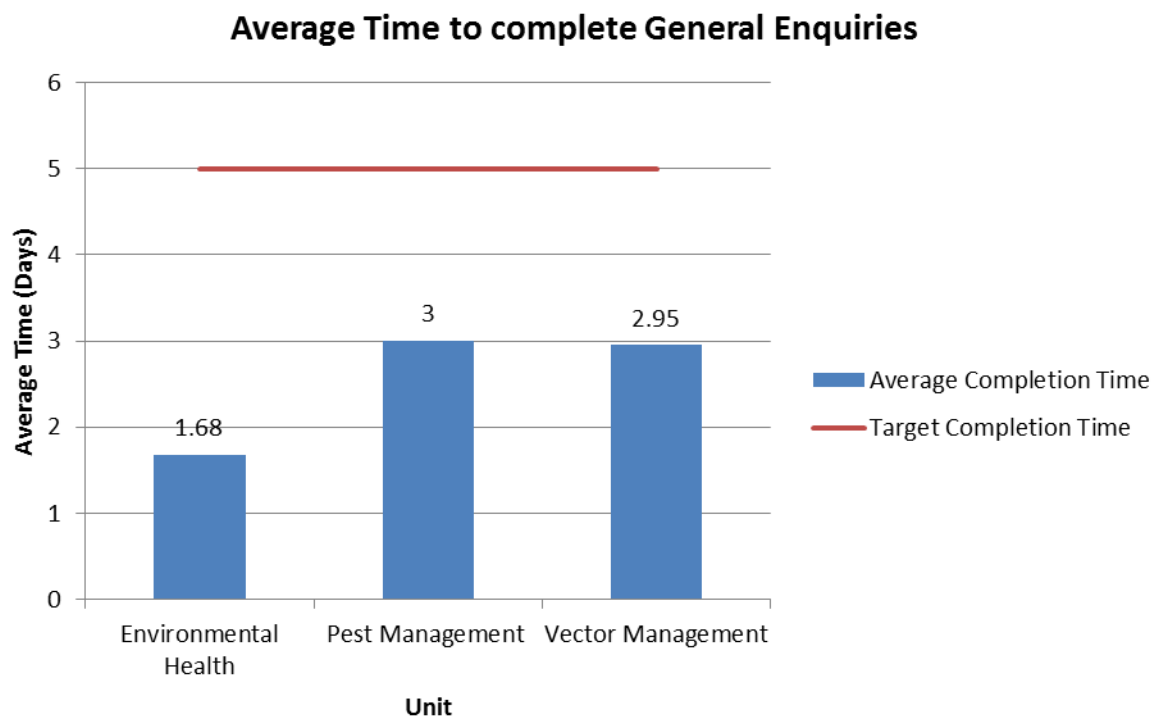


Graph 2.17

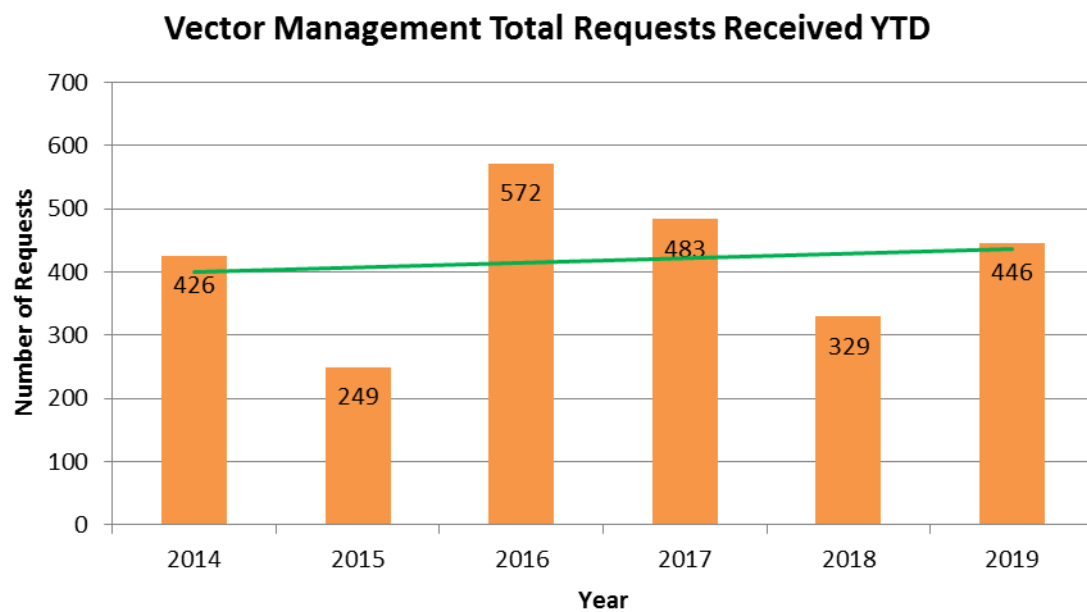
Average Time to Make Initial Complaint Decision



Graph 2.18






Graph 2.19



3. Operational Projects

As at period ended June 2019 – 100% of year elapsed.

Project	Planned Start Date	Planned End Date	On Track	Comment	Budget Estimate	YTD actual (incl committals)
Local Laws						
<i>Issuing of Dog Registration Renewals</i>	<i>Jun 19</i>	<i>Nov 19</i>		<i>In Progress.</i>	<i>\$20,605</i>	<i>\$8,025.30</i>
<i>Approved Inspection Program</i>	<i>May 19</i>	<i>Jun 19</i>		<i>Completed.</i>	<i>Operational</i>	<i>Within Budget</i>
Building, Plumbing & Compliance						
Mobile Inspections	<i>Commenced</i>	<i>To be determined</i>		<i>In progress.</i>	<i>Operational</i>	<i>Within Budget</i>

4. Budget

The below information is based on data as at end of June. Please note that there are still wages to be processed for the month of June as well as other year-end adjustments that don't appear in this report due to timing of processes.

End of Month General Ledger - (Operating Only) - COMMUNITY SERVICES



	Adopted Budget FULL YR \$	As At End Of June Revised Budget \$	YTD Actual \$	EOM Commitments \$	Commit + Actual \$	Variance %
<u>Development Engineering</u>						
Revenues	(2,624)	(2,624)	(628)	0	(628)	24%
Expenses	1,108,422	1,108,422	1,067,483	5,968	1,073,452	97%
Transfer / Overhead Allocation	(448,589)	(448,589)	(407,120)	0	(407,120)	91%
Total Unit: Development Engineering	657,209	657,209	659,736	5,968	665,704	101%
<u>Development Assessment</u>						
Revenues	(861,928)	(730,061)	(556,176)	0	(556,176)	76%
Expenses	1,533,026	1,613,026	1,597,342	9,649	1,606,991	100%
Transfer / Overhead Allocation	31,212	31,212	(58,241)	0	(58,241)	-187%
Total Unit: Development Assessment	702,310	914,177	982,926	9,649	992,574	109%
<u>Building, Plumbing and Compliance</u>						
Revenues	(747,266)	(747,266)	(566,353)	0	(566,353)	76%
Expenses	1,359,712	1,359,712	1,121,845	4,527	1,126,372	83%
Transfer / Overhead Allocation	(106,419)	(106,419)	(128,531)	0	(128,531)	121%
Total Unit: Building, Plumbing and Compliance	506,027	506,027	426,960	4,527	431,488	85%
<u>Health & Environment</u>						
Revenues	(192,052)	(192,052)	(223,623)	0	(223,623)	116%
Expenses	2,611,869	2,611,869	2,023,781	22,104	2,045,885	78%
Transfer / Overhead Allocation	360,558	360,558	267,146	0	267,146	74%
Total Unit: Health & Environment	2,780,374	2,780,374	2,067,304	22,104	2,089,408	75%
<u>Local Laws</u>						
Revenues	(1,456,385)	(1,237,950)	(1,060,275)	0	(1,060,275)	86%
Expenses	2,784,876	2,784,876	2,712,610	84,818	2,797,429	100%
Transfer / Overhead Allocation	260,367	260,367	243,035	0	243,035	93%
Total Unit: Local Laws	1,588,858	1,807,293	1,895,371	84,818	1,980,189	110%
<u>Planning and Regulatory Services Management</u>						
Revenues	0	0	(15,480)	0	(15,480)	-
Expenses	530,958	530,958	477,312	21,163	498,475	94%
Transfer / Overhead Allocation	0	0	45	0	45	-
Total Unit: Planning and Regulatory Services Manager	530,958	530,958	461,877	21,163	483,040	91%
Total Section: PLANNING AND REGULATORY SERVICES	6,765,736	7,196,038	6,494,174	148,229	6,642,403	92%
Total Department: COMMUNITY SERVICES	6,765,736	7,196,038	6,494,174	148,229	6,642,403	92%
Grand Total:	6,765,736	7,196,038	6,494,174	148,229	6,642,403	92%

Comments

Development Assessment – The Development Assessment budget is not on track because of the legal expenditure, with two matters (including Kershaw Gardens) going to hearing. Revenue is also under budget.

Development Engineering – The Development Engineering Units expenditure budget is on track for 2019. The minor revenue budget is under the target however, the revenue items identified are relevant for other units and this is being rectified in the 19/20 budget package.

Local Laws – Whilst the expenditure budget is on track, the Local Laws revenue budget is under the target and has been addressed in the 2019/2020 budget. This will however not affect the sections overall budget position.

Health & Environment – The Health and Environment budget is on target for both expenditure and income for 2019.

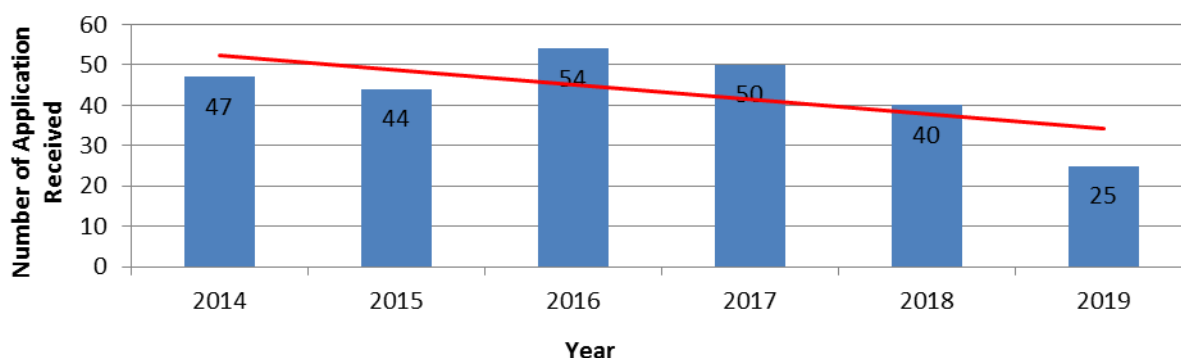
Building, Plumbing & Compliance - Expenditure budget is on track for 2019. The revenue budget is under the target and has been addressed in the 19/20 budget. However, this will not affect the sections overall budget position.

5. Section Statistics

<i>Program Activity</i>	<i>Dates/s Held</i>	<i>Visitor/Participant Numbers</i>	<i>Comments</i>
Health and Environment			
Applications/Inspections		June 19	Comments
Number of Food Business Licence Applications		1	Approved in early July.
Number of Short Term Food Business Licence Applications		29	14 Approved in June. 1 Withdrawn. 14 Under assessment.
Number of Mobile Food Business Licence Applications		3	All have been approved within the month.
Total Number of Approved Food Business Licences		317	98 renewal applications yet to be received.
Number of Annual Inspections for Food Business Licences financial YTD		466	3 mobile vans not presented for inspection, condition added to licence and must be presented in 19-20 or licence will not be renewed.

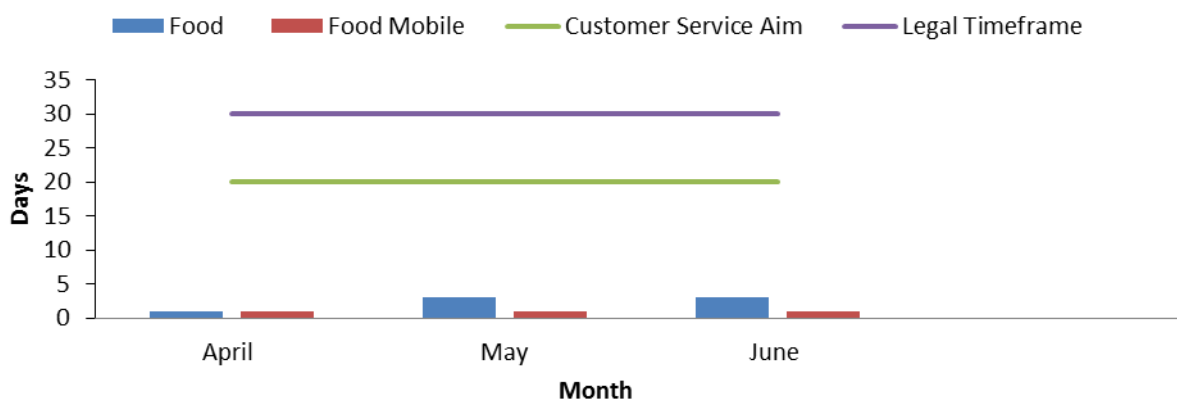
Graph 5.1

New Mobile and Fixed Premise Applications



Graph 5.2

Food Business Renewal Processing Time (2019)



Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Health and Environment			
Annual inspection of licensed food businesses undertaken	474 premises	103%	Operational
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken	11 premises	133%	Operational
Annual inspection of devolved licensed environmentally relevant activities undertaken	16 premises	94%	Operational
Development Assessment			
Confirmation Notices (where required) sent out within 10 business days of applications lodged	100%	100%	Operational
Information Requests (where required) sent out within timeframes required under SPA and PA	100%	100%	Operational
Decisions are made within timeframes required under SPA and PA	100%	100%	Operational
Decision notices are issued within 5 business days of the decision being made	100%	100%	Operational
Building			
Action notices and confirmation notices (where required) sent out within 10 business days of applications being lodged	100%	100%	Operational
Information requests (where required) sent out within timeframes under <i>Planning Act 2016</i>	100%	100%	Operational
Building approvals – decisions are made within a 35 business day timeframe	100%	93%	Operational
Plumbing			
Plumbing and Drainage Approvals – decisions are made within 20 business day timeframes	100%	100%	Operational
Development Engineering			
Development MCU, ROL Completed in 8 days	90%	100%	Operational
Development Operational Works Completed in 8 days	90%	100%	Operational

Development Engineering

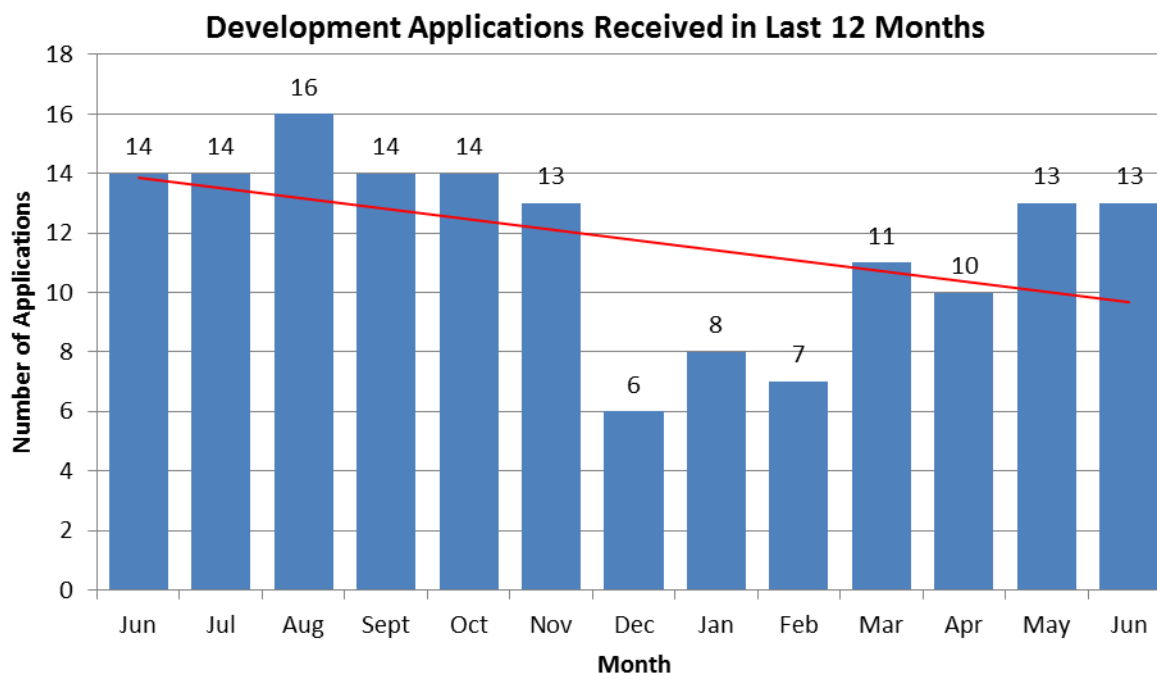
Description	Mar 19	Apr 19	May 19	June 19	Financial YTD
MCU & ROL referrals completed	20	7	15	11	167
Op Works referral completed	8	1	16	8	170
Total Completed	28	8	31	19	337

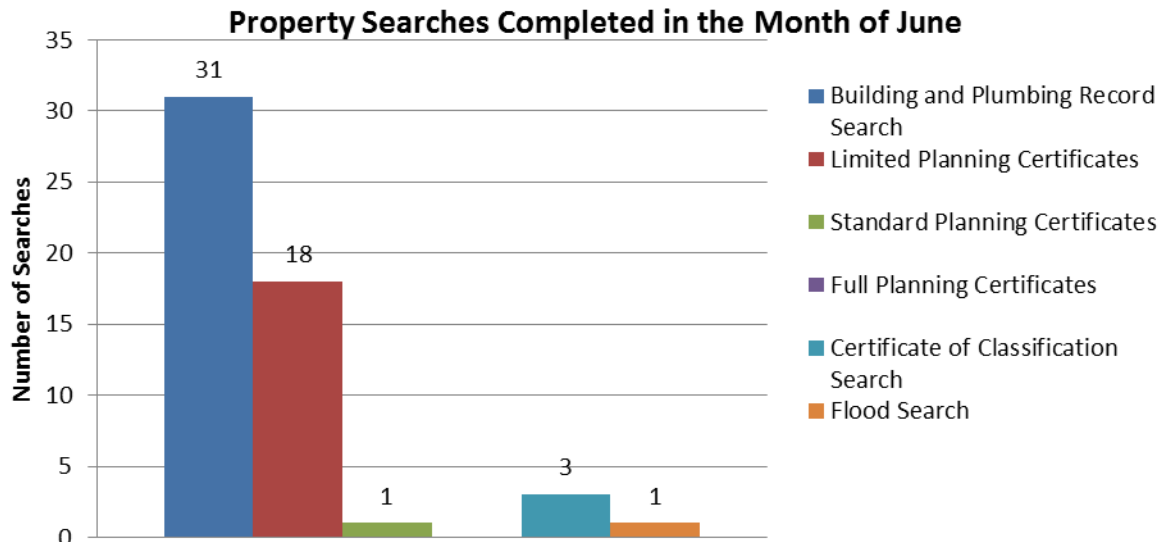
This total includes referrals for all Operational Works, MCU/ROLs and As-constructed Plans but also responses to information requests made for applications previously submitted, survey plans and compliance checks of conditions of approvals.

Development Assessment

Description	Mar 19	Apr 19	May 19	June 19	Financial YTD
New Applications	9	9	9	7	110
Request to Change Applications	2	0	3	6	24
Development Incentives Applications	0	1	1	0	5
Total Received	11	10	13	13	139
Total Decided	12	10	8	15	165

Graph 5.3



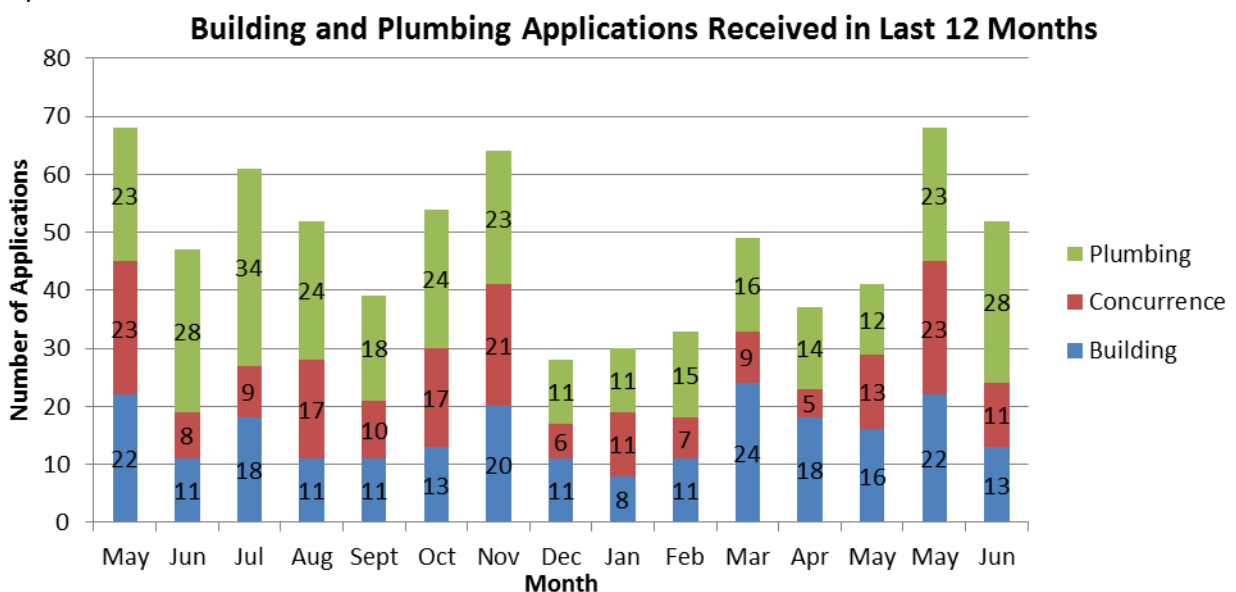
Graph
5.4**Building**

Description	Mar 19	Apr 19	May 19	June 19	Financial YTD
Concurrence Applications	9	5	13	11	136
Building Works	24	18	16	13	174
Total Received	33	23	29	24	310
Total Decided	23	31	25	13	282

Plumbing

Description	Mar 19	Apr 19	May 19	June 19	Financial YTD
New Applications	16	14	12	28	204
Total Decided	19	15	20	24	206

Graph 5.5



Local Laws***Registered Dogs***

Description	Mar 19	Apr 19	May 19	June 19	Financial YTD
New Dogs Registered	700	1,054	1,521	1,840	6,877
Dog Registration Renewals	182	270	359	468	14,363
Total	882	1,324	1,880	2,308	21,240

Declared Dogs

Description	Mar 19	Apr 19	May 19	June 19	Financial YTD
Dangerous Dogs	0	3	3	2	23
Menacing Dogs	0	0	2	0	7
Restricted Dogs	0	0	0	0	0

Infringements Issued

Description	Mar 19	Apr 19	May 19	June 19	Financial YTD
Parking Infringements	878	341	410	612	3,888
Animal Infringements	24	11	40	107	329
Local Law Infringements	7	12	4	4	77
Total	909	364	454	723	4,294

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting.

11 CLOSURE OF MEETING