



ORDINARY MEETING

AGENDA

18 JUNE 2019

Your attendance is required at an Ordinary meeting of Council to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 18 June 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
12 June 2019

Next Meeting Date: 02.07.19

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:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor M D Wickerson
Councillor S J Schwarten
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting held 4 June 2019

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 LIFTING MATTERS FROM THE TABLE

File No:	11979
Attachments:	Nil
Authorising Officer:	Evan Pardon - Chief Executive Officer
Author:	Evan Pardon - Chief Executive Officer

SUMMARY

Items laid 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 Ordinary Council meeting on 18 June 2019.

OFFICER'S RECOMMENDATION

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

- D/120-2018 – Development Application for a Material Change of Use for a Telecommunications Facility

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS**10.1 COUNCILLOR DISCRETIONARY FUND - COUNCILLOR CHERIE RUTHERFORD
- MOUNT MORGAN SHOW SOCIETY INC**

File No: 8295
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Nicole Semfel - Executive Support Officer

SUMMARY

Approval is sought from Council for a donation from Councillor Rutherford's Councillor Discretionary Fund to the Mount Morgan Show Society for prize money.

OFFICER'S RECOMMENDATION

THAT approval be granted to donate \$100 from Councillor Rutherford's Councillor Discretionary Fund to the Mount Morgan Show Society for prize money for the Concours D'Elegance Costume event for the 2019 Show.

BACKGROUND

Councillor Rutherford would like to donate \$100 for prize money towards the Concours D'Elegance Costume event for the 2019 Mount Morgan Show, as done in previous years. The Mount Morgan Show Society Inc has also received \$5000 from the 2018/2019 Community Assistance Program towards the 2019 Show.

**10.2 COUNCILLOR DISCRETIONARY FUND - COUNCILLOR CHERIE RUTHERFORD
- CQ COMMUNITY SUICIDE PREVENTION NETWORK**

File No: 8295
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Nicole Semfel - Executive Support Officer

SUMMARY

Approval is sought from Council for a donation from Councillor Rutherford's Councillor Discretionary Fund to the CQ Community Suicide Prevention Network.

OFFICER'S RECOMMENDATION

THAT approval be granted to donate \$100 from Councillor Rutherford's Councillor Discretionary Fund to the CQ Community Suicide Prevention Networks safeTALK workshops.

BACKGROUND

The CQ Community Suicide Prevention Network requested a donation of \$400 towards the safeTALK workshops being held in Rockhampton. Cr Tony Williams has donated \$100 and Councillor Cherie Rutherford would like to assist them with another \$100 donation.

11 OFFICERS' REPORTS

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

File No:	D/120-2018
Attachments:	<ol style="list-style-type: none"> 1. Information Request Response ↓ 2. Supplementary Candidate Assessment Report ↓ 3. Locality Plan ↓ 4. Site Plan ↓ 5. Floor Plan ↓ 6. Elevation Plan ↓ 7. EME Report ↓
Authorising Officer:	Amanda O'Mara - Acting Coordinator Development Assessment Steven Gatt - Manager Planning and Regulatory Services Colleen Worthy - General Manager Community Services
Author:	Jonathon Trevett-Lyall - Planning Officer

SUMMARY

This matter was laid on the table at the Ordinary Council meeting on 2 April 2019 with the following resolution:

“THAT the matter lay on the table pending further information from the Applicant.”

<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>

Application Progress:

<i>Application Lodged:</i>	<i>8 November 2018</i>
<i>Acknowledgment Notice issued:</i>	<i>22 November 2018</i>
<i>Submission period commenced:</i>	<i>18 January 2019</i>
<i>Submission period end:</i>	<i>12 February 2019</i>
<i>Government Agency Response:</i>	<i>18 January 2019</i>
<i>Last receipt of information from applicant:</i>	<i>8 March 2019</i>
<i>Statutory due determination date:</i>	<i>5 April 2019</i>

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Telecommunications Facility, made by Telstra c/- Visionstream, on land located at 346A Archer Road, Mount Morgan, described as Lot 16 on SP208184, Parish of Calliungal, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, 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).

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a Telecommunications Facility, that in relation to the application for a Development Permit for a Material Change of Use for Telecommunications Facility, made by Telstra c/- Visionstream, on land located at 346A Archer Road, Mount Morgan, described as Lot 16 on SP208184, Parish of Calliungal, Council resolves not to issue an Infrastructure Charges Notice.

BACKGROUND**PROPOSAL IN DETAIL**

The proposal is to establish a 50 metre Telecommunications Facility and base station. The tower will include a lightning finial which will protrude to 52.8 metres above the ground level. The tower will have eight (8) antennas mounted on a rotatable headframe. The equipment mounted on the headframe of the telecommunications tower will include a GPS antenna, parabolic dish, panel antennae, amplifiers, remote radio units, diplexers, combiners, feeders and other ancillary equipment.

The compound will cover an area of 110 square metres and will have a 7.5 square metre equipment shelter in the north-western corner of the compound area. The compound area will be accessed by a four (4) metre wide access track from Archer Road. The site area will require the removal of some vegetation around the tower area and access track.

The proposed Telecommunications Facility will be self-contained and will operate on a continuous unstaffed basis. Once established the tower will only require the occasional maintenance inspection.

SITE AND LOCALITY

The subject site is located in the Rural Zone under the *Rockhampton Region Planning Scheme 2015* and is approximately 8.1 hectares in area. The adjoining properties are located in the Rural Zone and are predominately improved with dwelling houses. The site falls from south to north and is relatively flat where the proposed tower and access track will be located. The adjoining properties to the north, east and south are all predominantly on higher ground than the subject site and the site adjoining to the west is a similar height to the subject site.

The site is encumbered by the Biodiversity Overlay for Matters of Local Significance – High. The majority of the canopy cover is up to approximately twenty (20) metres in height. The site is located in an area that requires improved mobile phone coverage as identified in the Australian Government's Mobile Black Spot Program.

PLANNING ASSESSMENT**MATTERS FOR CONSIDERATION**

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the assessment process provisions of the Development Assessment Rules, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Development Engineering Comments – 3 December 2018

Support, subject to conditions.

Public and Environmental Health Comments – 22 November 2018

Support, subject to conditions.

Other Staff Technical Comments

Not applicable as the application was not referred to any other technical staff.

TOWN PLANNING COMMENTS***Central Queensland Regional Plan 2013***

The *Central Queensland Regional Plan 2013* is a statutory document which came into effect on 18 October 2013. The development is not required to be assessed against the Regional Plan if this document is appropriately reflected in the local planning scheme. It is considered that the Regional Plan is appropriately reflected in the current local planning scheme.

State Planning Policy 2017

The current State Planning Policy (SPP) came into effect on 3 July 2017 and replaces the previous SPP (April 2016). The new policy expresses the state's interests in land-use planning and development and contains a number of changes to better align with the Planning Act 2016. This policy requires development applications to be assessed against its requirements where they have not been appropriately reflected in the local planning scheme.

1. Planning for liveable communities and housing**Housing supply and diversity**

Not Applicable.

Liveable communities

Not Applicable.

2. Planning for economic growth**Agriculture**

Not Applicable.

Development and construction

Not Applicable.

Mining and extractive resources

Not Applicable.

Tourism

Not Applicable.

3. Planning for environment and heritage**Biodiversity**

Complies. The proposal is located in an area identified as having matters of local environmental significance (High). An Ecological Assessment Report was submitted as part of the application which identified that there would be no adverse impacts on the environment due to the development.

Coastal environment

Not Applicable.

Cultural heritage

Not Applicable.

Water quality

Not Applicable.

4. Planning for safety and resilience to hazards**Emissions and hazardous activities**

Not Applicable.

Natural hazard, risk and resilience

Complies. The proposal will not create an increase in risk to people or property in the event of a bushfire.

5. Infrastructure

Energy and water supply

Not Applicable.

Infrastructure integration

Complies. The proposal will provide greater access to telecommunications coverage in regional Australia as per the Australian Government's Mobile Black Spot Program.

Transport infrastructure

Not Applicable.

Strategic airports and aviation facilities

Not Applicable.

Strategic ports

Not Applicable.

Vegetation Management Act 1999

The Department of Natural Resources, Mines and Energy provided written acceptance that the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*.

Telecommunications Act 1997

This proposal will comply with the requirements of the *Telecommunications Act 1997*.

Telecommunications (Low-Impact Facilities) Determination 2018

This proposal does not fall within the definition of a 'low impact' facility under the *Telecommunications (Low-Impact Facilities) Determination 2018*.

Rockhampton Region Planning Scheme 2015

Strategic framework

This application is situated within the Rural Designation under the scheme's strategic framework map. The strategic framework themes and their strategic outcomes, as identified within Part 3 of the *Rockhampton Region Planning Scheme 2015* are applicable:

(i) Settlement pattern – Specific Outcomes (Rural)

- (1) Rural land has important economic, environmental and scenic values and provides for uses including primary production, mining and tourism.
- (2) **Rural land is not used for urban development within the 25 year planning horizon and is to be protected for its productive, landscape and natural resource values.**
- (3) Sensitive land use(s) in rural areas are not supported when in proximity to incompatible development (for example industrial and intensive rural uses) where the impacts cannot be mitigated. The special management area overlay provides a separation distance between industry (such as the Lakes Creek meatworks, Bajool explosives reserve, Marmor limeworks, landfill sites and the Gracemere industrial area) and new sensitive land use(s). Within this overlay no further subdivision or the establishment of new sensitive land use(s) is supported.
- (4) **Development will not alienate or impact on the productive agricultural capacity of rural areas unless:**

- (a) there is a significant and demonstrated need and public benefit from the proposal. It must also be demonstrated that the proposal cannot be located on alternative sites of lesser agricultural value; or**
 - (b) the subject land is located so that farming, either alone or in association with surrounding parcels, is not practicable.**
- (5) Subdivision of rural land will be regulated by minimum lot sizes established to maintain land in viable sized parcels (no further fragmentation), aimed at maximising the productive potential of the land.
- (6) Subdivision of rural land into rural residential lots will not be supported, including areas adjoining land designated for rural residential development.
- (7) Residential and rural residential development is directed away from historical subdivisions as these areas are subject to constraints (such as flooding), have limited or no access to services and infrastructure and are isolated from community and other urban facilities.
- (8) Intensive rural uses that will have a negative impact on the water quality in mapped wetlands and waterways, in particular the Fitzroy River and Dam 7 at Mount Morgan will not be supported.
- (9) The cropping and intensive horticulture precinct identifies areas where land use and development is primarily associated with cropping and intensive horticulture and the amalgamation of existing smaller lots into larger portions is encouraged.
- (10) Intensive animal industry (particularly feedlots), is a potential growth industry but will be required to be located away from sensitive land use(s), areas subject to natural hazards and areas of environmental significance. These uses will also need to consider the impact and location with respect to the local transport network.
- (11) The establishment of farm-stays and ecotourism will be supported to capitalise on the natural and scenic attractiveness of the area.
- (12) Value-adding cottage industries in proximity to horticultural areas that could lead to strengthening of the local economy and promotion of collocated like uses will be supported. However, they should not detract from the productive capacity of the land and environmental and scenic values.
- (13) Other uses with a nexus to rural uses will be accommodated where they do not impact on adjoining or nearby uses, on the capacity and safety of state controlled roads or result in fragmentation of rural land.
- (14) Transport and freight uses, which do not meet the definition of a home based business (heavy vehicle business), must be located within designated industrial areas or areas specifically identified elsewhere within this strategic framework rather than in rural areas.
- (15) Renewable energy technology uses will be supported where potential adverse impacts on adjoining and nearby uses can be mitigated, including impacts associated with noise, light, emissions, infrastructure requirements or transport movements on transport networks.
- (16) Sustainable forestry and processing of forestry products will be encouraged in preferred locations such as designated state forest areas.
- (17) The ongoing use of the Benedict Road, Peak Hill and Pink Lily key resource areas will be protected from the encroachment of incompatible uses by appropriate separation distances. Expansion of extractive operations in key resource areas and new extractive operations is supported, but will be required to minimise potential conflicts with nearby land uses, the natural environment and naturally occurring hazards. They must maintain a suitable standard of infrastructure services.

Complies - The proposed Telecommunications Facility will not impact nor compromise the future productive agricultural capacity and natural resource values of the surrounding rural land. The applicant provided a candidate assessment summary for the selected site which demonstrated that the selected site was the best site available for a Telecommunications Facility to meet the coverage requirements. The Rural Zone is an ideal location for a Telecommunications Facility as it will not be in close proximity to sensitive land uses located in the region's major urban footprint.

(ii) Natural environment and hazards

- (1) The natural environment and landscape are highly valued by the community for their contribution to the planning scheme area's biodiversity, economic prosperity, culture, character and sense of place. These areas are to be protected from incompatible development.**
- (2) Development does not create unsustainable impacts on:
 - (a) the natural functioning of floodplains;
 - (b) environmentally significant areas, including areas of state and locally significant vegetation, which provide fauna habitat and support biodiversity; and
 - (c) the quality of water entering waterways, wetlands and local catchments.
- (3) Development does not increase the risk to human life and property in areas that are affected, or potentially affected, by storm-surge, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide. This occurs through the avoidance of natural hazards in new development areas, particularly greenfield areas and the mitigation of risks in existing built up areas.
- (4) Strategic and iconic scenic and landscape values are protected from potential adverse impacts of development.

Complies – The proposed Telecommunications Facility is located in a landscape area that is valued by the community. The Telecommunications Facility will be located so as to minimise the clearing of native vegetation and to not be visible from Archer Road. The design of the Telecommunications Facility will be a lattice tower and painted in a non-reflecting factory grey colour which will blend more naturally into the sky as a backdrop. Therefore, the Telecommunications Facility will be designed and located to not have a significant impact on the scenic and landscape values of the surrounding area.

(iii) Community identity and diversity

- (1) The quality of life of residents is enhanced through equitable access to social infrastructure, community services and facilities necessary to support community health and well-being.**
- (2) The community is self-sufficient and does not rely on services and facilities located in other regions. Development contributes to the provision of new social infrastructure, including land.
- (3) Cultural heritage including character housing and heritage buildings are conserved and enhanced.
- (4) Public places are safe, functional, characterised by good urban design, and include a range of facilities to encourage healthy and active lifestyles.
- (5) Crime prevention through environmental design is achieved in urban areas including public spaces to improve public safety.

Complies – The location of the proposed Telecommunications Facility will enhance the community's health and well-being by providing access to required infrastructure in an area identified by the Australian Government's Mobile Black Spot Program. The Electromagnetic Emission report shows that the Telecommunications Facility will have EME levels that are 0.15% of the maximum public exposure limit identified by ARPANSA.

As this level is a low percentage of the maximum limit, there will be no impact on the quality of the community's health and safety.

(iv) Access and mobility

- (1) Connectivity is achieved between residential uses, employment centres and services through the provision of active transport infrastructure integrated with efficient public transport services.
- (2) The trunk transport network (as shown on the strategic framework maps SFM-9 to SFM-12 and in plans for trunk infrastructure in the local government infrastructure plan) supports the settlement pattern and the local economy by facilitating the efficient and safe movement of people and goods both within the planning scheme area (especially between the main urban centres of Rockhampton and Gracemere), and to and from other locations.
- (3) The transport network encourages and supports active living in centres by providing for integrated walking, cycling, and public transport infrastructure to support a progressive reduction in car dependency.
- (4) The safety and efficiency of transport infrastructure, including the Bruce and Capricorn highways and other state and local roads, rail, airport and seaports, are not compromised by development.

Not applicable – The proposed Telecommunications Facility will not impact on the access and mobility of the area.

(v) Infrastructure and services

- (1) **Infrastructure and services are planned and delivered in a logical and cost efficient manner in support of the planned settlement pattern. It is fit for purpose and is sensitive to cultural and environmental values. In particular:**
 - (a) efficient, affordable, reliable, timely and lasting infrastructure makes best use of public resources;
 - (b) **the long-term needs of the community, industry and business are met;** and
 - (c) the desired standards of service in Part 4 — Local government infrastructure plan are achieved.

Inter-regional networks - Specific outcomes

- (1) Key sites and corridors for current and future infrastructure and services are identified, preserved and protected (for example through the use of separation areas). These sites and corridors include those shown on the strategic framework maps (SFM-9 to SFM-12).
- (2) Federal, state and approved private infrastructure networks are delivered in an integrated and coordinated way that support the settlement pattern.
- (3) **Telecommunications infrastructure meets the needs of the community, industry and business by ensuring reliable connection to national and international services.**
- (4) Utility installations and infrastructure services and their corridors including bulk water supply and networks, gas pipelines and electricity transmission and distribution lines, are protected from encroachment and impacts of development. The location of these installations will be considerate of the amenity and safety of sensitive land use(s) (as shown on the strategic framework maps SFM-9 to SFM-12).
- (5) Development provides for the safe and efficient provision of energy infrastructure adequate to satisfy community's needs and where possible accommodate sustainable/alternative energy options such as solar.

- (6) Development in urban expansion areas provides adequate suitable land for electricity infrastructure, including land for substations and transmission lines, required to service or traverse the area.

Local area networks – Specific outcomes

- (1) The local function component of state and federal infrastructure networks is recognised as a legitimate and integral function of these networks.
- (2) Local areas are supplied with infrastructure meeting specified desired standards of service which meet the need of residents and other users, in a timely way and in accordance with the local government infrastructure plan.
- (3) Urban development is serviced by or connected to:**
 - (a) a reliable supply of potable water;
 - (b) a reliable sewerage network;
 - (c) effective stormwater drainage and treatment;
 - (d) an effective and safe transport network;
 - (e) a reliable and safe electricity network; and
 - (f) communication networks (including the National Broadband Network).**
- (4) Waste is safely and efficiently managed to meet relevant environmental standards at the optimal cost.
- (5) Opportunities for renewable and alternative energy generation are supported where local environmental and community impacts can be mitigated.
- (6) The design and location of infrastructure maximises the use and benefits of existing infrastructure and minimises the need for additional infrastructure and services.
- (7) Development contributes to the delivery of necessary infrastructure to the extent provided for by the local government infrastructure plan and formal Council infrastructure charging and conditioning arrangements

Complies – The proposed Telecommunications Facility will provide for the long-term needs of the community, industry and business by providing telecommunications services in an area identified by the Australian Government's Mobile Black Spot Program. The Telecommunications Facility will provide the surrounding area with the means to be serviced by and connected to communication networks, enabling productivity improvements through reliable connection to national and international services.

(vi) Natural resources and economic development

- (1) The economy of the planning scheme area continues to grow and provides the community with diverse and new employment opportunities. Rockhampton continues to strengthen as the retail, service, cultural and administrative centre for both the planning scheme area and the wider Central Queensland region.
- (2) The strategic importance of Rockhampton for transport and logistics industries is fostered, given its central location at the junction of the Bruce Highway, the Capricorn Highway (through to the Landsborough Highway) and the Burnett Highway (through to the Leichhardt Highway).
- (3) The local community continues to value its traditional economic assets and natural resources and protects and conserves them and the contribution they make to maintaining and growing the region's economic prosperity, culture, character and sense of place. The region's traditional economic sectors of tourism and agriculture (including the iconic beef industry) continue to strengthen.
- (4) Development protects and, where possible, leverages the intrinsic economic value of the region's natural resources, including productive grazing, agricultural and forestry

land, extractive and mineral resources, marine and coastal resources, and existing and planned water resources, including watercourses, water bodies and groundwater.

- (5) Natural assets identified by this planning scheme are protected as they underpin current and emerging tourism opportunities and important lifestyle values for residents.

Not applicable – The proposed Telecommunications Facility will not impact on the natural resources or economic development of the area.

The proposed Telecommunications Facility is located in an area that requires minimal clearing of native vegetation and will be screened from the public on Archer Road. The proposal will implement best practice methodologies in regard to the environmental standards for flora and fauna management as outlined in the approved Ecological Assessment Report (PR132412-45, Ver 3, dated: 7 December 2018). The design of the Telecommunications Facility will incorporate a non-reflecting factory grey colour to the external surface to better visually integrate into the natural environment. The maximum EME level is 0.15% of the public exposure limit identified by ARPANSA. The proposed Telecommunications Facility is ideally located in a rural area as it will not be in close proximity to sensitive land uses and is situated outside of the region's major urban footprint. Based on the above, the proposed Telecommunications Facility will not significantly impact on the amenity, health or safety of the surrounding area. Therefore, the performance assessment of the proposed Telecommunications Facility demonstrates that the development will not compromise the strategic outcomes under the *Rockhampton Region Planning Scheme 2015*.

Rural Zone

The subject site is situated within the Rural Zone under the *Rockhampton Region Planning Scheme 2015*. The purpose of the Rural Zone identifies that:

- (1) The purposes of the rural zone code is to:

- (a) ensure that land with productive capacity is maintained for a range of existing and emerging rural uses that are significant to the economy of the planning scheme area;
- (b) recognise that different types of rural land are suited to specific uses such as animal industries, horticulture, cropping, intensive animal industries, intensive grazing and extractive industries;
- (c) prevent the establishment of development which may limit the productive capacity of the land;
- (d) provide for diversification of rural industries where impacts can be managed; and
- (e) maintain the environmental values of all rural land.

- (2) The purpose of the zone will be achieved through the following outcomes:**

- (a) development in the zone accommodates predominantly rural uses;
- (b) development:**
 - (i) does not detract from the scenic landscape features of rural land including the Fitzroy River, floodplains, lagoons, wetlands, salt pans, mountains and ridges and the coastline;**
 - (ii) is responsive to the environmental characteristics and constraints of the land, and minimises impacts on natural features such as waterways, wetlands and remnant vegetation;**
 - (iii) has legal and practical access to the road hierarchy;
 - (iv) is serviced by infrastructure that is commensurate with the needs of the use; and

- (v) maximises energy efficiency and water conservation;
- (c) non-rural uses may be appropriate where they do not detract from the productivity or residential amenity of rural areas and can demonstrate:
 - (i) a direct relationship with the rural use in the immediate locality; or
 - (ii) the potential to make a contribution to primary production or the diversification of rural industries; or
 - (iii) a need to be remote from urban uses as a result of their impacts; or
 - (iv) they cannot be located in an urban area (for example, due to land area requirements);
- (d) transport and freight uses, which do not meet the definition of a home based business involving (heavy vehicles), are not established in the rural zone;
- (e) development does not alienate or impact on the productive agricultural capacity of rural areas and agricultural land is protected from incompatible development;
- (f) all rural land is maintained in large land holdings to protect the agricultural production capacity. In this regard, the reconfiguration of land only occurs when lot size is 100 hectares unless otherwise stated in a precinct;
- (g) animal keeping (being kennels and catteries), intensive animal industries, intensive horticulture, aquaculture and rural industries establish where they:
 - (i) are located on sites that are large enough to accommodate appropriate buffering to sensitive land use(s), residential, township and emerging community zones. Intensive animal industries are preferred in proximity to the lower Fitzroy River, west of Ridgeland;
 - (ii) do not cause adverse impacts on sensitive land use(s) in relation to traffic, noise and air quality;
 - (iii) do not cause a negative impact on water quality;
 - (iv) protect natural, scenic and environmental values;
 - (v) do not diminish the productive capacity of other land nearby;
 - (vi) gain access from roads which are constructed to accommodate the traffic generated by the use; and
 - (vii) are not located in areas identified on the agricultural land classification (ALC) overlay maps (except for intensive horticulture);
- (h) Rural workers' accommodation is appropriate where:
 - (i) directly associated with the primary rural use undertaken at the site;
 - (ii) compatible with the rural character of the zone;
 - (iii) not compromising the existing or potential future operation of rural uses on adjoining lots; and
 - (iv) not located in areas identified on the agricultural land classification (ALC) overlay maps;
- (i) urban and rural residential development is contained within the designated growth areas and does not expand into the rural zone;
- (j) sensitive land use(s) are adequately separated from animal keeping (being kennels and catteries), intensive animal industry, aquaculture, rural industry, and industrial zoned areas (including the Gracemere industrial area, Stanwell power station, Bajool explosives reserve and Bouldercombe brickworks);

- (k) renewable energy facilities are located on sites that are large enough to accommodate appropriate buffering from sensitive land use(s) and minimise adverse impacts on the natural environment;
- (l) extractive industries (including Marmor limeworks) on rural land are protected from encroachment by incompatible uses;
- (m) extractive industry minimises environmental and traffic impacts. Once the operation has ceased the site is rehabilitated;
- (n) aquaculture activities may be integrated with horticulture operations, where benefits of diversification are evident and there are no adverse impacts on amenity, ecological values and existing fish habitats; and
- (o) the establishment of two (2) precincts within the zone where particular requirements are identified:
 - (i) Alton Downs precinct; and
 - (ii) Cropping and intensive horticulture precinct.

The proposed Telecommunications Facility will not have a significant impact on the scenic landscape features and will have minimal impact on the natural features of the surrounding land. The Telecommunications Facility is located outside of the urban footprint and positioned away from sensitive land uses. The Telecommunications Facility will not prevent existing or future rural activities taking place over the subject site and surrounds. Therefore, this application is consistent with the purpose of the Rural Zone.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Rural Zone Code;
- Biodiversity Overlay Code;
- Bushfire Hazard Overlay Code;
- Steep Land Overlay Code; and
- Telecommunications Facilities and Utilities Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance outcomes and Acceptable outcomes. An assessment of the Performance outcome/s which the application is in conflict with, is outlined below:

Rural Zone Code		
Performance Outcome/s		Officer's Response
PO1	Development does not adversely impact on the rural character of the locality, having regard to the scale and visibility of buildings.	<p>The proposed Telecommunications Facility will exceed the height of the existing tree canopy. Although the upper sections of the Telecommunications Facility will be visible to the adjoining landowners to the north, east and west, the dwellings are located a minimum of 300 metres from the tower, limiting the impact on the visual amenity. In addition, the tower will be of a lattice design and will be painted a non-reflecting factory grey colour limiting the visibility of the Telecommunications Facility.</p> <p>The siting of the proposed Telecommunications Facility, approximately 90 metres from the road reserve, will not be</p>

		<p>visible from Archer Road.</p> <p>Based on the above, the proposed Telecommunications Facility is considered to have a minimal impact on the rural character of the locality.</p>
PO16	<p>Ecological values, habitat corridors and soil and water quality are protected, having regard to:</p> <ul style="list-style-type: none"> (a) maximisation of vegetation retention and protection of vegetation from the impacts of development; (b) avoidance of potential for erosion and minimisation of earthworks; (c) retention and protection of natural drainage lines and hydrological regimes; and (d) avoidance of leeching by nutrients, pesticides or other contaminants, or potential for salinity. 	<p>The proposed Telecommunications Facility requires the removal of only a small portion of the existing vegetation as part of the access track, development area and bushfire buffer area. The majority of the area identified for the development has already been cleared of vegetation, minimising the extent of clearing required.</p> <p>Furthermore, an Ecological Assessment Report for the clearing of vegetation was submitted and assessed by the Department of State Development, Manufacturing, Infrastructure and Planning. This report was approved as part of the Department's referral agency response and conditioned by Council for approval.</p>
PO31	<p>Development does not unduly impact on the existing amenity and character of the locality having regard to:</p> <ul style="list-style-type: none"> (a) the scale, siting and design of buildings and structures; (b) visibility of buildings and structures when viewed from roads and other public view points; and (c) any heritage places. 	<p>The proposed Telecommunications Facility will exceed the height of the existing tree canopy. Although the upper sections of the Telecommunications Facility will be visible to the adjoining landowners to the north, east and west, the dwellings are located a minimum of 300 metres from the tower, limiting the impact on the visual amenity. In addition, the tower will be of a lattice design and will be painted a non-reflecting factory grey colour limiting the visibility of the Telecommunications Facility.</p> <p>The siting of the proposed Telecommunications Facility, approximately 90 metres from the road reserve, will not be visible from Archer Road.</p> <p>Based on the above, the proposed Telecommunications Facility is considered to have a minimal impact on the existing amenity and character of the locality with regard to roads and public view points.</p>
PO32	<p>Development responds sensitively to on-site and surrounding topography, drainage patterns, utility services, access, vegetation and adjoining land uses, such that:</p> <ul style="list-style-type: none"> (a) any hazards to people or property are avoided; (b) any earthworks are minimised; (c) the retention of natural 	<p>The proposed Telecommunications Facility is in a location that requires only minimal clearing of vegetation. Only a small portion of the site is required to be hardstand/impervious and any changes to stormwater flows will be negligible.</p> <p>The Telecommunications Facility will be adequately screened from directly adjoining properties by the dense vegetation that characterises the area, meaning that there will be no impact on visual and scenic</p>

	<p>drainage lines is maximised;</p> <p>(d) the retention of existing vegetation is maximised;</p> <p>(e) leeching by nutrients, pesticides or other contaminants, or potential for salinity is minimised;</p> <p>(f) damage or disruption to sewer, stormwater and water infrastructure is avoided; and</p> <p>(g) there is adequate buffering, screening or separation to adjoining development.</p>	amenity features of the surrounding landscape.
PO33	Development is designed and managed so that it provides appropriate protection for community safety and health and avoids unacceptable risk to life and property.	The EME from the proposed Telecommunications Facility is 0.15% of the safe public exposure levels identified by ARPANSA. Therefore, the EME from the Telecommunications Facility is not expected to negatively impact on the safety and health of the surrounding community.
Biodiversity Overlay Code		
Performance Outcome/s		Officer's Response
PO1	<p>Development is located, designed and operated to retain and protect significant natural assets, habitat and values to the greatest extent possible. Where this is not possible, impacts are minimised by:</p> <p>(a) retaining native vegetation;</p> <p>(b) allowing for the regeneration of native vegetation to the area, or rehabilitating with locally endemic plants in non-vegetated areas of the site;</p> <p>(c) landscaping with locally native plants;</p> <p>(d) locating and designing public access to avoid disturbance of ecological values;</p> <p>(e) ensuring alterations to natural landforms, hydrology and drainage patterns do not significantly affect ecological values; and</p> <p>(f) incorporating measures that avoid the disruption of threatened wildlife and their habitat by allowing for their safe movement through the site.</p>	<p>The proposed Telecommunications Facility requires the removal of only a small portion of the existing vegetation as part of the access track, development area and bushfire buffer area. The majority of the area identified for the development has already been cleared of vegetation, minimising the extent of clearing required.</p> <p>Furthermore, an Ecological Assessment Report (EAR) for the clearing of vegetation was submitted and assessed by the Department of State Development, Manufacturing, Infrastructure and Planning and was approved as part of the referral agency response, and conditioned by Council for approval.</p> <p>The EAR identified mitigation measures to limit the potential impacts on the environmental values of the development site and surrounds. The mitigation measures will form part of the conditions of approval. The mitigation measures include using a Department of Environment and Science Spotter to survey the area prior to any clearing and introducing a restricted speed limit to prevent vehicle strikes with native fauna.</p>
PO10	During construction and operation of development, ongoing	The EAR identified monitoring and maintenance measures during construction

	management, monitoring and maintenance is undertaken to ensure impacts on environmentally significant areas, biodiversity values and ecological processes, including water quality and hydrology, are avoided or minimised.	and operation. These mitigation measures will limit the potential impacts on the environmental values of the development site and surrounds. The mitigation measures will form part of the conditions of approval.
Telecommunications Facilities and Utilities Code		
Performance Outcome/s		Officer's Response
PO2	<p>Development is visually integrated with the surrounding area to ensure it does not visually dominate and is not visually obtrusive, having regard to:</p> <ul style="list-style-type: none"> (a) scale; (b) height; (c) bulk; (d) materials and colour; and (e) aesthetic appearance. 	<p>The proposed Telecommunications Facility will exceed the height of the existing tree canopy. Although the upper sections of the Telecommunications Facility will be visible to the adjoining landowners to the north, east and west, the dwellings are located a minimum of 300 metres from the tower, limiting the impact on the visual amenity.</p> <p>The siting of the proposed Telecommunications Facility, approximately 90 metres from the road reserve, will not be visible from Archer Road.</p> <p>The lattice tower will be painted a non-reflecting factory grey colour which, due to its height, will be appropriate to blend more naturally into the sky.</p> <p>Based on the above, the proposed Telecommunications Facility is considered to not visually dominate the surrounding area.</p>
PO3	<p>Development:</p> <ul style="list-style-type: none"> (a) is camouflaged through use of colours and materials which blend into the visual landscape (earth tones); and (b) incorporates a range of non-reflective materials, textures and finishes that reflect the character of the surrounding area. 	<p>The proposed Telecommunications Facility comprises of three (3) elements: the tower, the equipment shelter and the fence.</p> <p>The lattice tower will be a non-reflecting factory grey colour which, due to its height, will be appropriate to blend more naturally into the sky.</p> <p>The equipment tower and fence will be a natural grey colour and will be located in an area that will not be visible external to the site due to the existing vegetation.</p>
PO9	<p>Development prevents or minimises the generation of any noise such that:</p> <ul style="list-style-type: none"> (a) nuisance is not caused to adjoining premises or other nearby noise sensitive areas; (b) applicable legislative requirements are met; and (c) desired ambient noise levels for residential zoned areas are not exceeded. 	<p>The proposed Telecommunications Facility will have some noise during the construction phase, which will only be during standard hours with no weekend operations.</p> <p>The Telecommunications Facility will have an air-conditioning unit to maintain the internal temperature of the equipment shelter. The noise from the air-conditioner will be similar to that of a domestic air-conditioner. The unit will comply with the background noise levels outlined in <i>Australian Standard AS 1055</i>. Furthermore,</p>

		the surrounding vegetation will help to mitigate any noise external to the site.
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Based on a performance assessment of the above mentioned codes, it is determined that the proposal is acceptable and generally complies with the relevant Performance Outcomes and where there is deviation from the codes, sufficient justification has been provided.

Planning Scheme Policies

Policy	Officer's Response
SC6.5 Bushfire management planning scheme policy	The proposed Telecommunications Facility will be an unmanned facility, have access via a 90 metre access track to Archer Road and will have a ten (10) metre bushfire clearance area around the structure to reduce possible bushfire impacts.
SC6.8 Ecological assessment planning scheme policy	An ecological assessment report was submitted with the application in accordance with this PSP.

As evident from the above assessment, the proposal generally complies with the requirements of the applicable planning scheme policies.

INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 5) 2015 for non-residential development applies to the application and it falls within Charge Area 3. A Telecommunications Facility under the *Adopted Infrastructure Charges Resolution (No. 5) 2015* is a minor use which has no charge for Infrastructure Charges. Therefore, no Infrastructure Charges are payable and an Infrastructure Charges Notice will not be issued for the development.

CONSULTATION

The proposal was the subject of public notification between 18 January 2019 and 12 February 2019, as per the requirements of the *Planning Act 2016* and the Development Assessment Rules, and six (6) properly made submissions were received.

The following is a summary of the submissions lodged, with Council officer comments:

Issue	Officer's Response
The electromagnetic energy (EME) report only showed the maximum EME level emitted from a height of 1.5m from the ground level of the Telecommunications Facility. Our home is located about 25 metres higher than the ground level of the Telecommunications Facility which would make the EME levels higher than the report indicated.	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. Therefore, the results of the EME report demonstrate that the risks to public health and safety are minimised.
The future co-location by other carriers will result in increased EME levels.	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

Issue	Officer's Response
	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 Australian safety standard for EME is set by ARPANSA and is based on the safety guidelines recommended by the World Health Organisation (WHO). ARPANSA and the WHO continually examine the scientific evidence regarding possible health effects due to exposure to EME. Current research indicates that there are no established health effects from low exposure to EME from mobile phone base station antennas. For this application, the additional EME report submitted to Council (dated: 5 March 2019) identified the maximum EME level of 0.15% of the public exposure limit. Therefore, the results of the EME report demonstrate that the risks to public health and safety are minimised.
The location of the Telecommunications Facility will lead to further decreases to the value of their properties.	Property values are not a relevant planning matter.
Concerned that any lighting from the Telecommunications Facility will impact 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 EME will impact on the local bat colony and the queen bees in their bee hives.	The WHO information sheet on Electromagnetic Fields (EMF) and Public Health states that there is little to no evidence of a significant environmental impact to terrestrial and aquatic ecosystems due to EMF.
The television reception will be adversely impacted by the EME and will require signal boosters to compensate.	Interference on TV signals and internet services from a Telecommunications Facility are usually caused by strong signals outside of TV frequencies which overload the amplifier. Fixes to this problem can include: <ul style="list-style-type: none"> • installing a simple filter at the appropriate receiving point; • replacing the antenna with one that has the filter built in; • removing a signal booster if not needed; and

Issue	Officer's Response
	<ul style="list-style-type: none"> relocating the antenna location. <p>Therefore it is unlikely that signal boosters would be required as there are alternative, cheaper solutions.</p>
<p>The condition of the road will further deteriorate due to the heavy machinery that will be used during the construction phase of the development and the increased traffic flow due to the Telecommunications Facility.</p>	<p>The applicant considers the access road to be dry weather access only and will not use heavy vehicles on this road if there has been more than a short-term moderate rainfall event. The use of heavy vehicles for access during the construction phase will be limited as far as possible.</p> <p>The Telecommunications Facility will be an unmanned station and will only require three (3) to four (4) visits per year for maintenance.</p>
<p>The applicant did not do their due diligence in searching for other candidate sites that were located further away from the local residences.</p>	<p>As part of the Mobile Black Spot Program limited areas for their scope are identified and the candidate sites are reviewed from this scope area.</p> <p>The applicant provided a more detailed summary of their candidate assessment to Council on 25 February 2019. Based on this information the selected site was their second favoured site; however the land owner would not support the Telecommunications Facility on the other site.</p>

REFERRALS

The application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning as the proposal involves clearing of Category B vegetation. The Department has approved the application subject to conditions.

STATEMENT OF REASONS

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</i></p>

	<p>2015;</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	<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.</p>	
	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	Interference with TV signals and internet services from Telecommunications Facility are usually caused by strong signals outside of TV

	boosters to compensate.	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

The proposal for establishing a Telecommunications Facility within the Rural Zone is considered to be a consistent use and can be supported by the *Rockhampton Region Planning Scheme 2015*. Therefore, the proposal for a Material Change of Use for a Telecommunications Facility at 346A Archer Road, Mount Morgan generally complies with the requirements of the planning scheme and is recommended for approval subject to conditions.

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

Information Request Response

Meeting Date: 18 June 2019

Attachment No: 1



Application Number: D/120-201

21 May 2019

Rockhampton Regional Council
Development Assessment
PO Box 1860
RPCCKHAMPTON QLD 4700

Via email: enquiries@rrc.qld.gov.au

Attention: Jonathan Trevett-Lyall

Additional information relating to development application for Material Change of Use for a Telecommunications Facility at at 346a Archer Road, Mount Morgan QLD 4520 (Lot 16 on SP208184).

Dear Jonathan,

Visionstream Australia Pty Ltd (Visionstream) on behalf of Telstra, provides the following responses to the information requested by yourself via email on 9 April 2019, for the development application for a Material Change of Use for a Telecommunications Facility (the proposed facility) at 346a Archer Road, Mount Morgan QLD 4520 (Lot 16 on SP208184).

Request Item 1:

A map showing the expected coverage area for the Mobile Black Spot Program

Visionstream response:

Telstra regrets that it cannot provide a copy of the coverage map for the proposed facility as it is Telstra intellectual property and covered by commercial in confidence, noting that any application material provided to Council through the development assessment process is subject to public disclosure under Schedule 22, Part 2, section 5 of the *Planning Act 2016*. As provided previously to Rockhampton Regional Council (the Council), the targeted coverage area includes the following areas and their surrounds:

- Part of the suburb of Struck Oil
- Part of the suburb of Limestone
- Upper Ulam Road, Bajool
- Cowie Road, Bajool

Simplifying this, the coverage area includes the 'plateau' section of Limestone and Struck Oil, and the valley to the east towards the Bruce Highway (**Figure 1**).

VISIONSTREAM AUSTRALIA PTY LTD ABN 85 093 384 680
PO Box 5452, West End, QLD 4101

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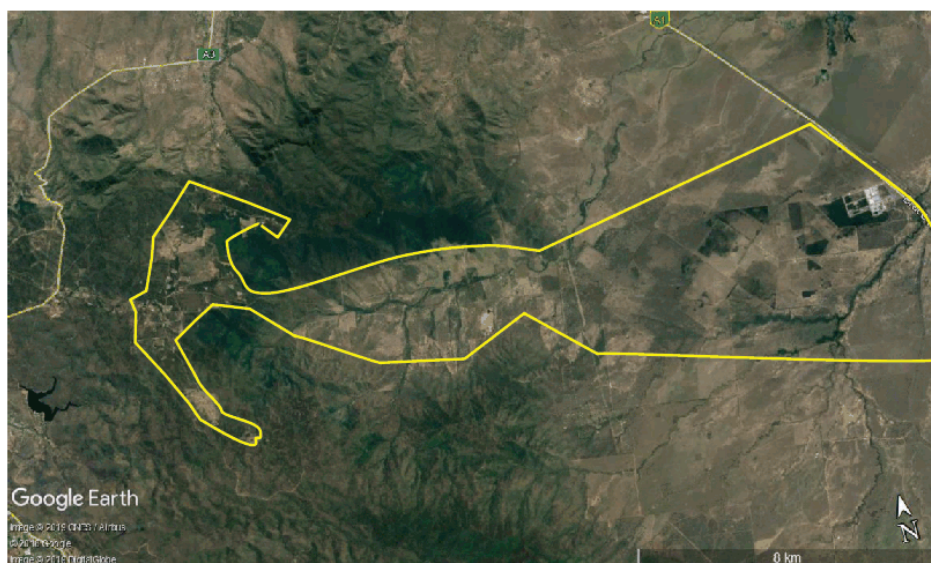


Figure 1: Conceptual/indicative target coverage area

Radio frequency assessment has determined the proposed facility at 346A Archer Road, being relatively central to the plateau, will provide coverage to a high standard and meets the coverage requirements of the Federal Government Black Spot Program.

A staged assessment of additional candidates has been conducted, including a radio frequency/coverage assessment where relevant, as part of the supplementary candidate assessment report (**Appendix A**).

Request Item 2

An analysis of the other Telecommunications Facility at Baree.

Visionstream response:

The telecommunication facility at Baree is a 30m tall facility approved for NBN Co. This facility (NBN facility) is unconstructed and at latitude -23.62765 and longitude 150.37286, Mount Morgan, approximately 530m from an existing Mount Morgan telecommunications facility operated by Telstra. The NBN facility is located at an elevation of 375m AHD and is approximately 8.8km from the site proposed by Telstra for the identified Black Spot and over 25km from the outer extent of the targeted coverage area. The NBN facility includes panel antennae designed to provide wireless services east to the Mount Morgan area, but not to the plateau areas of Struck Oil and Limestone intended to be covered by the proposed Telstra facility, or the valley area east to the Bruce Highway. Any co-location at the NBN facility for Telstra antennae equipment would likely be limited to approximately 20-25m, with NBN equipment given primacy. This co-location height is important as ranges between the unconstructed tower and the intended coverage area for the identified Black Spot exceed 385m in height. For Telstra services from the NBN facility to cover the plateau area of Struck Oil and Limestone, it would need to either go over these ranges, or through several turns on Struck Oil between the ranges, something that limits signal propagation (**Appendix B**). In addition, the signals would then need to propagate over a second set of ranges to provide wireless services in the valley area to the Bruce Highway (**Appendix B**).

Based on its distance from the intended coverage area, the height of the two obstruction ranges, its elevation, its height and the likely co-location height for Telstra, the unconstructed NBN facility is not suitable for co-location to provide coverage to the identified Black Spot.

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In addition to the above, it is noted that the approved NBN facility has not been constructed and further understood that no building permit has been requested or issued for the facility. Due to the time-critical nature of the Black Spot Program, it is considered that waiting for the proposed NBN facility to be constructed only to provide coverage that does not meet the requirements of the Black Spot Program, and so it not acceptable to the Federal Government, would be an undesirable outcome for the community.

Request Item 3

An analysis of the site on Limestone Road that the Councillors discussed at the meeting, understood to be 140 Limestone Road – Lot 27 on RN298 – east of Limestone Road.

Visionstream response:

An analysis of Lot 27 on RN298 has been included as part of an exhaustive supplementary candidate assessment report (**Appendix A**). Radio-frequency assessment of the site showed that it would not meet the requirements of the Black Spot. Specifically, a facility placed at an opportune cleared area failed to pass a key requirement of the Black Spot program by close to 50% even at a height of 70m EL.

Request Item 4

An explanation of why tower heights need to be of a certain height in that area

Visionstream response:

An explanation of why specific tower heights are required is provided in the supplementary candidate assessment report, and specifically sections 3.1 and 3.2 (**Appendix A**). In brief, without a feasible means of providing fibre to the area, the proposed facility must connect to the telecommunications network through a microwave link dish that must have 'line-of-sight' with another microwave link dish attached to a Telstra telecommunications facility that itself has access to the telecommunications network. Assessment of options in the area show that based on the coverage requirement and 'line-of-sight' assessments, the best option is the Telstra facility at Bajool. As a result, any telecommunications facility to provide wireless services to the identified Black Spot have 'line-of-sight' with the Bajool facility.

Visionstream has conducted an exhaustive assessment of additional candidates in the surrounding area to determine if there are viable alternatives that result in towers of a smaller height, and so lesser amenity impacts (**Appendix A**). This assessment determined that dependent on the location chosen for the facility, the topography of the area generally requires facilities of between 60 and 90m in height.

Further details on additional candidates and the required heights to obtain 'line-of-site' with the Bajool facility is provided in **Appendix A**.

Request Item 4

Any further information that you believe may be of assistance.

Visionstream response:

Supplementary candidate assessment report

The provided supplementary candidate assessment report shows Telstra's commitment to ensuring that Council can be satisfied that all available options for locating a telecommunication facility in the area have been considered. The supplementary candidate assessment report provides:

- a comprehensive and site-specific explanations for the requirements of a telecommunication facility in the area;

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- an exhaustive list of eleven (11) additional candidates in the area after having considered every available piece of land in the area;
- a staged assessment for each of the additional candidates against the stated requirements, including 'line-of-sight' assessments using available topographical data and consideration for impacts to the community; and
- copies of all 'line-of-sight' topographical data used.

Amenity impacts

Regarding amenity impacts to the area, the supplementary candidate assessment report provides that an alternative candidate that meets coverage requirement while providing a lesser impact to the community is not available, even when excluding the ability for Visionstream to acquire the necessary land to enable development to occur. Further, Visionstream notes that Council allowed the construction of a 30m Telstra monopole at 6A Crown Street, Mount Morgan that is on an elevated hilltop and within 230m of residences, closer than the proposed facility and without the same extent of screening vegetation. It is considered that amenity impacts between this site and the proposed facility are relatively similar when the differences in height, screening vegetation and distances to residences are considered.

To better evaluate amenity impacts at the proposed facility, an extended assessment of amenity impacts is provided. Amenity impacts for the proposed facility are significantly minimised through its siting in dense vegetation that grows 20m-25m in height. Dwellings within 500m of the proposed facility include:

- 272 Archer Road, located approximately 275m west of the proposed facility
- 269 Archer Road, located approximately 450m north-east of the proposed facility
- 327 Archer Road, located approximately 400m north-east of the proposed facility
- 345 Archer Road, located approximately 455m east of the proposed facility
- 346 Archer Road, located approximately 450m east of the proposed facility

In assessing visual impact, view corridors are considered either views to significant locations (mountain ranges, valleys, water etc.), or 90 degree viewing angle/s from the aspect/s of a residence allowing for views of the area, including patio or veranda areas. In the subject area, views to significant locations are limited to the valley to the east. With building aspect view corridors, it is important to note that they highlight the dominant views from within the residence itself and the area directly outside the residence, but do not preclude views from elsewhere on a property. For this reason, the extent of obstructing vegetation and distance to proposed structures is also important.

Houses at or close to the same level as the proposed facility include 272 Archer Road, 346 Archer Road and 345 Archer Road. Of these, 272 Archer Road is not considered to have views of the valley to the east, while 345 and 346, being east of the proposed facility, do not have their views of the valley obstructed. Regarding building aspect view corridors, the facility is located on the periphery of view corridor. (**Appendix C**). Casual views of the facility outside of the dominant view corridor are likely to be obstructed by the existing mature vegetation. For 346 Archer Road, the proposed facility is within the rear building aspect view corridor (**Appendix D**). As vegetation within the area averages 20m, the resulting near 45 degree viewing angle from the ground and the over 450m distance to the facility is likely to result in limited or negligible views from the dwelling. As there are no other cleared recreation areas within this property, casual views of the tower are also unlikely. Regarding 345 Archer Road, the proposed facility is significantly outside the building aspect view corridor (**Appendix E**). While this property has several cleared areas around the main dwelling, similar to 346 Archer Road, casual views of the facility are likely to be substantially restricted to these cleared areas and moderated even within these areas given the over 450m distance to the proposed facility and the relatively similar elevation levels.

Houses in higher areas of topography are limited to two dwellings, 327 Archer Road and 269 Archer Road.

327 Archer Road has 360-degree views thanks to its elevation position and lack of surrounding vegetation. Beyond this it has two main view corridors, east towards the significant views down into the valley, and 90

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degrees from its front and rear aspects of the building, with both opening out onto large areas usable for recreation. Based on this, the proposed facility is not within the view corridor to the valley but is located within the periphery of the front built aspect view corridor (**Appendix F**). While the mature vegetation surrounding the facility will mitigate views to a degree, this is lessened by the difference in elevation. It is considered likely that the top 25m of the facility will be visible from 327 Archer Road. As the supplementary candidate assessment report has shown that there are no viable alternatives to the proposed facility, and a radio frequency assessment has determined the proposed facility height is required to provide the necessary coverage under the Federal Government Mobile Black Spot Program mitigating amenity impacts for 327 Archer Road is the next available option. Screening of the tower would require several trees to be planted to grow up to 40-45m of the tower. Given the existing dense vegetation in the area, this would require the clearing of additional trees to enable new trees to be planted. Further, the planting of mature trees is unlikely to be successful, and so any tree planted would need to be a juvenile, and as a result require several years to grow to a mature height. As such, successful mitigation of amenity impacts for 327 Archer Road is better undertaken by painting the tower a mist-green colour to allow for the tower to have a colour scheme in keeping with the surrounding vegetation. It should be noted that given its location on top of a hilltop and lack of surrounding vegetation, 327 Archer Road is likely to have views of any tower structure placed within 1 kilometre or more of the dwelling. Further, the siting of the tower retains the scenic views of 327 Archer Road with regards to the valley to the east, and by being only located within the periphery of its front building aspect view corridor, is as close to minimally intrusive as possible given site and project constraints.

269 Archer Road is located on the far side of a gradual hilltop and so faces away from the subject site. Any scenic view corridors it has to the valley to the east are not impacted by the proposed facility, which is located over 450m south-west of the dwelling. An examination of its building aspect view corridors shows that the closest view corridor, from the rear of the building, does not include the proposed facility by a significant margin (**Appendix G**).

Given the tower height, the surrounding topography and the distance to nearby residences, a further assessment of amenity impacts has focused on five (5) dwellings. Of these, two 269 and 345 Archer Road, do not include the proposed facility within their identified scenic or building aspect view corridors. These two dwellings include mature vegetation close to the existing residences, and when combined with the mature vegetation surrounding the proposed facility, lowers even casual views of the tower to a low level. Of the remaining three dwellings, 272 is located at the same elevation as the proposed facility, which is located on the periphery of the building aspect view corridor with mature vegetation likely to obstruct part of the tower. 327 Archer Road is located on an elevated section with 360-degree views of the surrounding area. The scenic amenity views of this facility to the valley to the east are not impacted by the proposed facility, and a building aspect view corridor assessment shows the proposed facility is located on the periphery of its front view corridor. As the dwelling does not include mature vegetation surrounding it, the amenity impacts for the proposed facility within the periphery of a single view corridor are considered moderate. Opportunities exist to mitigate this impact by painting the tower mist green. 346 Archer Road includes the facility only within the rear view corridor and which contains only a single recreation area at the rear. Given aerial imagery shows mature vegetation within 15m-20m of the rear of the dwelling, and the facility is over 450m away at a similar elevation, views from the ground are likely to be minimal.

In summary, amenity impacts are predominantly minimal for surrounding residences, with only three dwellings including the proposed facility within their view corridors, and for these dwellings, the proposed facility is either within the periphery of a view corridor, or substantially screened by relatively close, mature vegetation.

EME report

It is understood that there has been some confusion regarding the EME report dated 5 March 2019 and provided to Council as part of a submission response (**Appendix H**). The EME report includes two different ways of expressing EME level. The first is a radial analysis on page 1 and 2 of the report. This mandatory radial analysis provides the maximum EME levels against the public exposure limit for varying distances from the facility, calculated at 1.5m above the ground level of the facility. This is most appropriate as a general means of

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expressing EME levels, particularly on flat ground where 1.5m above the ground level for the facility is the same level as 1.5m above the ground level several hundred metres from the facility. As the proposed facility is located in an area of varying topography, the point of interest expression found at the end of page 2 of the EME is more appropriate for the area. A point of interest expression calculates the maximum EME levels from the proposed facility at a specific location. The points of interest chosen by Visionstream in this EME report are the dwellings in the surrounding area. A point of interest expression considers the difference in topography and provides the greatest calculated level of EME for a specific range of heights at this location. The heights for the points of interest have been chosen based on the heights of dwellings in the area. **Figure 2** provides an example of the differences in these means of expressing EME, while **Table 1** provides a real-life comparison of EME levels using 327 Archer Road, Struck Oil, located 398m from the proposed facility.

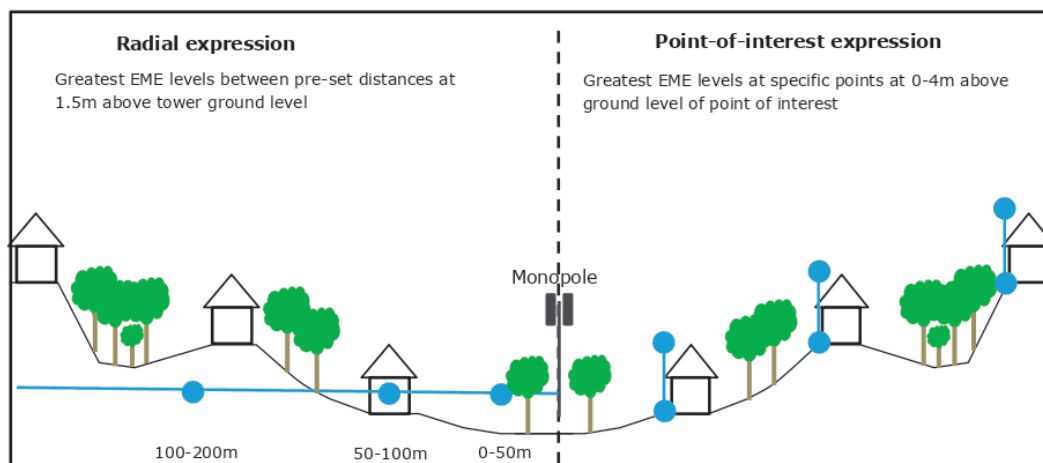


Figure 2: Visual representation of difference in EME emission expression between radial assessment and point-of-interest assessment in area of variable topography. Areas scanned and assessed are represented by blue lines and spheres.

Table 1: Real-life example of differences in EME expression using proposed facility and 327 Archer Road, Struck Oil

Method for expressing EME	Distance from proposed facility used for assessment	Elevation of location used by method	Heights scanned for maximum EME level	Maximum EME level calculated against public exposure limit
Radial analysis	Set distances of between 300-400m and 400m-500m are assessed	328 (identical to proposed facility elevation)	No height scanned, instead assessment is for a single point 1.5m above the elevation used by the method	0.15% (300-400m from proposed facility) 0.12% (400-500m from proposed facility)
Point of interest	398.6m	344.8m (based on available topographical data)	A height scan is undertaken from 0-4m, representing a two-storey dwelling at the subject site, or a person standing on the roof of a single-storey dwelling.	0.031%

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As can be seen in **Table 1**, a point of interest expression for 327 Archer Road, Struck Oil provides a more accurate and lower maximum EME level compared to the radial expression due primarily to the difference in topography.

The highest EME level calculated from the proposed facility at any of the nearby residences using the point of interest expression is 0.12% of the public exposure limit, representing a level over 800 times under the safe exposure limit.

Conclusion

Visionstream and Telstra have now assessed multiple options to find alternative solutions in the area that result in lesser clearing and lesser amenity impacts. This has included assessing different power solutions, different location, lower tower heights and additional options for co-location. This assessment has shown that the proposed facility continues to offer the best balance of all considerations. Explanations and assessments of the visual impact of the facility has shown that the proposed tower has a predominantly minimal impact on amenity from nearby residences due to being sited outside nearly all view corridors and the presence of mature vegetation surrounding both the proposed facility and all but one nearby dwelling. Additional information on EME reporting gives confidence to the community that the levels shown in the EME report for their dwellings represent the best method for expressing EME given the topography of the area. Notably, these EME levels are well within the safe exposure limit by several orders of magnitude.

Visionstream and Telstra request that Council look favourably on the proposed facility and allow for it to be constructed, subject to reasonable and relevant conditions, to provide essential services to the entire community of Struck Oil, Limestone and Bajool, located within an identified Mobile Black Spot.

As always, please call me at any time to discuss any aspect of this development.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Daniel Park'.

Daniel Park
Senior Planner

Visionstream Australia Pty Ltd

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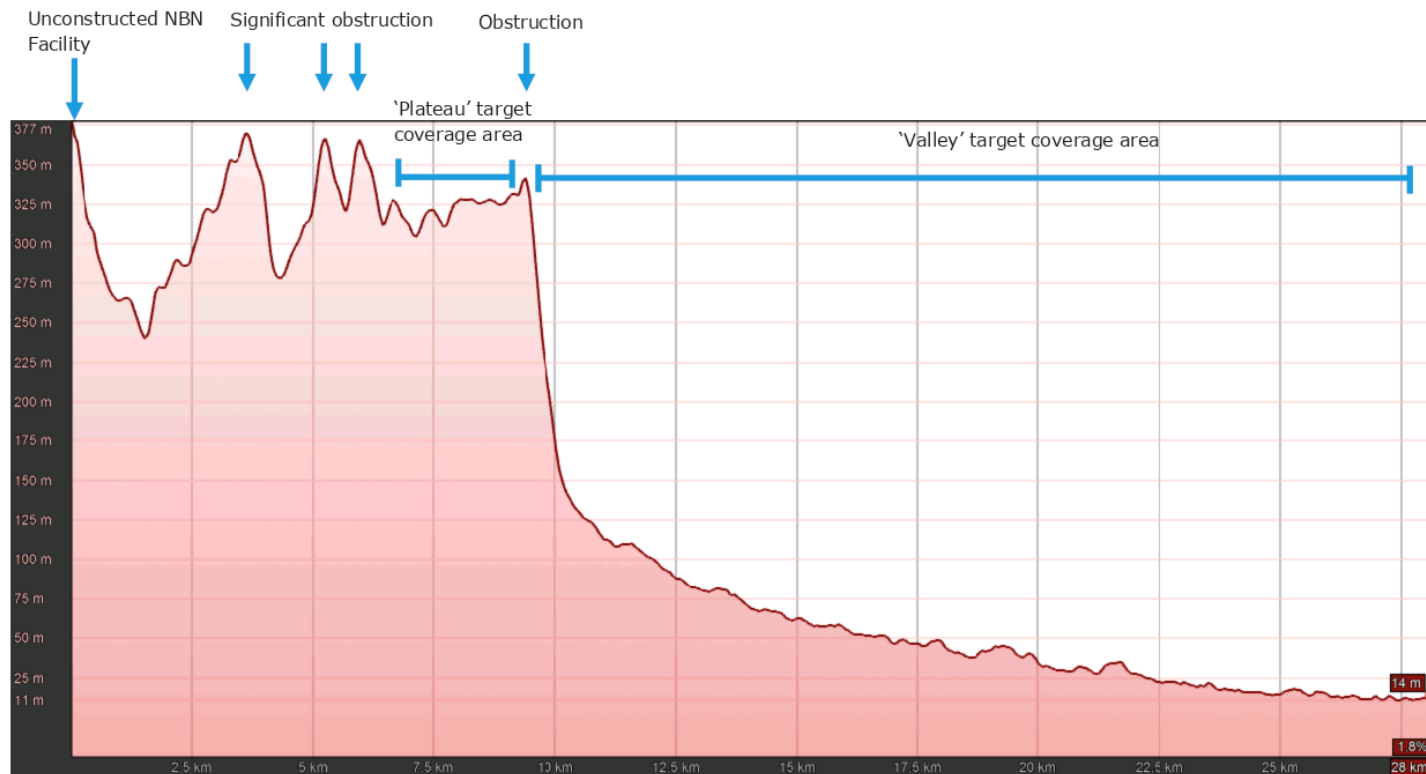
Appendix A: Supplementary candidate assessment report

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Appendix B: Elevation profiles and distance from unconstructed NBN facility to extent of outer indicative target coverage area

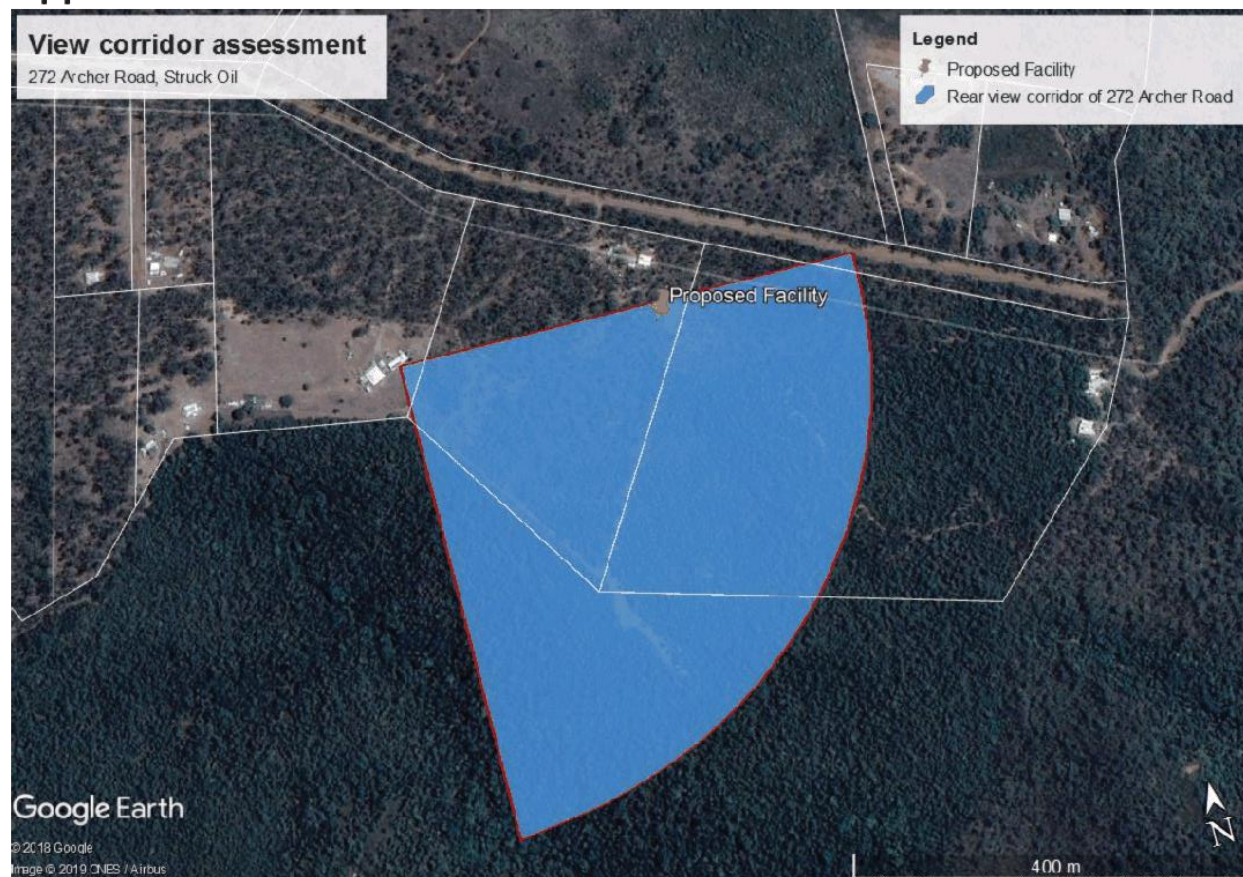


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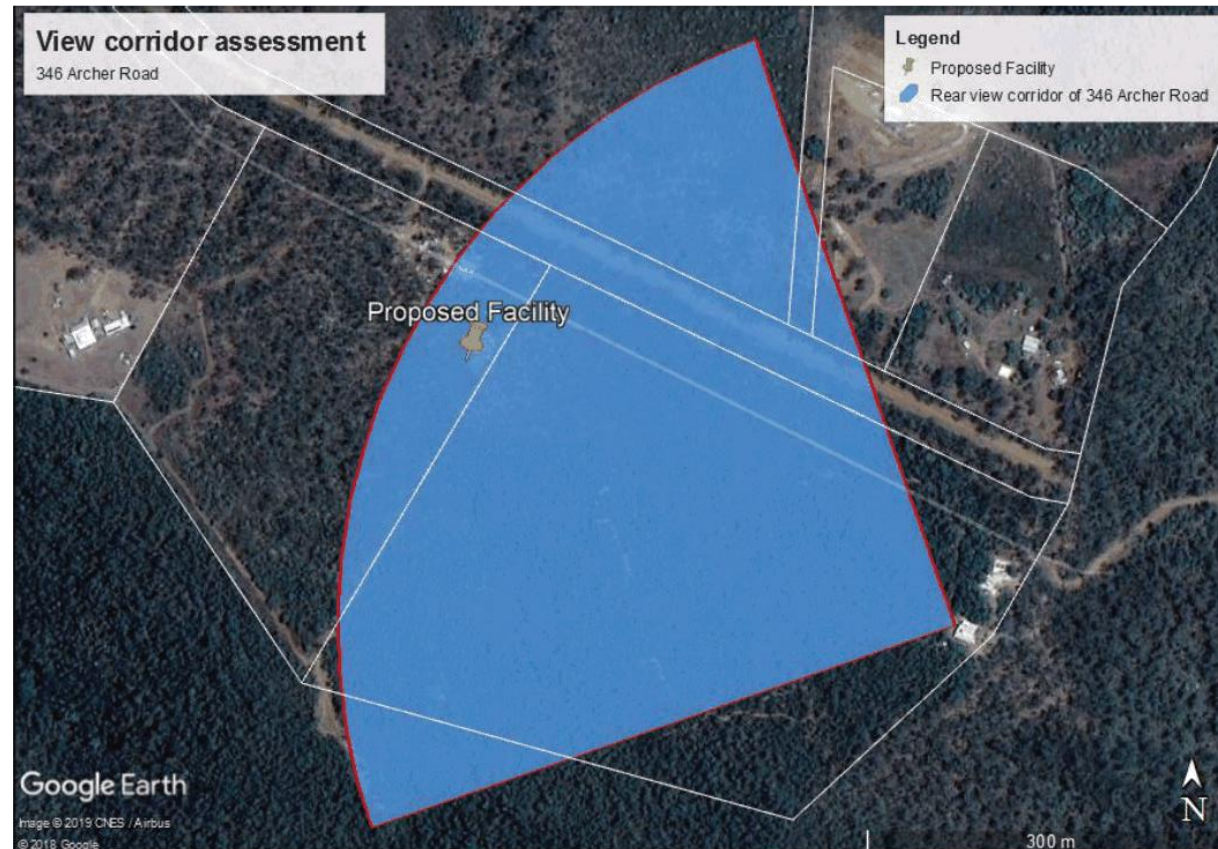
Appendix C: Relevant view corridor for 272 Archer Road



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Appendix D: Relevant view corridor for 346 Archer Road

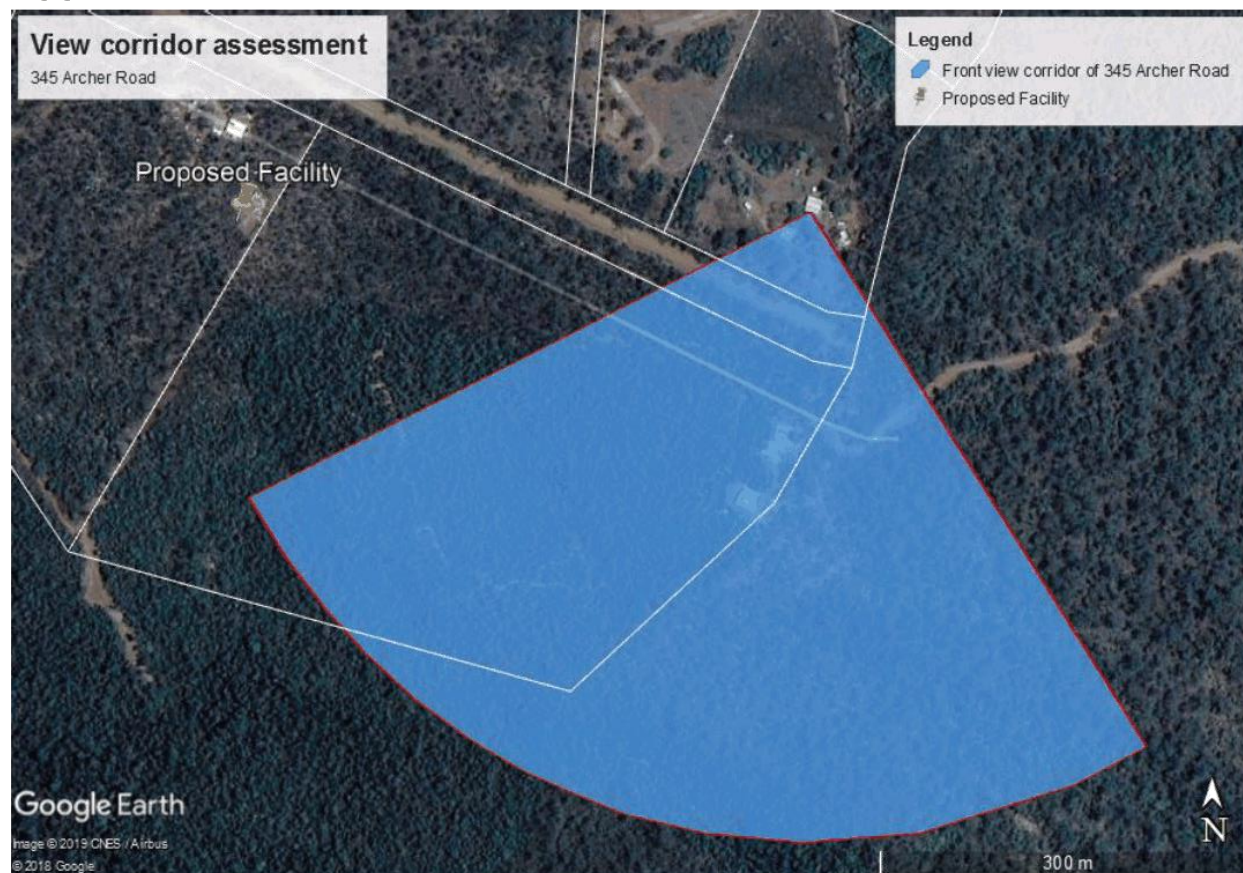


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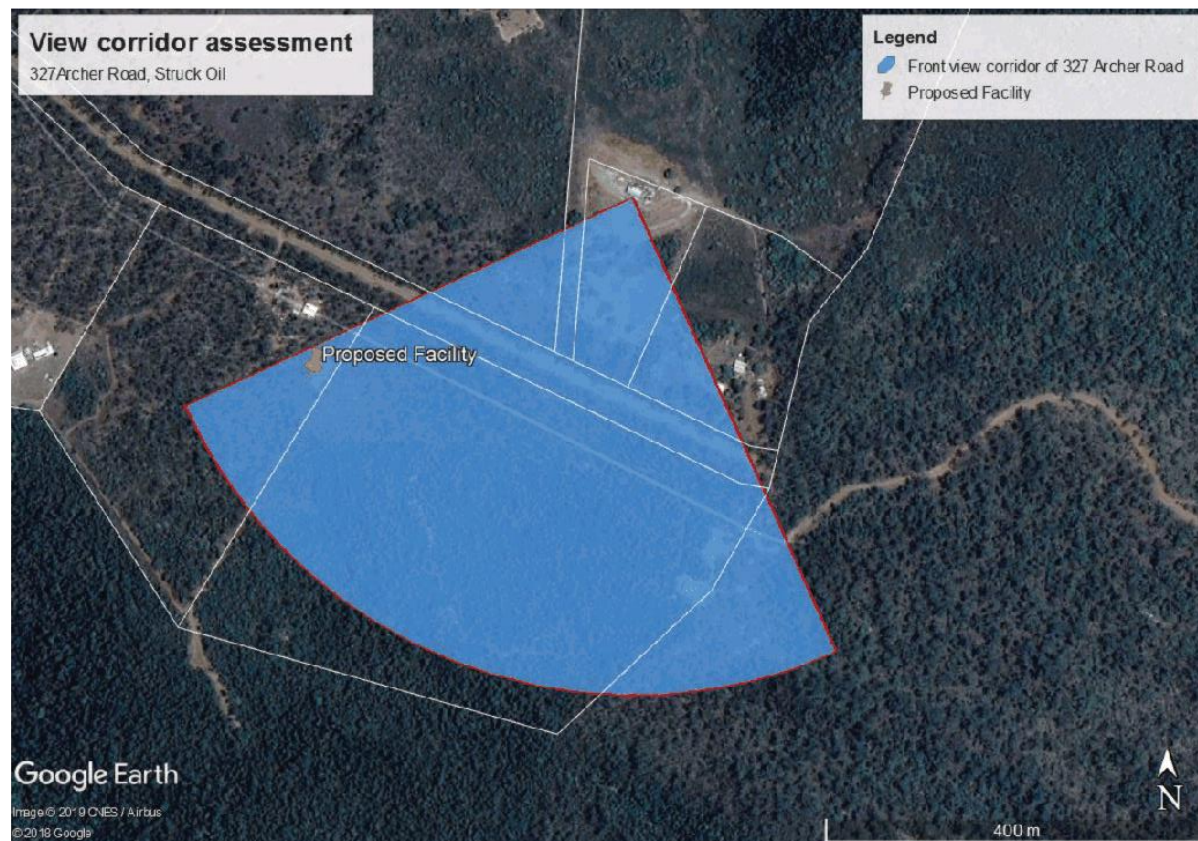
Appendix E: Relevant view corridor for 345 Archer Road



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Appendix F: Relevant view corridor for 327 Archer Road

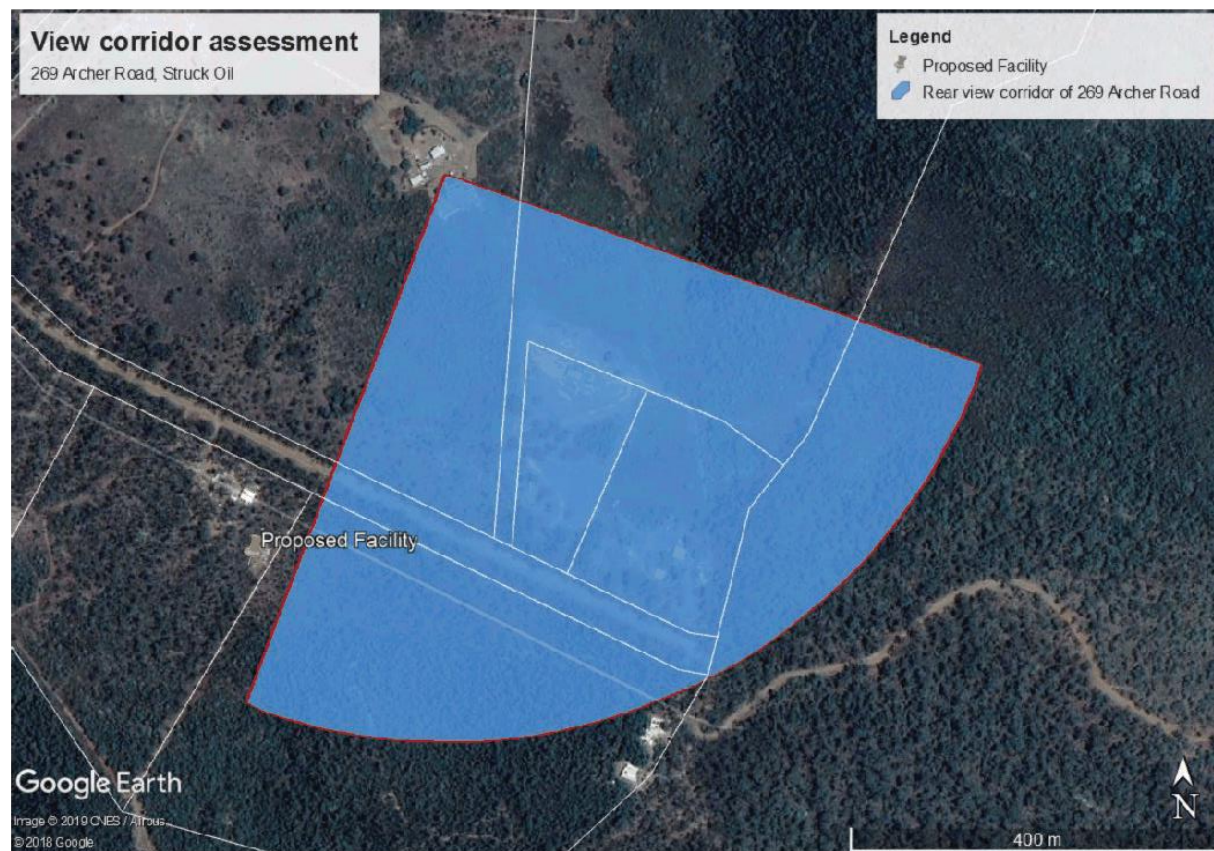


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Appendix G: Relevant view corridor for 269 Archer Road



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Appendix H: Amended EME report dated 5 March 2019

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

**Supplementary Candidate
Assessment Report**

Meeting Date: 18 June 2019

Attachment No: 2

SUPPLEMENTARY CANDIDATE ASSESSMENT REPORT

Proposed Telecommunications Facility at
346A Archer Road, Struck Oil QLD 4714
Lot 16 on SP208184

Prepared by **Visionstream Australia Pty Ltd**
On behalf of **Telstra Corporation Ltd**

Project No: 4015654.01 Upper Ulam Road
May 2019

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May 2019

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This Supplementary Candidate Assessment Report is prepared by:

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1.2	21/05/2019	Finalise Supplementary Candidate Assessment Report	DP	DP

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EXECUTIVE SUMMARY

This supplementary candidate assessment report has been prepared by Visionstream Australia Pty Ltd (Visionstream) and assesses additional candidates for a Telecommunications Facility within the 'plateau area' of Mount Morgan and Limestone. The assessment uses the known requirements of a wireless telecommunication solution in the area, with the exception of the commercial availability of land, and additional requirements based on the committee recommendation of the Planning and Regulatory Committee of the Rockhampton Regional Council (the Council) to determine the viability of candidates for a wireless telecommunication solution in the area.

The supplementary candidate assessment report identifies eleven (11) additional candidates within the wider area of Mount Morgan/Limestone. An assessment of these candidates has found that while some were not viable due to access restrictions, the majority were not due to the required height for a wireless telecommunication solution. Of the remaining candidates, several candidates were not suitable due to the extent of clearing required to access the site, access the construction site, and/or construct and protect the facility from bushfire hazards.

Only one (1) of the additional candidates assessed was considered acceptable with regards to amenity and clearing impacts. A radio-frequency assessment of this candidate demonstrated that the minimum height would not provide adequate coverage under the Federal Government Mobile Black Spot Program (the Program) and that an increase in height of 20m would still not provide adequate coverage. As a result, the candidate was not considered viable for the Program.

The supplementary assessment candidate assessment identified no additional candidates that both the initial and additional requirements for the Program, with the current subject site continuing to represent the best candidate in the area.

1 INTRODUCTION

Struck Oil and surrounds has been identified as containing a Mobile Black Spot as part of the Program, a Federal Government program that seeks to improve wireless communications to rural and remote communities.

Telstra Corporation Ltd (Telstra), through Visionstream Australia Pty Ltd (Visionstream), commenced investigations of the area to provide a wireless telecommunication solution to meet the requirements of the Program. This investigation was based on the coverage requirements of the Program, impacts to the environment and the community, the network and power solutions of

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the wireless telecommunication solution, constructability, the availability of land and overall project feasibility. Upon completion of this investigation, 346A Archer Road, Mount Morgan QLD 4714, formally described as Lot 16 on SP208184 (the Proposed Property), was determined to be the best candidate for the Program.

Based on coverage, network and power requirements, the proposed wireless telecommunication solution was determined to be a 50m lattice tower with an accompanying equipment shelter, using a parabolic dish for network connectivity, mains power provided through an extension to the existing power network, and including six (6) panel antennae on a triangular headframe (the Proposed Facility)

On 9 November 2018, Visionstream on behalf of Telstra lodged a development application for a development permit for a material change of use for the Proposed Facility at the Proposed Property. On 9 April 2019, Rockhampton Regional Council requested additional information on the Proposed Facility, including the consideration of additional candidates in the area. As a result of this request for additional information, Visionstream has prepared this supplementary candidate assessment report.

The supplementary candidate assessment report provides:

- a history of the development application to this point;
- detail on the requirements for a wireless solution in the area;
- a summary of the initial candidate assessment conducted;
- the identification of the additional requirements for a wireless solution based on the findings and recommendations of Council
- the identification of additional candidate for assessment
- a staged assessment of each additional candidate
- a summary of the additional candidate assessments

2 PROJECT HISTORY

Investigations of the area commenced in May 2018. Investigations were limited to an area surrounding the location specified by the Federal Government under the Program, being the end of Archer Road Struck Oil.

On 8 November 2018, a development application for the Proposed Facility was lodged with the Council. A confirmation notice was provided by the Council on 22 November 2018. On 6 December 2018, the Council informed Visionstream it would not be providing an information

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request. On the same day, the development application was referred to the Department of State Development, Manufacturing, Infrastructure and Planning (the Department) as a referral agency for the assessment of vegetation clearing, including additional exempt clearing. On 20 December 2018, after discussion between Visionstream and the Department, a minor change was made to the development application, amending the location of the proposed development. On 4 January 2019, the Department informed Visionstream it would not be providing an information request. On 18 January 2019, the Department as a referral agency provided its response, including conditions to attach to any approval.

Public notification of the development application was undertaken from 18 January 2019 to 12 February 2019. During this period, six (6) submissions objecting to the Proposed Facility were received, with the last of these submissions being provided by the Council to Visionstream on 26 February 2019. The submissions included the following matters:

- Electromagnetic energy emissions and perceived adverse health impacts
- Perceived adverse impacts to property prices
- Vegetation clearing
- Perceived adverse impacts to flora and fauna
- Perceived adverse impacts to local roads

On 8 March 2019, Visionstream provided a response to all submissions.

An agenda for the Planning and Regulatory Committee on 26 March 2019 was prepared by the Council, including the Proposed Facility as an item for discussion. The agenda included details onsite inspections undertaken by Councilors', and the four (4) deputation requests approved by the Chief Executive Officer. The agenda included an officer's report that assessed the Proposed Facility against the submissions, the *Rockhampton Region Planning Scheme 2016* (the Planning Scheme), the *Central Queensland Regional Plan 2013*, the *State Planning Policy 2017*, the *Vegetation Management Act 1999*, the *Telecommunications Act 1997* and the *Telecommunications (Low-Impact Facilities) Determination 2018*. The report found that the Proposed Facility generally complies with the requirements of the Planning Scheme and recommended it be approved subject to conditions. Minutes from the meeting recommended a refusal of the Proposed Facility, based on:

- adverse impacts to the rural character and amenity of the locality, including businesses and dwellings, resulting from the height of the Proposed Facility; and
- the Proposed Facility requiring the clearing of vegetation.

On 26 March 2019, Visionstream requested a deputation to present to the Council at an Ordinary Meeting of Council on 2 April 2019. This deputation was denied on 29 March 2019, after which Visionstream enacted a stop to the current decision period.

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On 2 April 2019, a Visionstream representative met with planning and development officers of the Council, and a subsequent meeting with Councilors' and planning and development officers of the Council on site.

On 8 April 2019, the Council requested a twenty (20) business day extension to the decision period. This was agreed to by Visionstream on 9 April 2019.

On 9 April 2019, the Council requested additional information from Visionstream, including:

- a map showing the coverage area of the Proposed Facility;
- an analysis of a Council Telecommunications Facility at Baree;
- an analysis of 140 Limestone Road; and
- an explanation of the required tower height for additional locations in the area, including elevation profiles and extrapolations,

This supplementary candidate assessment report provides an analysis of 140 Limestone Road and multiple additional candidates identified by Visionstream. The report also provides individual elevation profiles and extrapolations used to identify the likely height for a tower at each location.

3 PROJECT REQUIREMENTS

A wireless telecommunication solution has a variety of requirements to both function effectively and ensure that adverse impacts are minimised to the greatest extent possible.

The most important requirements for a wireless telecommunication solution are accessing the wider telecommunication network and providing the required level of coverage, with the latter being of critical important to the Program. Further to this, a telecommunication solution must also be able to be constructed, financially feasible, minimise adverse impacts to the community and the environment and be on land able to be acquired.

3.1 Network requirement

For a telecommunication facility to provide a wireless signal, it must be able to connect to the wider telecommunication network. This connection is best undertaken using a wired fibre connection. The project area lacks a wired fibre connection, and it is unfeasible to extend the fibre network to the current location. Instead, a telecommunication facility for the project must connect

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the telecommunication network by receiving a signal from another tower that is itself connection to the network. For this 'line-of-sight' solution to work, a parabolic dish must be installed on the sending and receiving towers. These parabolic dishes must be able to directly 'see' one another without any obstruction. There are three (3) towers in the surrounding area (**Figure 1**):

- Bajool R/T – a 15m Telstra tower located east of the Proposed Property at Lot 177 on DS495
- Mount Morgan Gold Mine – a 25m Telstra tower located west of the Proposed Property at Lot 1 on RP860374
- Bouldercombe – a 30m NBN tower located north of the Proposed Property at Lot 70 on LN2826.



Figure 1: Existing telecommunication facilities near the project site.

Impediments to establishing a 'line-of-sight' solution from the existing Mount Morgan Gold Mine and Bouldercombe telecommunication facilities are the significant hills located west and north of the Proposed Property, and the significantly lower ground level at the Mount Morgan Gold Mine and Bouldercome telecommunication facilities. After assessing generated elevation profiles from both locations (**Appendix A** and **Appendix B**), it can be reasonable considered that a 'line-of-sight' solution is not available from these facilities.

The Bajool R/T telecommunication facility has an unobstructed view to part of the Struck Oil/Limestone plateau, as confirmed by an assessment of the generated elevation profile (**Appendix C**). It is for this reason that the initial candidate search concentrated on this particular

area of the Struck Oil/Limestone plateau. Furthermore, this establishes a requirement that any telecommunication facility in the area must have appropriate 'line-of-sight' with the Bajool R/T telecommunication facility.

3.2 Coverage requirement

The coverage requirement for the project is set by the Federal Government under the Mobile Black Spot Program and includes the following areas:

- Part of the suburb of Struck Oil
- Part of the suburb of Limestone
- Upper Ulam Road, Bajool
- Cowie Road, Bajool

Figure 2 provides a conceptual/indicative view of the target coverage area.

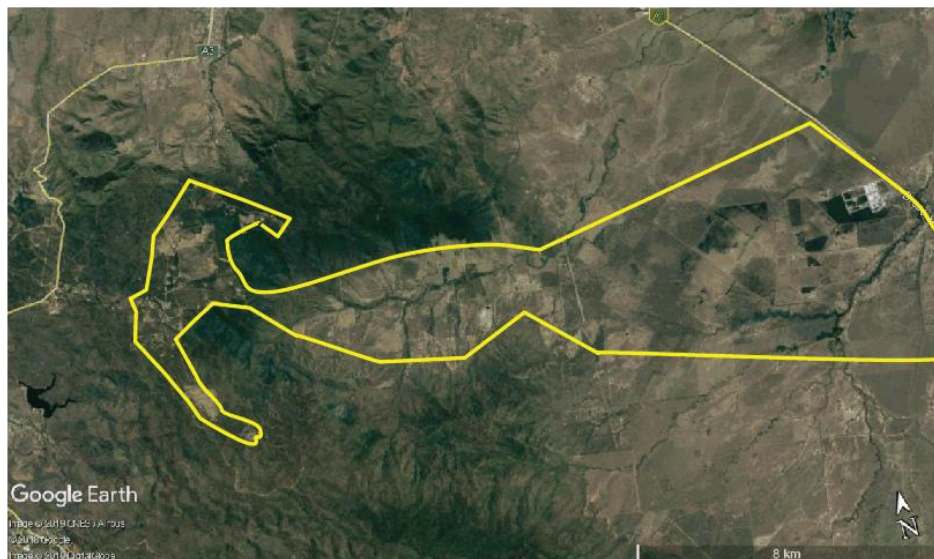


Figure 2: Conceptual/indicative target coverage area

As coverage is required over a large area, a telecommunication facility such as a small cell (a single or antennae pair mounted on a utility pole or the side of a building) with a low range of effect is not viable. As a result, the required telecommunication facility must be a telecommunication tower of either a monopole, lattice or guyed mast design. To provide coverage both the upper plateau area of Struck Oil and Limestone and the valley area east towards Bruce Highway, a

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telecommunication facility must be placed on the upper plateau area. This is due to wireless signals not propagating well when needing to cover areas on the other side large obstructions, meaning that a telecommunication facility within the valley area of Bajool would not provide coverage to the raised plateau area.

3.3 Power requirement

A telecommunication facility must have access to a consistent power source. Power is provided through either a wired power solution, or a solar panel array. A wired power solution is preferred as it provides a consistent source of power through a third-party utility provider. A solar solution for the proposed facility would likely require a 30m by 10m area for a solar panel array, with an addition buffer of 10-15m to reduce shading. Given the dense and remnant nature of the vegetation within the plateau area, a solar solution does not provide a balance with impact to the environment.

3.4 Land availability

A telecommunication facility must be built on land that is either owner or leased by Telstra. This can include negotiation with local or State governments for the use of their land, or through private landowners. As there is no Telstra owned land in the area, and it is understood there is no Council-owned land that would be appropriate, Visionstream must negotiate land availability with private landowners in the area. Private landowners will have remuneration requirements that must be feasible under the Program, and may have requirements such as locating to the rear of an on-site dwelling, compensatory planting, or the provision of additional services as part of the proposed works.

The majority of initial candidates for a Telecommunication Facility within the area were eliminated as potential candidates due to issues with land availability.

3.5 Construction requirement

A telecommunication facility must be able to be constructed. A telecommunication facility requires semi-trailers to bring the material to the construction site, cranes and elevated work platforms to construct the tower and install headframes, cables and antennae, a drill rig for footings, a concrete pump truck for the slab and footings, a tipper, an excavator for cut and fill and other utility vehicles for transporting tools and personnel to and from the construction site. As a result, steep slopes, accesses less than 4m wide or that are of a poor condition are impediments to construction. While accesses can be created or widened, and in some cases improved, this needs to be balanced

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against environmental and community impacts. Steep slopes however are often prohibitive of the safe transportation of vehicles and material, particularly larger cranes and semi-trailers.

A chosen site for a telecommunication facility also has construction requirements. Steep slopes often require cutting, filling, battering or retaining walls, which often makes a site unfeasible under the Program. In addition, there must be consideration for soil types, with softer soils or fragmented rock requiring different footings solutions, leading to expanded compound requirements or additional costs. Heavily vegetated, marshy or flood prone areas require additional design solutions and can increase the extent of clearing required, or require the raising of an equipment shelter to a safe level above projected flood level. As such, an unvegetated and flood free area with a flat slope and existing or close access to a road is ideal for constructing a telecommunication facility.

3.6 Community and environmental requirements

For optimal performance and efficiency, a telecommunication facility should be as close to the receiving community as possible. However, due to a telecommunication tower's tall nature, attempts to locate within industrial, commercial and built up areas as first preference is desired, however, inevitably tower's must also locate within close proximity to residential areas in order to provide reliable, continuous services where people live, work and use their mobile services. Similarly, a telecommunication facility must elevate above the line of vegetation in the area to allow for signals to propagate efficiently and must be protected from the bushfire threat posed by close vegetation, however vegetation often provides screening for views of a tower from surrounding residences or public roads. Given these inverse requirements, a telecommunication facility is optimally not located to significantly affect views from residences, and where possible should be surrounded by existing vegetation to screen all or part of the area, but not so close as to require clearing for bushfire protection purposes.

As structures that emit electromagnetic energy (EME), telecommunication facilities must also be designed in accordance with Australian Standards for EME. To demonstrate compliance with these standards, and in accordance with related telecommunication legislation, EME reports are prepared that show projected EME levels at 1.5m above ground level within the surrounding area, and that can be further tailored to account for topographic changes through the identification of points of interest.

4 INITIAL CANDIDATE ASSESSMENT

The initial candidate assessment for the project included seven (7) candidates (**Figure 3**). These candidates were identified based on their proximity to a search area provided by Telstra. This search area was the result of a radio frequency analysis of the area around a single point provided by the Federal Government to locate a telecommunications solution to fill the identified Black Spot.

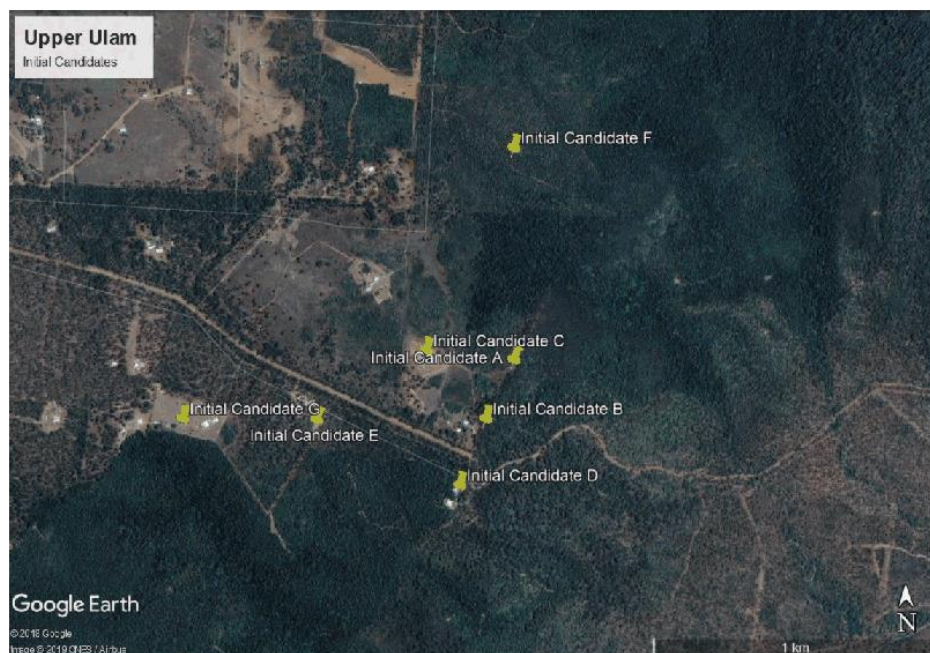


Figure 3: Initial candidates that underwent assessment

Each of the identified initial candidates was assessed against the identified requirements for the project. As a result of this assessment, several candidates were eliminated due to being unresponsive and not interested in the project, while others were eliminated due to the extent of clearing required, or for being located on steep slopes or in otherwise unconstructable areas (**Appendix D**). After considering all available information, Initial Candidate E was identified as the prime candidate and is the subject of the development application currently being assessed by the Council.

5 ADDITIONAL PROJECT REQUIREMENTS

The minutes from the Planning and Regulatory Committee held on 26 March 2019 recommended a refusal of the Proposed Facility, based on:

- adverse impacts to the rural character and amenity of the locality, including businesses and dwellings, resulting from the height of the Proposed Facility; and
- the Proposed Facility requiring the clearing of vegetation.

Based on these findings from the Planning and Regulatory Committee, Visionstream has identified that without the consideration of the Council changing, any wireless telecommunication solution in the area must result in both less vegetation clearing and less visual impacts to residences.

6 ADDITIONAL CANDIDATE LOCATIONS

Using both the initial project requirements and the additional project requirements identified through the findings of the Planning and Regulatory Committee, an additional 11 candidates have been identified for further assessment (**Table 1** and **Figure 4**). The candidates have been initially identified based on the existence of a cleared area for siting the telecommunications facility, and a buffer to residences no less than the Proposed Facility. These candidates are considered to represent all available options within the wider area, including candidates over 2km north, 2km west and 1.7km south-west of the Proposed Location.

Table 1: Details of additional candidates identified for assessment

Additional Candidate	Street address	Real Property Description	Coordinates	Ground elevation
A	31 Harte Lane	2 on RP249572	-23.617379°, 150.455727°	332m
B	590 Struck Oil Road	Lot 1 on MPH11571	-23.620119°, 150.458543°	324m
C	65 Limestone Road	Lot 66 on RN305	-23.629807°, 150.443269°	308m
D	700 Struck Oil Road	Lot 2 on MPH25567	-23.611307°, 150.468825°	334m
E	700 Struck Oil Road	Lot 2 on MPH 25567	-23.614281°, 150.467928°	343m

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Additional Candidate	Street address	Real Property Description	Coordinates	Ground elevation
F	1 Struck Oil Road	Lot 1 on MPH11765	-23.619919°, 150.462454°	354m
G	346A Archer Road	Lot 16 on SP208184	-23.631080°, 150.458190°	336m
H	65 Limestone Road	Lot 66 on RN305	-23.632280°, 150.445965°	320m
I	140 Limestone Road	Lot 27 on RN298	-23.638973°, 150.445674°	334m
J	136 Limestone Road	Lot 37 on MPH 14359	-23.634934°, 150.444819°	318m
K	100 Limestone Road	Lot 93 on RN298	-23.633173°, 150.440949°	316m



Figure 4: Additional candidates identified for assessment

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7 ADDITIONAL CANDIDATE ASSESSMENT

A desktop assessment of the identified additional candidates has been undertaken, not including consideration for land availability, which is unknown without contact and negotiation with individual landowners. The assessment has been undertaken based on the project requirements identified under section 3 and the additional project requirements identified under section 5. Due to the number of additional candidates identified for assessment, each candidate undergoes a staged assessment. These assessment stages are:

- Stage 1: Assessment against network requirements, including consideration for facility height.
- Stage 2: Assessment of clearing requirements, with requirement that clearing be less than the Proposed Facility at the Proposed Property
- Stage 3: Assessment against remaining requirements, including coverage requirements.

Stage 1 represents the most important requirements for the site that can be ascertained to a high degree using a desktop assessment. This stage includes using elevation profiles to identify the approximately height a facility at the candidate has a 'line-of-sight' with the existing Bajool R/T facility. This can then be used to identify the type of structure required (monopole, lattice tower or guyed mat) and allow for the assessment of likely visual impacts, the first of the additional project requirements. It should be noted that in most instances where a 'line-of-sight' solution is required, a drone with a camera is used to confirm the required height of the parabolic dish and as a result the height of the tower.

Stage 2 represents the second additional project requirement, the extent of clearing. The extent of clearing required for the project includes clearing to access the candidate location with vehicles, clearing to provide power to the candidate location, clearing to construct the telecommunications facility and clearing to protect the facility from bushfire hazards.

Stage 3 represents the remaining project requirements and includes a formal radio-frequency assessment. While a telecommunications facility that does not meet the coverage requirements of the Black Spot program will not be recommended, completing a coverage assessment is a resource intensive process, and so it has been placed in Stage 3 to ensure that candidates not otherwise acceptable do not have redundant coverage assessments undertaken.

Where a candidate does not meet the requirements of a stage, assessments against the requirements of the subsequent stage/s is not undertaken.

7.1 Additional candidate A

Additional candidate A is located 1.3km north of the Proposed Property (**Figure 5**). Access is provided through an existing crossover located approximately 680m to the south.



Figure 5: Aerial view of additional candidate A and surrounds

7.1.1 Stage 1 assessment

The identified ground level at additional candidate A is 324m AHD. A 'line-of-sight' assessment shows two topographical obstructions that any telecommunications facility would need to address, with the first being 352m in height and 495m east of the candidate, and the second at 357m in height and 1.37km east of the candidate. Due to these obstructions, any tower at additional candidate A would need to exceed 60m in height (**Appendix E**). Given the scarcity of mature vegetation in the area and the height of the facility, the telecommunications facility would likely be visible from multiple residences in the area, particularly those to the north-west on Struck Oil Road. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate A does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.2 Additional candidate B

Additional candidate B is located approximately 1km north of the Proposed Property (**Figure 6**). It is not clear where the candidate receives its access from, being surrounded on three sides by unconstructed roads.



Figure 6: Aerial view of additional candidate B and surrounds

7.2.1 Stage 1 assessment

The identified ground level at additional candidate B is 324m AHD. A 'line-of-sight' assessment shows one topographical obstruction 373m in height and located 900m east of the candidate that any telecommunications facility would need to address. Due to the obstruction, any tower at additional candidate B would need to exceed 80m in height (**Appendix F**). Given the scarcity of mature vegetation in the area and the height of the facility, the telecommunications facility would likely be visible from multiple residences in the area including those 250m west and 300m east of

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the candidate. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate B does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.3 Additional candidate C

Additional candidate C is located approximately 1.6km west of the Proposed Property (**Figure 7**). Access is provided through an existing crossover to Limestone Road.



Figure 7: Aerial view of additional candidate C and surrounds

7.3.1 Stage 1 assessment

The identified ground level at additional candidate C is 308m AHD. A 'line-of-sight' assessment shows several topographical obstructions between the candidate and the Bajool R/T, with the most relevant being 350m in height and 1.9km east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the

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site would need to exceed 90m in height (**Appendix G**). As a result of this height, it is likely that a lattice tower would not be buildable, and instead a guyed mast would be required instead. Given the height of the required tower, the telecommunications facility would likely be visible from multiple residences in the area including a dwelling 300m north of candidate and other dwellings located near the intersection of Archer Road and Limestone Road. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate C does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.4 Additional candidate D

Additional candidate D is located approximately 2.2km north of the Proposed Property (**Figure 8**). Access is provided through an existing crossover to Struck Oil Road.



Figure 8: Aerial view of additional candidate D and surrounds

7.4.1 Stage 1 assessment

The identified ground level at additional candidate D is 339m AHD. A 'line-of-sight' assessment shows several topographical obstructions between the candidate and the Bajool R/T, with the most relevant being 481m in height and 2.8km east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would need to exceed 200m in height (**Appendix H**). Due to this required height, a lattice tower is unsuitable, and it is not clear that a guyed mast of this height is possible. Given the height of the required tower, the telecommunications facility would likely be visible from all residences west, east and south of the candidate, with three residences identified within approximately 400m of the candidate. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate D does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.5 Additional candidate E

Additional candidate E is located approximately 1.8km north of the Proposed Property, 400m south of additional candidate D and on the same property (**Figure 9**). Access is provided through an existing crossover to Struck Oil Road.



Figure 9: Aerial view of Additional Candidate E and surrounds

7.5.1 Stage 1 assessment

The identified ground level at additional candidate E is 343m AHD. A 'line-of-sight' assessment shows several topographical obstructions between the candidate and the Bajool R/T, with the most relevant being 482m in height and 2.39km east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would need to exceed 220m in height (**Appendix I**). Due to this required height, a lattice tower is unsuitable, and it is not clear that a guyed mast of this height is possible. Given the height of the required tower, the telecommunications facility would likely be visible from all residences west, east and south of the candidate even with mature vegetation surrounding the candidate, with three residences identified within approximately 600m of the candidate. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate E does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.6 Additional candidate F

Additional candidate F is located approximately 1km north of the Proposed Property (**Figure 10**). It is unclear how the subject site is accessed, with a dwelling on the southern part of the site appearing to use a small track within an unconstructed road reserve. A previous visit to this area was unable to access the property due to a gate that had been constructed across the road reserve.



Figure 10: Aerial view of Additional Candidate F and surrounds

7.6.1 Stage 1 assessment

The identified ground level at additional candidate F is 355m AHD. A 'line-of-sight' assessment shows a single topographical obstruction 363m in height and located 500m east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would need to exceed 30m in height (**Appendix J**). Due to this required height, a monopole is the most likely solution. Given the height of the required tower, the telecommunications facility would likely be visible from two residences south of the proposed facility, located approximately 560 and 700m from the candidate. This extent of impact is

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considered lower than the visual impact created by the Proposed Facility at the Proposed Property.

It is considered that additional candidate F meets the requirements of the Stage 1 assessment and so will undergo further stages of assessment.

7.6.2 Stage 2 assessment

The candidate location is a cleared plateau on top of an existing ridge in the area. As such, no clearing is required for the establishment of the telecommunication facility, and it is likely that sufficient space exists that clearing for bushfire prevention will not be required (**Figure 11**). This represents a significant decrease in clearing required for construction and bushfire purposes when compared to the Proposed Property.



Figure 11: Close aerial view of additional candidate F

Aerial imagery shows the following possible access tracks within the candidate property:

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- An access track or firebreak beginning in the south-eastern corner of the candidate property, extending north to the north-eastern corner of the candidate property, extending west to the north-western corner of the candidate property before then extending south to join with the cleared plateau area in the centre of the candidate property. This access track appears to be approximately 3m in width.
- An access track connecting the cluster of buildings in the middle of the southern section of the candidate property with the cleared plateau in the centre of the candidate property. This access track appears to be approximately 1-3m in width through varying sections, with the southern section appearing narrower than the northern section.

On site examination of these access tracks would need to be undertaken to ensure they are of a sufficient width and quality to allow for the project vehicles to gain access to the candidate location without requiring additional clearing. Based on aerial imagery, it appears likely that clearing within additional candidate F exceeds the internal clearing required to access the Proposed Property.

Access to the candidate property is unclear based on aerial imagery. A possible access track is visible in the unconstructed road reserve south of the candidate property. This access track appears to terminate 430m to the west, at the intersection with another unconstructed road. The possible access to the site is via an access track extending from the north-western corner of the candidate property, into the road reserve extending west, before then extending south to terminate at the intersection with a separate unconstructed road.

There are two possible access routes to the candidate property, Route A extending from the west and Route B extending from the south (**Figure 12**). Based on aerial imagery, Route A is likely to require the complete clearing of a 512m long section of unconstructed road, with minimal clearing required of an additional 1.47km, with total clearing for access of approximately 2500m². Route B is likely to require the complete clearing of a 400m long section of unconstructed road, with moderate clearing of an additional 400m to gain access to the candidate property in the south-eastern corner, with total clearing for access of 2400m². Given these options, Route B is the preferred option. Clearing for access to the candidate property far exceeds the clearing required for the Proposed Property, with clearing for accessing the Proposed Property limited to widening an informal access track between Archer Road and the property boundary.



Figure 12: View of possible site access routes for additional candidate F, including the projected extent of clearing for access

Clearing to provide power to the subject site, while undertaken by a third-party through its separate powers, is also a consideration for the project given the findings of the Planning and Regulatory Committee, as is clearing within the candidate property to provide power to the candidate location. Power for the project at additional candidate F will be taken from the same point of supply as for the Proposed Property, being an existing pole at the intersection Doolans Crossing Road and Archer Road. From that point of supply, an extension will be required east along Archer Road, then to the candidate property through access Route B, wherein power will run underground along the internal access path to the candidate location (**Figure 13**). This power route represents an additional 200m of clearing over the power route for the Proposed Property.



Figure 13: View of likely extent of clearing required for power to additional candidate F

Clearing for the project at additional candidate F exceeds the clearing required for the Proposed Property. While clearing for the construction and ongoing bushfire protection of a telecommunication facility at additional candidate F is negligible, the clearing required for power and access to the candidate location far exceeds the clearing required at the Proposed Property. It is considered that additional candidate F does not meet the requirements of the Stage 2 assessment and so will not undergo further stages of assessment.

7.7 Additional candidate G

Additional candidate G is located 283.7m south of the Proposed Facility, on the same property (**Figure 14**). This location was examined during the initial candidate assessment, including through a site design visit. The site was eliminated in favour of the location for the Proposed Facility, which required less clearing. Access is provided through an existing crossover to a dwelling on the candidate property.

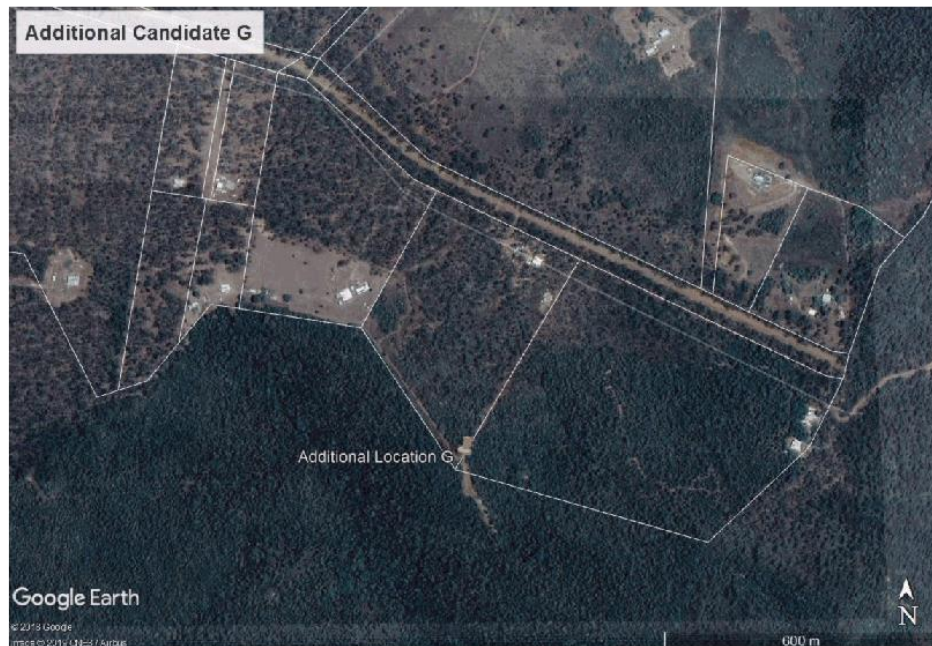


Figure 14: Aerial view of Additional Candidate G and surrounds

7.7.1 Stage 1 assessment

The identified ground level at additional candidate G is 335m AHD. A 'line-of-sight' assessment shows several topographical obstructions between the candidate and the Bajool R/T, with the most relevant being 352m in height and 465m east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would likely be 50m in height (**Appendix K**). As additional candidate G is surrounded by mature and dense vegetation, direct views of the tower is likely from approximately four (4) to six (6) residences west, north and east of the candidate location. This extent of impact is considered to be less than the visual impact created by the Proposed Facility, due mainly to an increase in distance from surrounding residences.

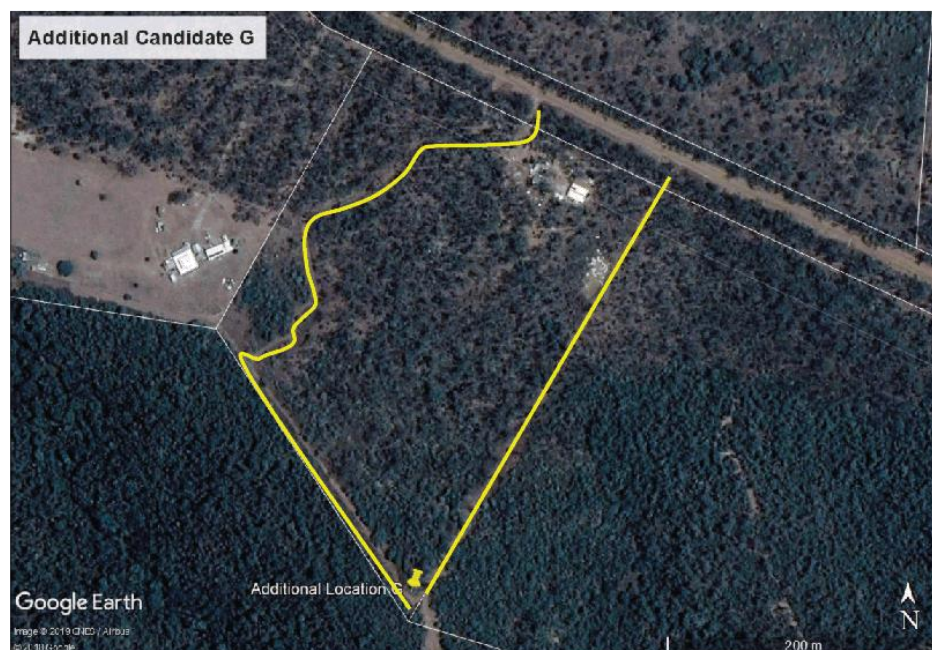
It is considered that additional candidate G meets the requirements of the Stage 1 assessment and so will undergo further stages of assessment.

7.7.2 Stage 2 assessment

Additional candidate G is located at the intersection of a firebreak and an access track, with aerial imagery showing no large cleared area. Given this, the entire area required for the compound, the construction of the facility and ongoing fire prevention will need to be cleared of vegetation. This represents a significance increase in clearing when compared to the Proposed Facility at the Proposed Property, which reuses an existing cleared area.

Ancillary to the above, Candidate G is located within 10m of two additional properties. Under the Planning Regulation 2017, the additional clearing created by locating a telecommunication facility at additional candidate G would extend into these adjacent properties to such an extent that the consent of the owners of these additional properties would be required in lodging a development application.

A site visit has demonstrated that there are two (2) access tracks within the subject site. The first is 575m in length and winds through the middle of the candidate property before travelling south-east along the southern boundary. The second access track is 375m in length and located along the eastern boundary of the candidate property, winding slightly between the candidate property and the adjacent property to the east (**Figure 15**).



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Figure 15: Possible routes for access to candidate location within candidate property

Both existing identified access tracks were in a relatively poor shape and would require widening to accommodate the equipment and vehicles required to undertake the project. A site visit showed both tracks to be approximately 1.5m wide with construction vehicles requiring a 4m wide access track. As a result, internal access clearing for additional candidate G is approximately 1437m² for the central access track and 937m² for the eastern access track. Internal access for additional candidate G significantly exceeds the internal access clearing required for the Proposed Facility at the Proposed Property, which is located significantly closer to the road and reuses an existing access track.

Access to the candidate property for additional candidate G would be via Archer Road, an existing constructed road. As a result, the only clearing required for accessing the candidate property would be in establishing a new crossover between Archer Road and the candidate property, a minimal amount of clearing that matches the clearing required for the Proposed Facility at the Proposed Property.

Clearing for power to the candidate property is likely to be the same as that for the Proposed Facility at the Proposed Property, with a power extension being required from an existing power pole at the corner of Doolans Crossing Road and Archer Road. Clearing for providing power to the candidate location may be required, with a site visit showing the presence of rocky outcroppings through the southern area of the subject site. Given the presence of these outcroppings, the candidate property may prevent the use of direction drilling/underboring or trenching to provide power to the candidate location. In such an event, an overhead power line (low voltage) would need to power the candidate, requiring additional clearing of a 2m radius around an internal pole and 0.5m around an insulated power cable (compared to 1m around a non-insulated cable). To minimise clearing the power line would be best placed adjacent to the internal access track, requiring additional clearing of 1440m² for the central access track and 940m² for the eastern access track. Clearing to provide power to additional candidate G may significantly exceed the clearing required for the Proposed Facility at the Proposed Property, which is located significantly closer to the road and reuses an existing access track.

Clearing for the project at additional candidate G exceeds the clearing required for the Proposed Facility at the Proposed Property. Under a worst-case scenario, through which directional drilling isn't possible and an overhead line must be extended to the candidate location, the clearing is exceeded by several thousand square metres. Under a best-case scenario, the clearing for additional candidate G is still significantly greater than the Proposed Facility at the Proposed Property, with a greater extent of clearing for access and a greater extent of clearing for the construction and ongoing protection of the facility. It is considered that additional candidate G does

not meet the requirements of the Stage 2 assessment and so will not undergo further stages of assessment.

7.8 Additional candidate H

Additional candidate H is located approximately 1.4km west of the Proposed Property (**Figure 16**). Access is provided through an existing crossover to Limestone Road.



Figure 16: Aerial view of Additional Candidate H and surrounds

7.8.1 Stage 1 assessment

The identified ground level at additional candidate H is 320m AHD. A 'line-of-sight' assessment shows two topographical obstructions between the candidate and the Bajool R/T, with the most relevant being 346m in height and 1.57km east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would need to be approximately 65m in height (**Appendix L**). While the proposed tower would be surrounded by mature vegetation, given the height of the required tower, the telecommunications facility would likely be visible from approximately six (6) to eight (8) residences in the area, with

the closest residence being within approximately 400m of the facility. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate H does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.9 Additional candidate I

Additional candidate I is located 1.8Km south-west of the Proposed Property (**Figure 17**). There is no existing access to the candidate location.



Figure 17: Aerial view of Additional Candidate I and surrounds

7.9.1 Stage 1 assessment

The identified ground level at additional candidate I is 334m AHD. A 'line-of-sight' assessment shows two topographical obstructions between the candidate and the Bajool R/T, with the most relevant being 363m in height and 885m east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would

likely be 50-60m in height (**Appendix M**). As additional candidate I is surrounded by mature and dense vegetation, direct views of the tower is likely from approximately one (1) to two (2) residences in the area, with the nearest residence being 451, north of the candidate location. This extent of impact is considered to be less than the visual impact created by the Proposed Facility, due mainly to an increase in distance from surrounding residences.

It is considered that additional candidate I meets the requirements of the Stage 1 assessment and so will undergo Stage 2 assessment.

7.9.2 Stage 2 assessment

Additional candidate I is located within a cleared irregular polygon area of approximately 1100m², at the base of a small hill to the north (**Figure 18**). Given this size and shape, the compound can be situated in the centre of the existing cleared area, with the construction area adjacent, allowing for an appropriate buffer so that clearing for bushfire prevention purposes is not required. This represents a decrease in the clearing required for the compound, construction area and ongoing bushfire prevention compared to the Proposed Facility at the Proposed Property.



Figure 18: Close aerial view of additional candidate I

There are no existing access tracks within the candidate property or to the candidate location. As a result, an access corridor of approximately 70m would be required between the Limestone Road and the candidate location, representing clearing of 280m². This represents an increase in the internal access clearing when compared to the Proposed Facility at the Proposed Property.

Access to the subject site is provided through Limestone Road, a constructed dirt road. As a result, the clearing required to gain access the candidate property is minimal, being only a crossover within the Limestone Road reserve area. This represents an increase in the clearing required to gain access to the candidate property when compared to the Proposed Property, which uses an informal existing crossover.

Clearing for power is unclear, as Google Street imagery appears to show a power line continuing south along Limestone Road past the candidate location. If this power line can be reused to provide power to the candidate property, a new point of supply can be provided through a utility provider to the candidate property adjacent to the candidate location, after which underboring can be undertaken within the candidate property, significantly reducing overall clearing for power. If this can be undertaken, candidate I represents a significant decrease in the extent of clearing compared to the Proposed Property. If power cannot be provided through the existing line, a new power solution design would be required from a utility provider, with the extent of clearing under such a design unknown at this time.

Clearing for the project at additional candidate I shows a decrease in clearing required for construction, compound and bushfire protection purposes, an increase in clearing for access, and clearing being unknown at this time. Under a best-case scenario, the existing power line within Limestone Road can be used to provide power to the candidate location, significantly reducing the extent of clearing required for the project. Under an alternate scenario, a new power design would be required from a utility provider before the full extent of clearing can be calculated. It is considered that based on this uncertainty, additional candidate I should be considered to meet the requirements of the Stage 2 assessment at this time and so will undergo Stage 3 assessment.

7.9.3 Stage 3 assessment

Additional Candidate I underwent detailed radio-frequency assessment by Telstra at a range of height and configurations. These heights and configurations included:

- a 60m tower using mains power;
- a 60m tower using a solar solution, and
- a 70m tower using mains power.

At none of the assessed heights did the candidate meet the requirements of the Program. In particular, at 70m and using mains power, additional candidate I failed one of the key metrics of

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the Program by close to 50% (100% representing a 'pass' rate). As the candidate at 70m does not pass the requirements of the Program, it is not considered a viable candidate. While a height at which the candidate would meet the requirements of the Program was not established, a facility height in this area that exceeds 60m would likely introduce amenity impacts into the area that would make the candidate unsuitable under a revised Stage 1 assessment.

7.10 Additional candidate J

Additional candidate J is located approximately 1.6km south-west of the Proposed Property (Figure 19). Access is provided through an existing crossover to Limestone Road.



Figure 19: Aerial view of additional candidate J and surrounds

7.10.1 Stage 1 assessment

The identified ground level at additional candidate J is 318m AHD. A 'line-of-sight' assessment shows two topographical obstructions between the candidate and the Bajool R/T, with the most relevant being 367m in height and 772m east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would need to be approximately 70m in height (Appendix N). While the proposed tower would be

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surrounded by mature vegetation, given the height of the required tower, the telecommunications facility would likely be visible from approximately five (5) residences within 800m of the candidate, with the closest residence being within approximately 550m from the candidate, and possibly by other residences in the wider area. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate J does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.11 Additional candidate K

Additional candidate K is located approximately 2km west of the Proposed Property (**Figure 20**). Access is provided through an existing crossover to Limestone Road.



Figure 20: Aerial view of additional candidate J and surrounds

7.11.1 Stage 1 assessment

The identified ground level at additional candidate K is 318m AHD. A 'line-of-sight' assessment shows two topographical obstructions between the candidate and the Bajool R/T, with the most

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relevant being 369m in height and 1.2km east of the candidate. As a telecommunication facility in this area requires 'line-of-sight' to the Bajool R/T, any telecommunication facility at the site would need to be approximately 70m in height (**Appendix O**). While the proposed tower would be surrounded by mature vegetation, given the height of the required tower, the telecommunications facility would likely be visible from approximately nine (9) residences within approximately 800m of the candidate, with the closest residence being within approximately 300m from the candidate, and possibly by other residences in the wider area. This extent of impact is considered to exceed the visual impact created by the Proposed Facility.

It is considered that additional candidate K does not meet the requirements of the Stage 1 assessment and so will not undergo further stages of assessment.

7.12 Summary of additional candidate assessment

The assessment of the identified additional candidates has demonstrated that the major issue in locating a telecommunication facility in the area that meets all the identified requirements is topographical obstructions requiring a tower of a certain height, and the commensurate impacts on amenity (**Appendix P**). Towers in the area must address topographical obstruction as 'line-of-sight' to the Bajool R/T is required for network connectivity. Stage 1 assessments demonstrate that eight (8) of the additional eleven (11) candidates assessed failed as a result height and amenity impacts, with these failing towers having projected height of between 60m and 220m.

Of the three (3) candidates that passed Stage 1 assessments, two (2) failed Stage 2 assessments. The failure of these candidates at Stage 2 was due to the excessive clearing required, with one candidate failing due to the clearing for a construction area, the compound, ongoing fire protection and internal access, while the other candidate failed mainly as a result of clearing required to gain access to the candidate property. In both instances, the extent of clearing required was far in excess of the current candidate.

Only one (1) additional candidate underwent Stage 3 assessments. Radio-frequency assessment of this candidate showed that a tower at the candidate location would not pass the requirements of the Mobile Black Spot Program at heights up to and 70m. As a result, the candidate was not considered to pass Stage 3 assessments.

8 CONCLUSION

An analysis of the areas of Struck Oil was previously conducted regarding potential locations to construct a telecommunications installation under the Program. This analysis included (six) 6 initial

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properties in an area where radio frequency assessment showed coverage would work at a relatively low height. From this, the Proposed Property was identified as the best candidate for the project and a development application lodged with Council.

After further discussions with Council through, a need for additional assessments in the area was identified. This assessment, conducted as part of this report, included a thorough review of available locations within the Limestone and Struck Oil areas to locate a telecommunication facility, resulting in eleven (11) additional candidate being identified. Each candidate was then assessed against both the requirements of the Program and additional requirements identified through discussions with Council. Importantly, the requirements did not include consideration for obtaining a lease or similar agreement over the land.

The assessment of each candidate demonstrated the specific requirement for a 'line-of-sight' with the existing Bajool R/T, was the key reason other candidates were unsuccessful, with projected tower heights considered a greater impact than the Proposed Property. Other candidates failed due to the extent of clearing required to gain access to the site and/or to construct and maintain the facility. The single candidate that underwent a radio-frequency assessment showed coverage well below the acceptable level for the Program.

After conducting this supplementary assessment, Visionstream considers that the Proposed Property represents the best balance of all candidates in the area. In particular, the Proposed Facility provides excellent coverage at a relatively low height compared to other candidates, while minimising vegetation clearing to the greatest extent possible. Of the vegetation being cleared for the Proposed Facility, an ecological assessment has demonstrated the area is of relatively low value, with vulnerable and endangered plants not located within the development area. Clearing for power is acknowledged to be long, but this clearing is required to the same or greater degree in most of the initial candidates assessed. In addition, Ergon have provided a commitment to minimise clearing and avoid where possible any vulnerable or endangered plants. The Proposed Facility is surrounded by mature vegetation, providing effective screening from residences to the east and west, with two (2) residences to the north still screened but more affected due to their higher elevations. For these reasons, and the essential community need for the services provided by the Proposed Facility, Visionstream requests that Council look favourably on the project.



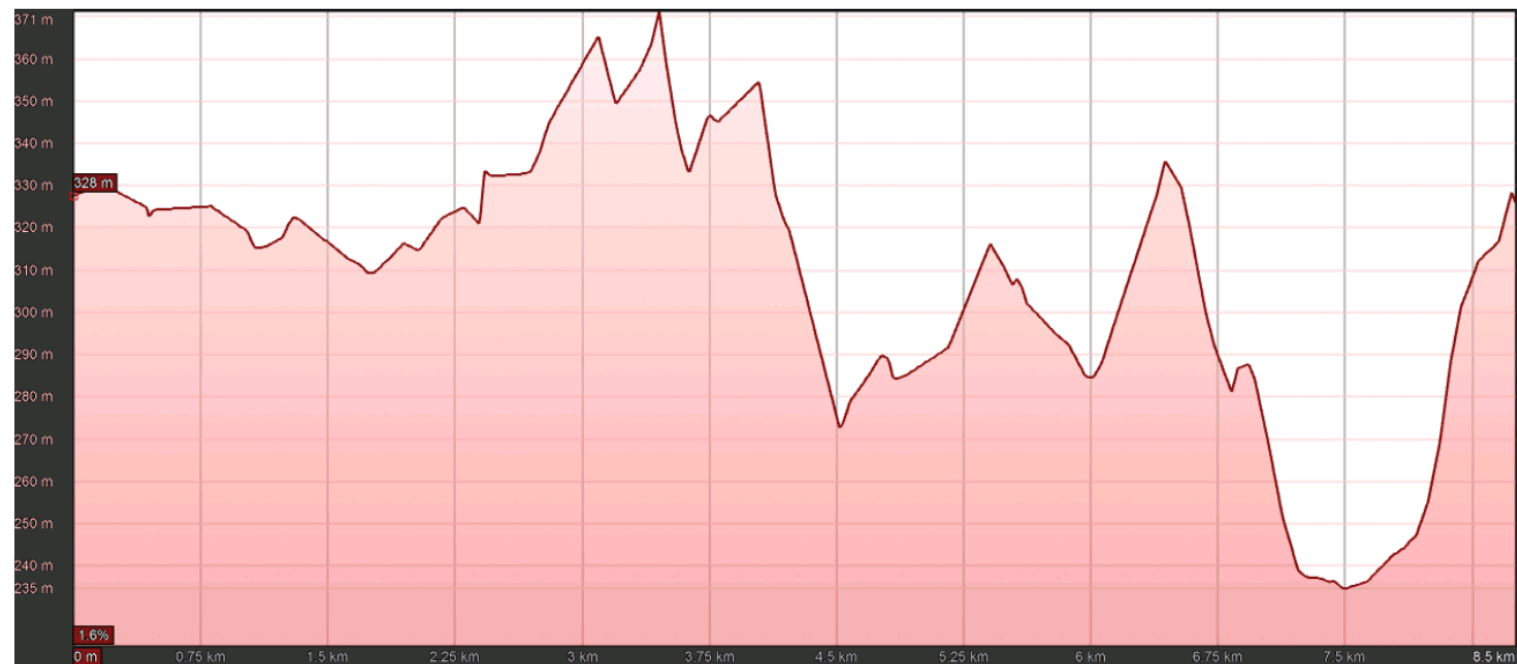
Appendix A Elevation profile between Proposed Property and Bouldercombe Telecommunication Facility



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Appendix B Elevation profile between Proposed Property and Mount Morgan Telecommunication Facility



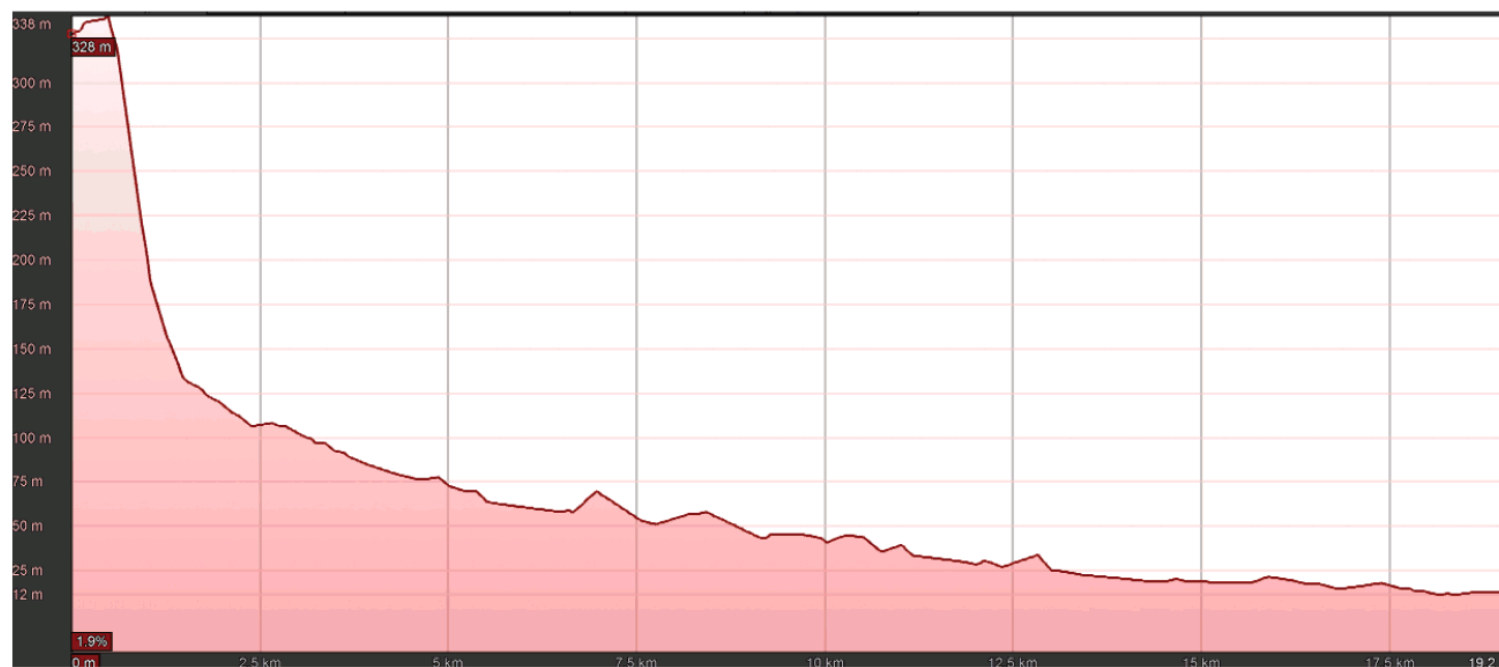
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Appendix C Elevation profile between Proposed Property and Bajool R/T Telecommunication Facility



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Appendix D Summary candidate assessment – Upper Ulam Road

Candidate	Candidate Name	Candidate address	Co-ordinates of site location		Elevation at site location	Candidate assessment and/or reasons for exclusion from consideration
A	Conway GF	345 Archer Road, Struck Oil QLD 4714	-23.627356°	150.465208°	345m	Access currently provided through track would require widening and commensurate clearing to enable construction. Due to no existing cleared area, a relatively large vegetation clearing required for construction setup area, compound and bushfire protection. Vegetation requiring clearing classes as regulated vegetation. Exempt clearing created would allow for clearing within adjacent land area, a legislative issue requiring consent from neighbouring landowner. Steep slope would require cut and fill and possible retaining solutions, increasing extent of clearing and cost. Power run of approximately 2.4km in total. Proposed tower would be within 230m of adjacent residence with relatively minimal vegetation to assist with obscuring tower and compound.
B	Conway (2) GF	345 Archer Road, Struck Oil QLD 4714	-23.628907°	150.464386°	337m	Same as candidate A, though landowner strongly prefers Candidate A as this is close to his primary residence. Site has a reduced power run of 2.2km and an increase in proximity to residents, with one residence within 175m of location and another at 250m. Visually, subject site is located within 210m of residence to north with relatively little vegetation between them. Second residence located 180m to south, though with some obstructing vegetation.
C	Chappell GF	327 Archer Road, Struck Oil QLD 4714	-23.627088°	150.462706°	333m	Not interested and unresponsive to communication from Visionstream.
D	Whalen GF	346 Archer Road, Struck Oil QLD 4714	-23.630645°	150.463608°	330m	Area is heavily vegetated and would require clearing of a large extent of category b regulated vegetation. Relatively long power run of 2250m. Visually, subject site is located 190 from nearest residence with mature vegetation providing good visual obstruction for tower and compound. Subject site is on the edge of the escarpment, creating a silhouette from both east and west.
E	Lopez GF	346A Archer Road, Struck Oil QLD 4714	-23.628885°	150.459469°	320m	Site includes already cleared area to be used for construction and setdown, reducing extent of regulated vegetation required to be cleared. Existing access track will require some trimming/clearing along length. Power run of 1.7km in total. Vegetation in area will provide good visual obstruction of compound and partial of tower. Nearest residences approximately 290m from subject site. Selected as prime candidate
F	Clarke GF	269 Archer Road, Struck Oil QLD 4714	-23.621872°	150.465297°	360m	Landowner's preferred location not within given search area. The site does not have an existing access or power. As the site is located on top of a ridgeline with a steep slope it is unclear where access would come from. The preferred location will require the complete clearing of all access, setdown and construction areas in a Category C regulated vegetation area. Under a best-case scenario, assumed clearing of 1000m ² for access and 900m ² for setdown, construction and bushfire hazard clearing. Power solution unclear but likely route is approximately 2.4km. Visually, the subject site provides good separation through mature vegetation and a distance of approximately 400m from the nearest residence. Site is however on top of ridge line, increasing silhouette prominence in area.
G	Stephenson GF	272 Archer Road, Struck Oil QLD 4714	-23.628795°	150.455572°	319m	Not interested and unresponsive to communication from Visionstream.

Note: This candidate assessment is a summary only and is not a detailed analysis of the candidates considered or a complete representation of all matters considered in assessing them. This candidate assessment was undertaken prior to the selection of the prime candidate. Visionstream Australia Pty Ltd accepts no liability for the accuracy of the information contained within this summary candidate assessment.

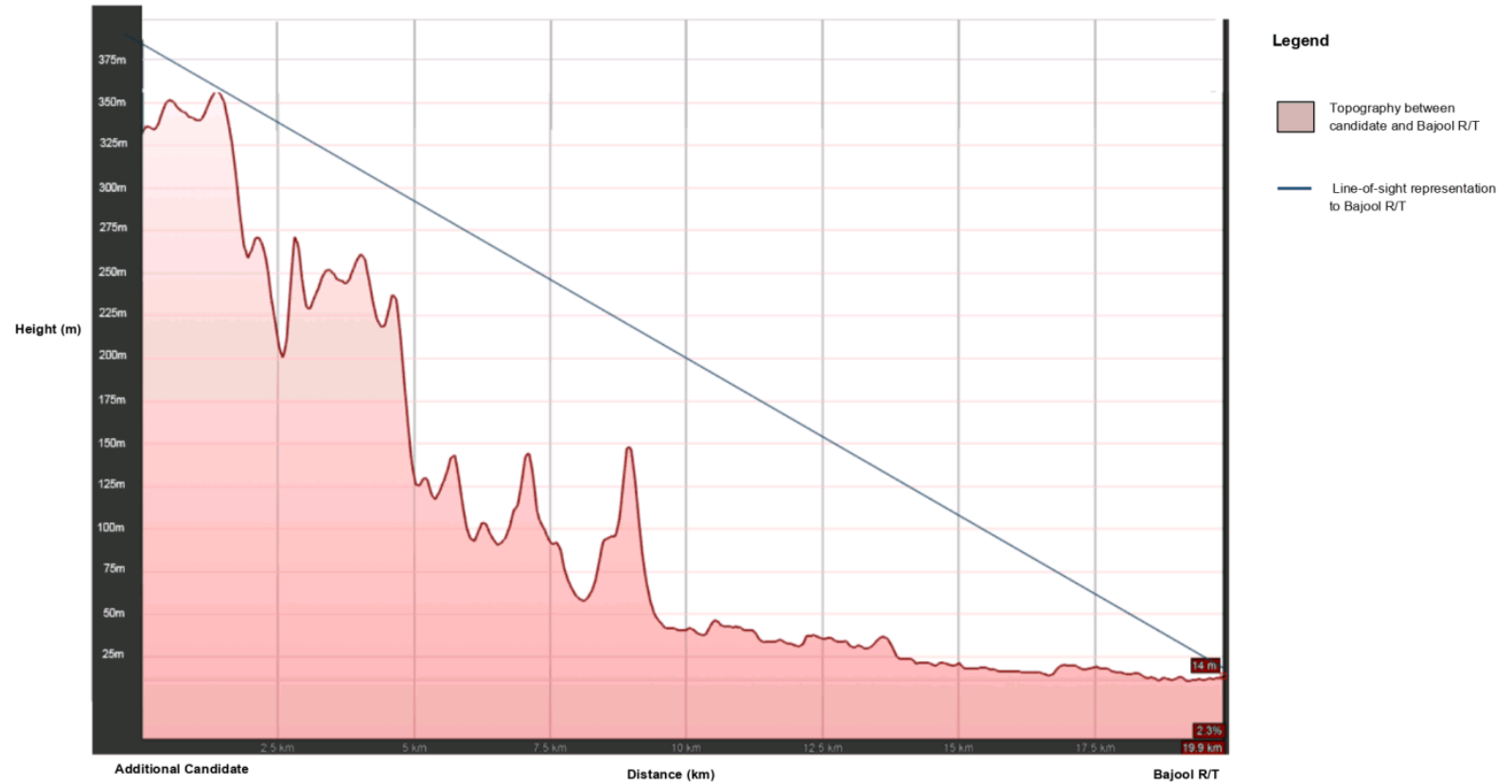
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Appendix E Line-of-sight assessment for additional candidate A



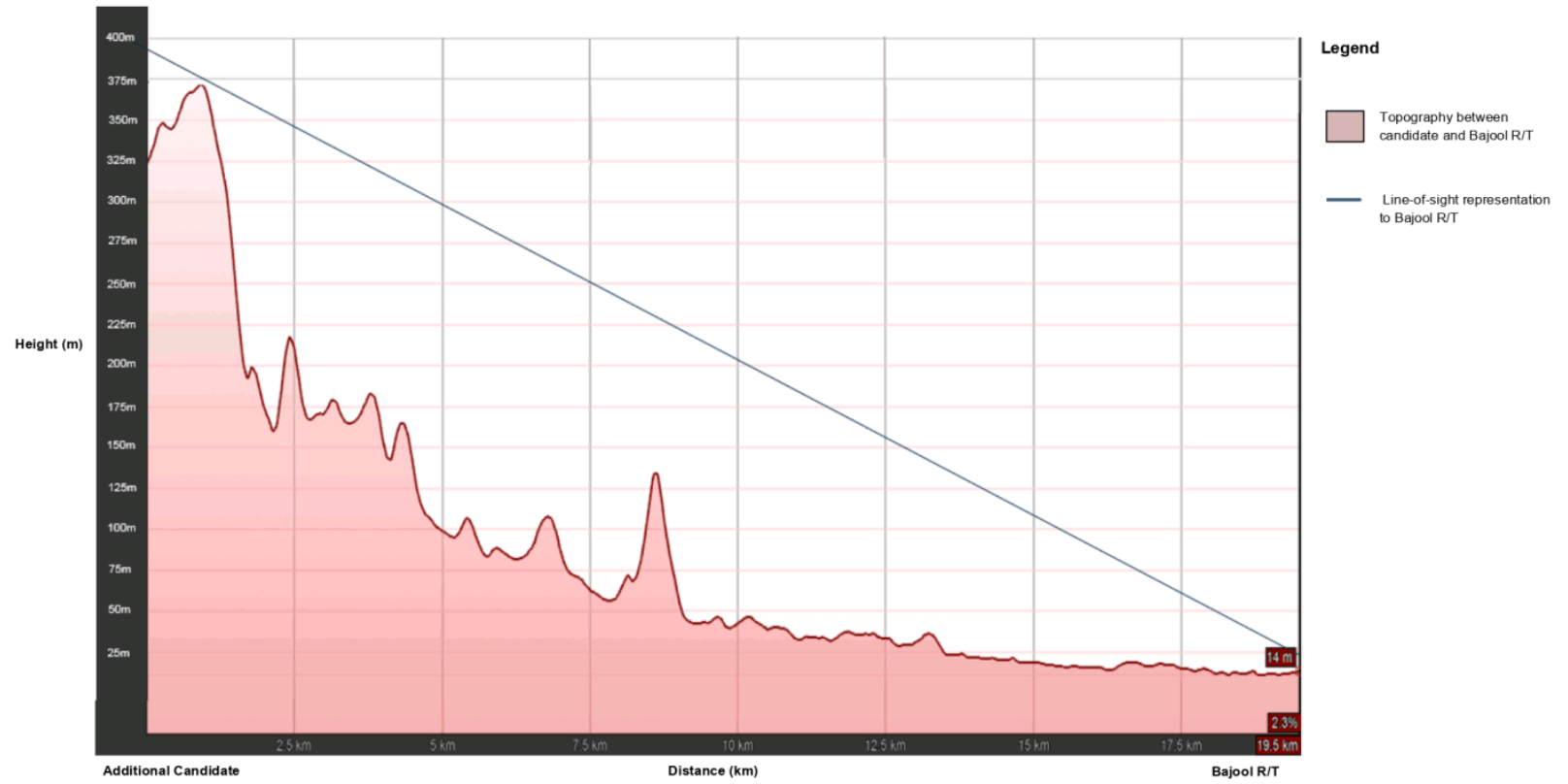
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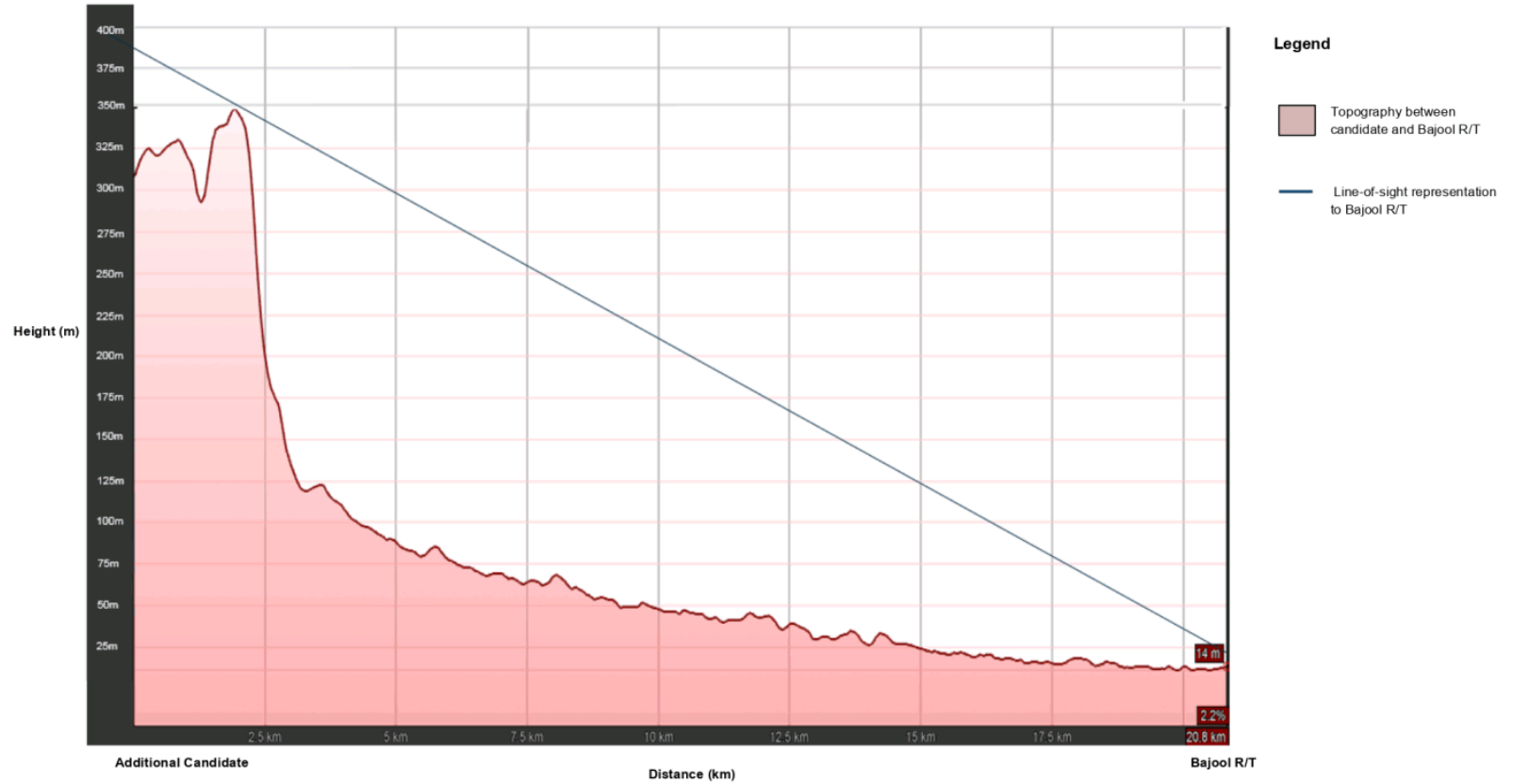


Appendix F Line-of-sight assessment for additional candidate B





Appendix G Line-of-sight assessment for additional candidate C



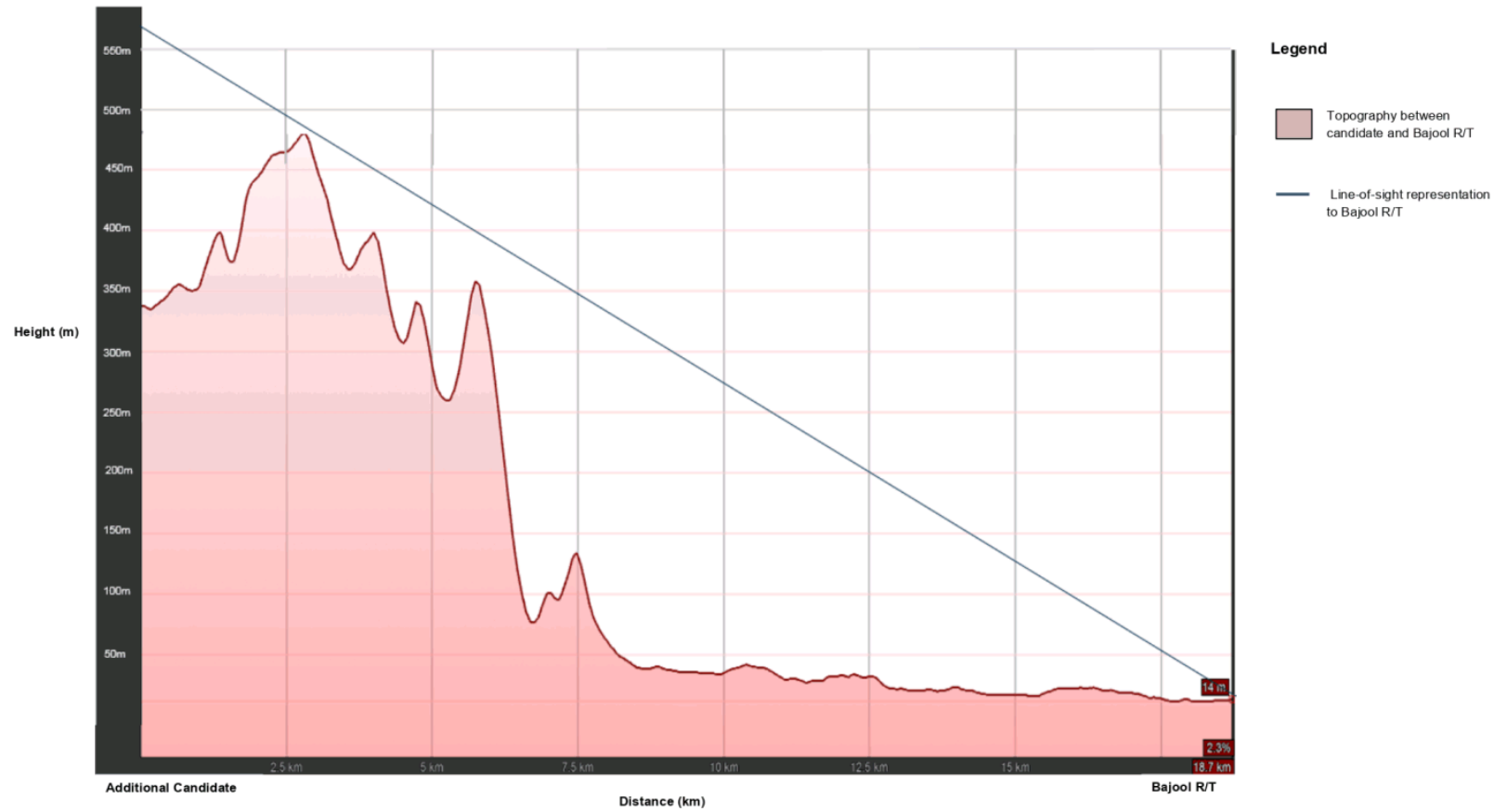
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Appendix H Line-of-sight assessment for additional candidate D



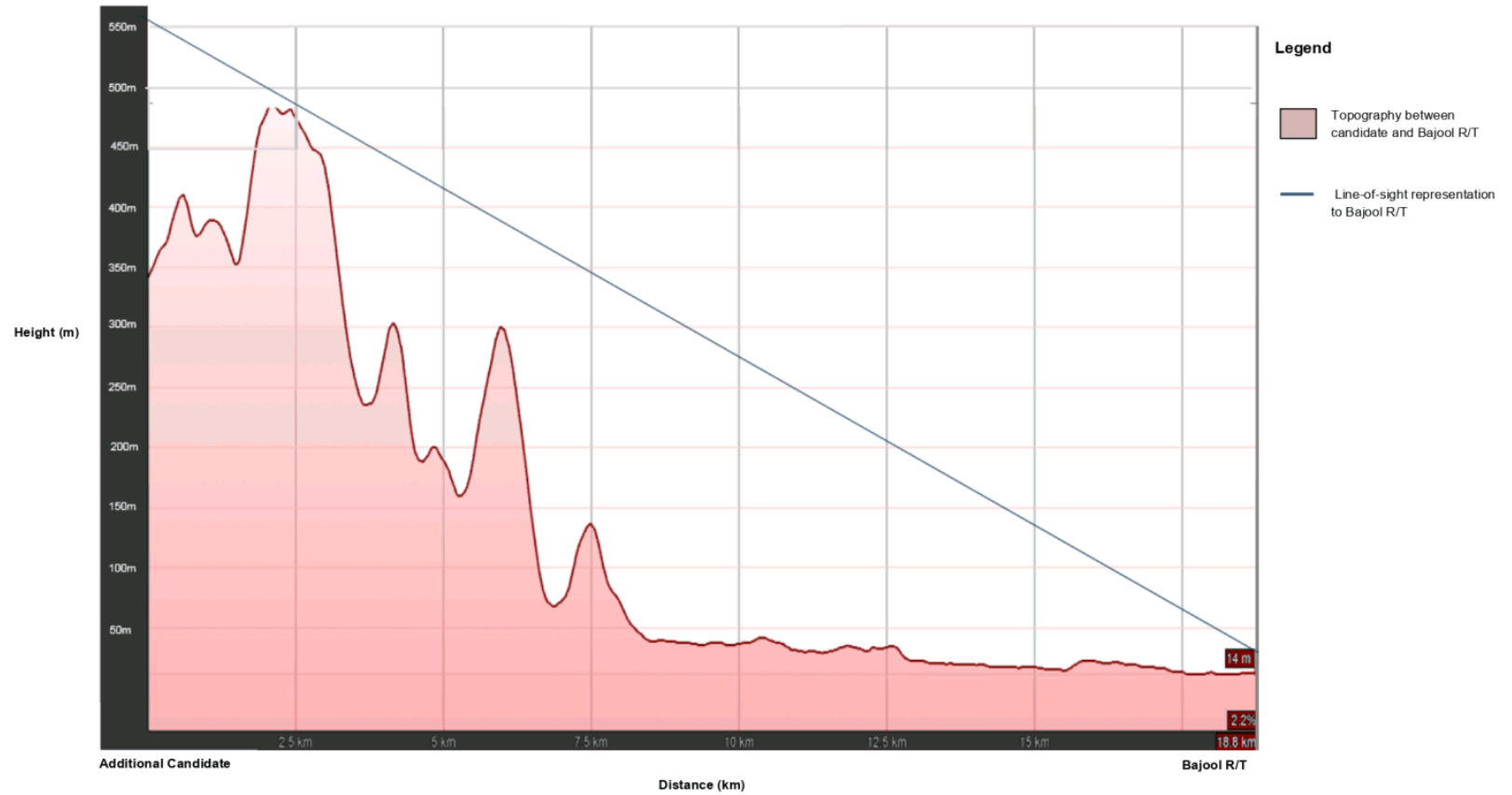
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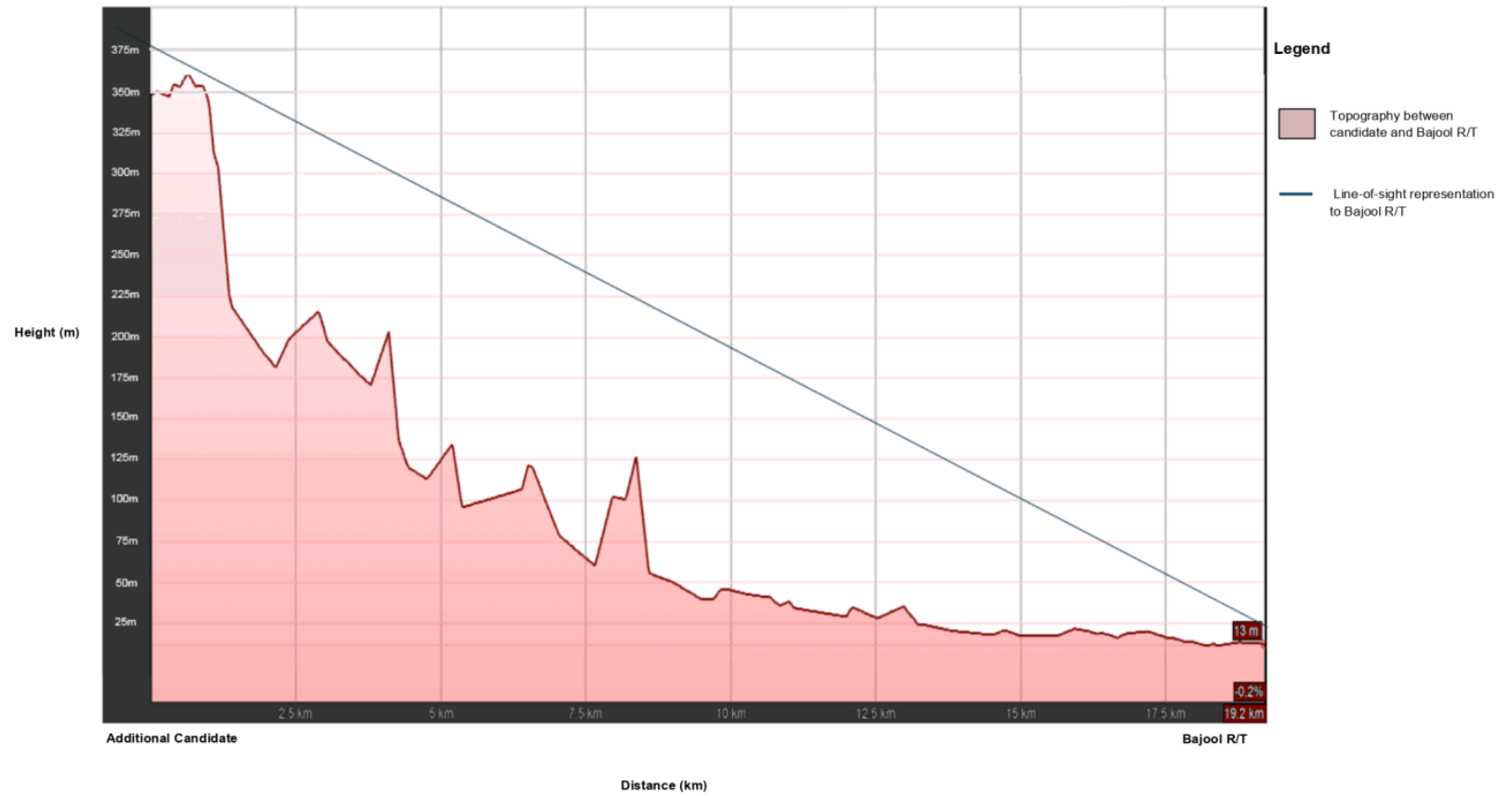


Appendix I Line-of-sight assessment for additional candidate E



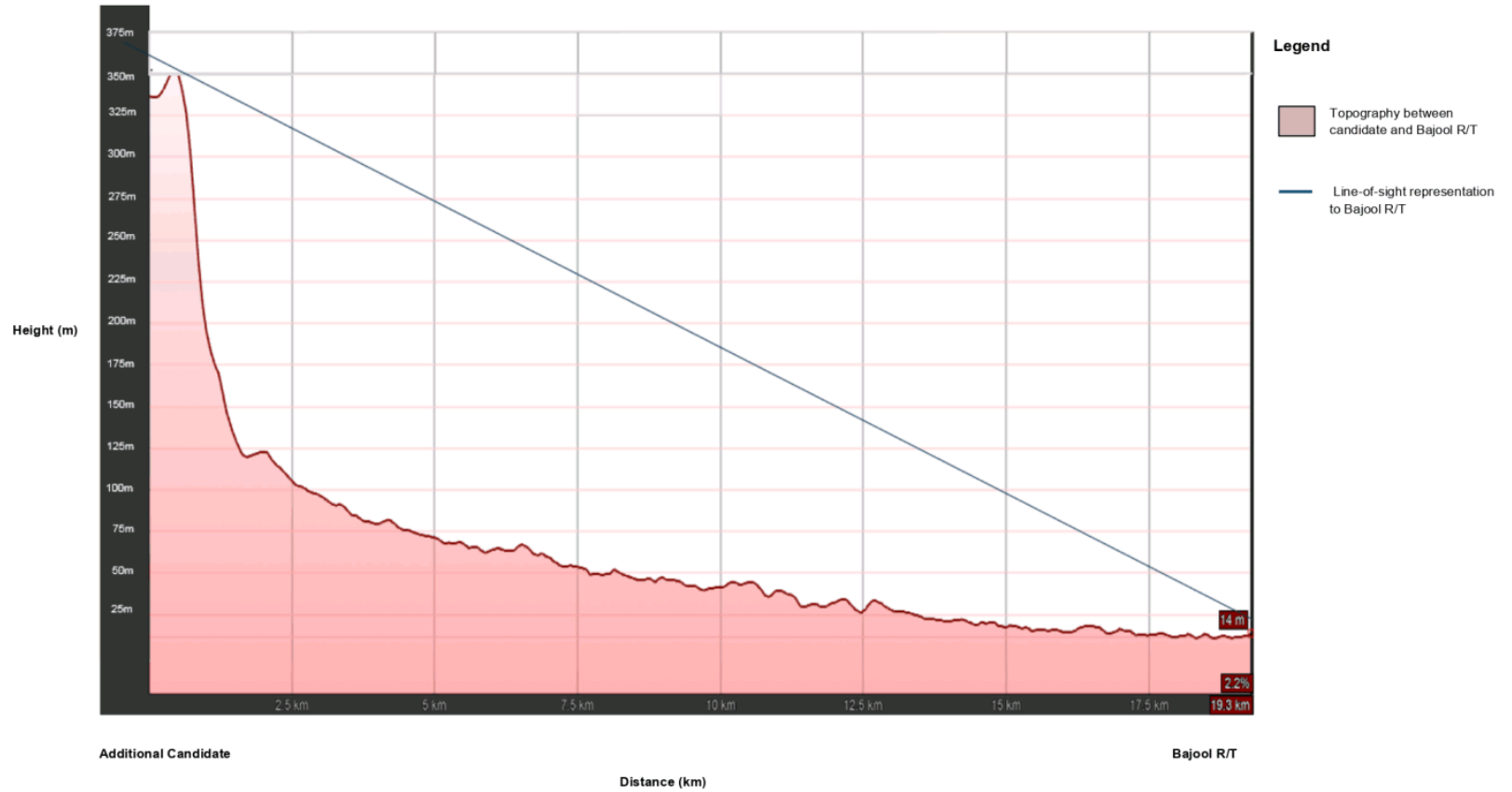


Appendix J Line-of-sight assessment for additional candidate F



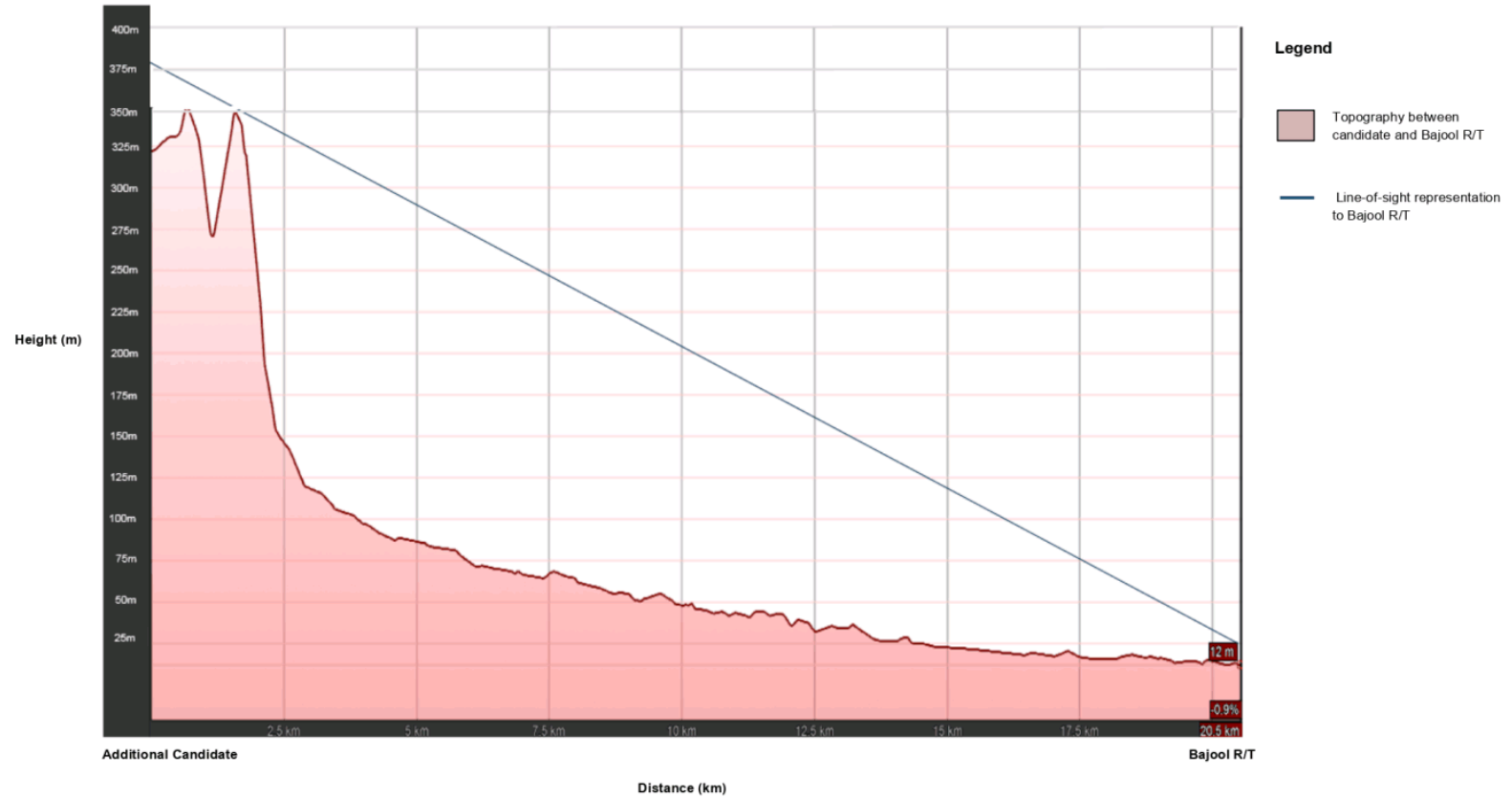


Appendix K Line-of-sight assessment for additional candidate G



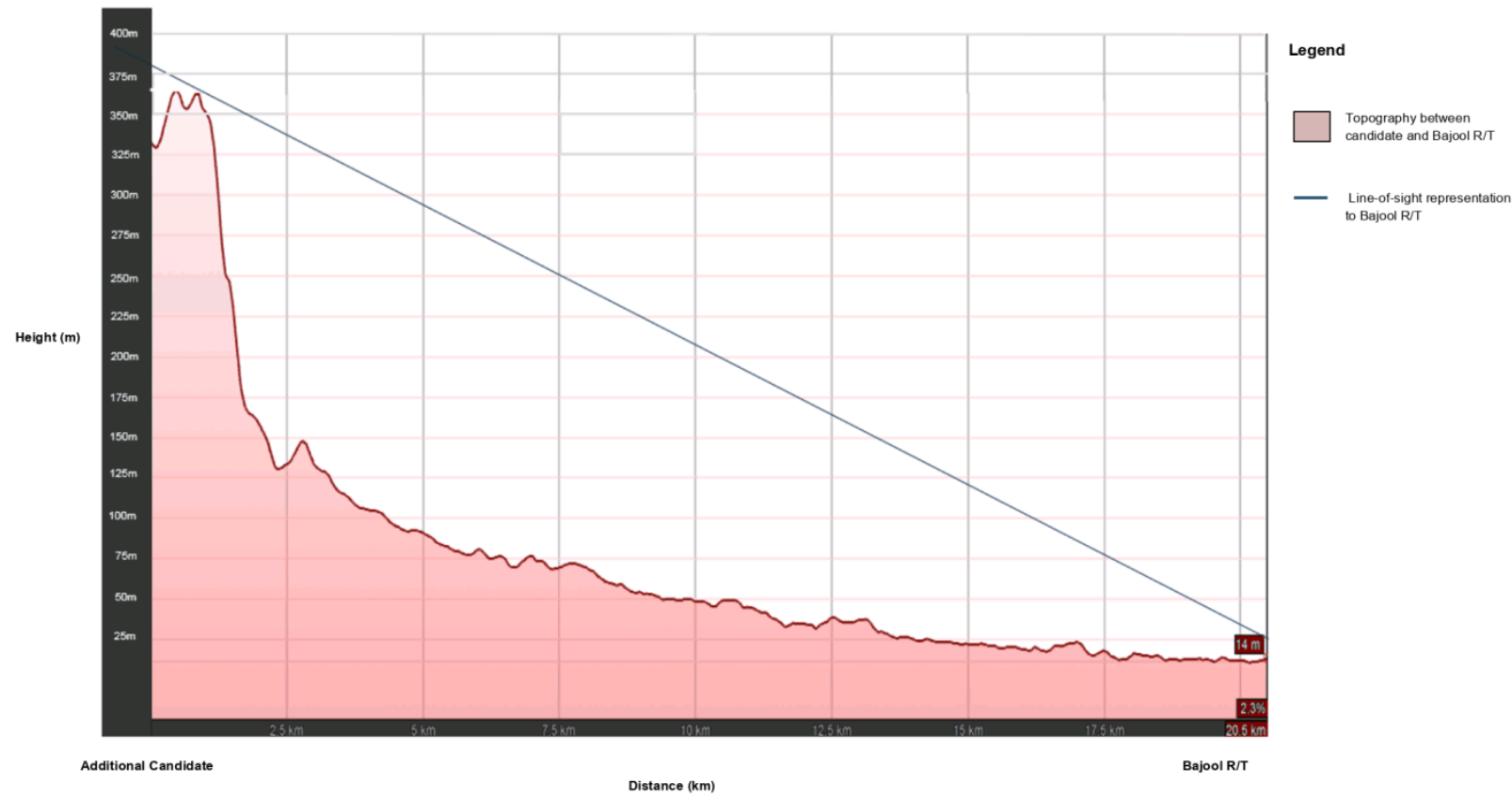


Appendix L Line-of-sight assessment for additional candidate H



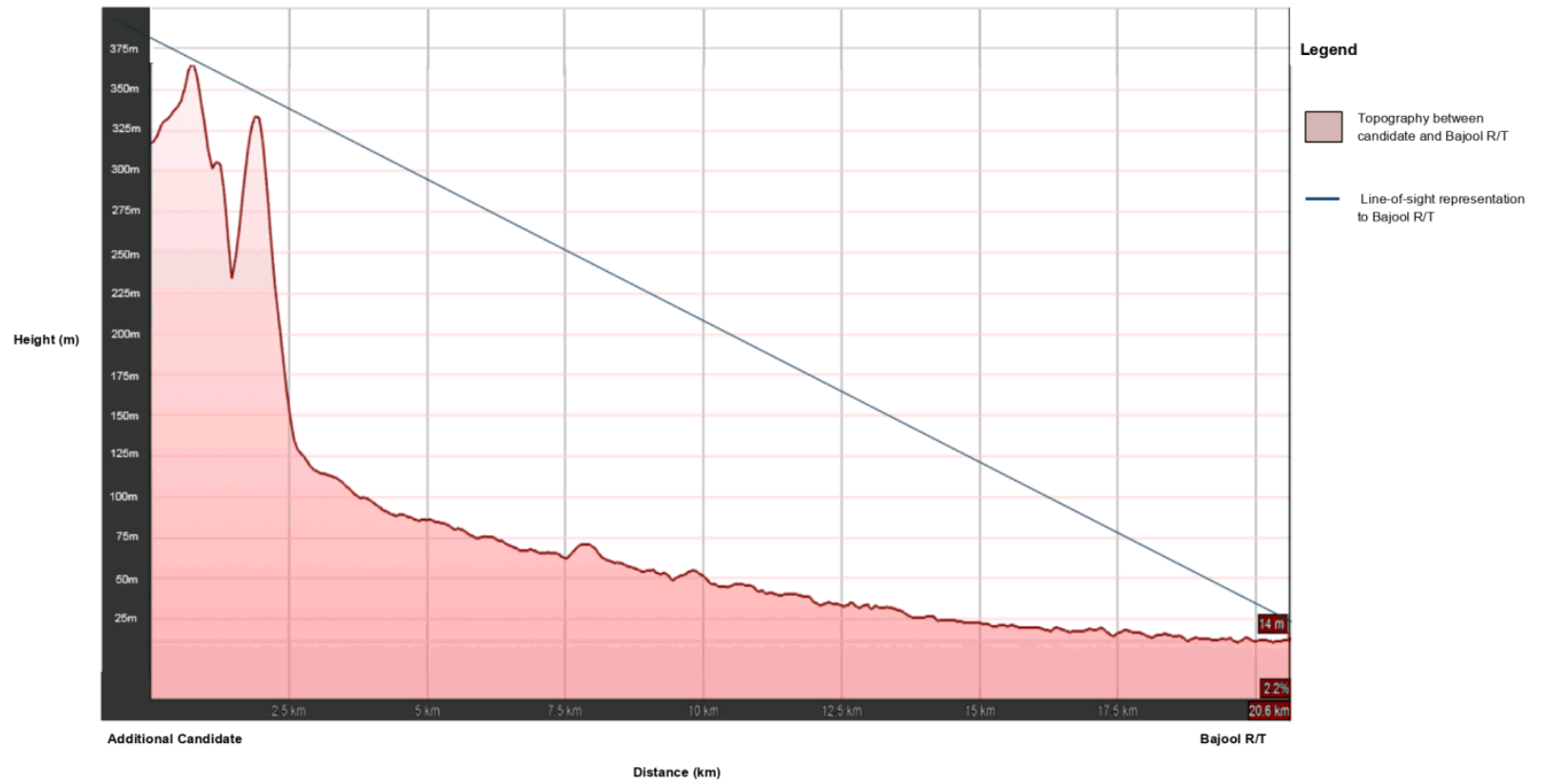


Appendix M Line-of-sight assessment for additional candidate I



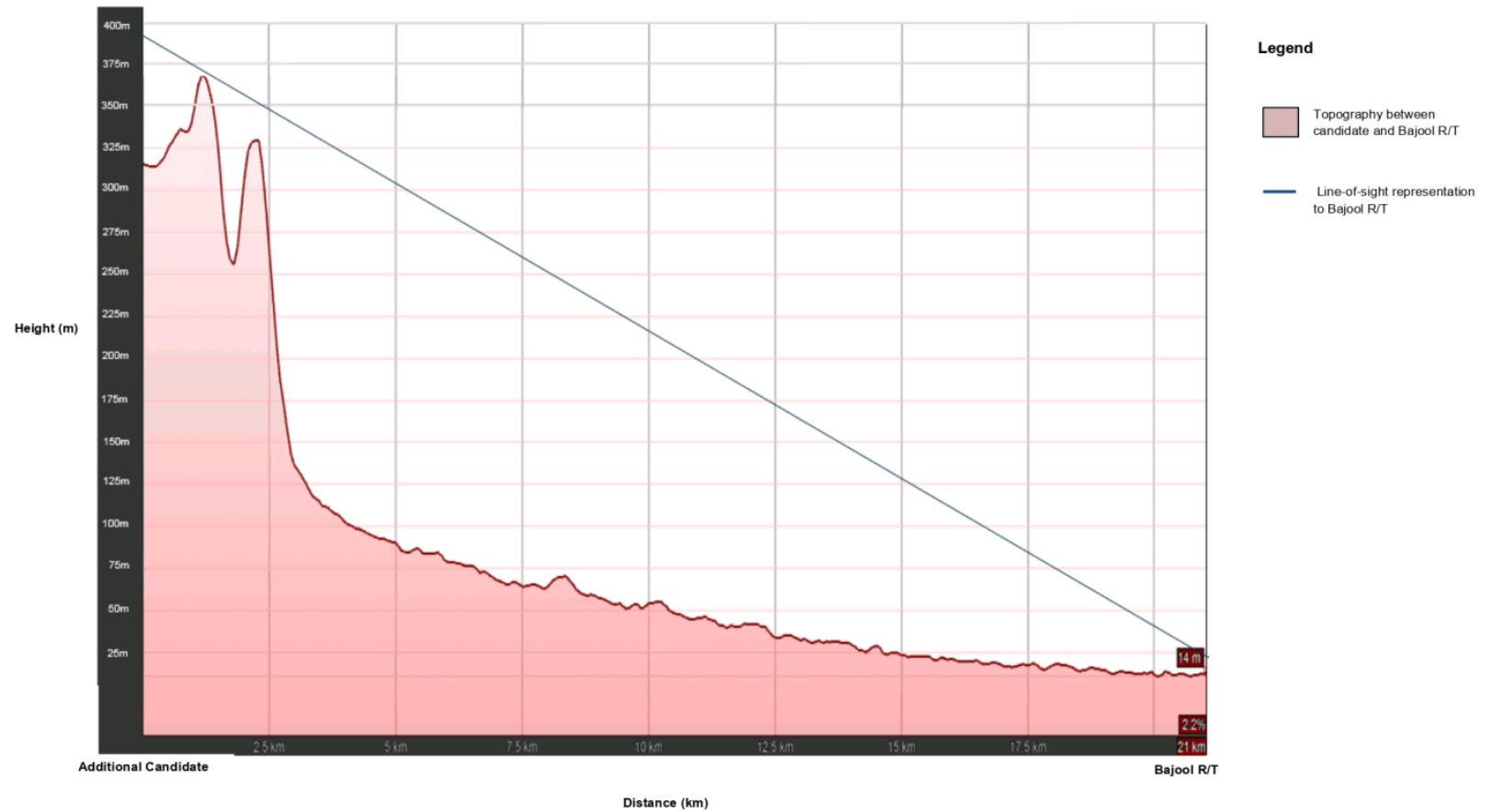


Appendix N Line-of-sight assessment for additional candidate J





Appendix O Line-of-sight assessment for additional candidate K



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Appendix P Summary of supplementary candidate assessment

Additional candidate	Stage 1 passed	Stage 2 passed	Stage 3 passed	Comment
A	N	-	-	Stage 1 assessment showed a tower would likely need to exceed 60m in height, with multiple residences within 400m of the candidate location and limited screening vegetation around the tower. Candidate was not considered to meet requirements of Stage 1.
B	N	-	-	Stage 1 assessment showed a tower would likely need to exceed 80m in height, with multiple residences within 400m of the candidate location and limited screening vegetation west and south of the tower. Candidate was not considered to meet requirements of Stage 1.
C	N	-	-	Stage 1 assessment showed a tower would likely need to exceed 90m in height, and that while screening vegetation exists around the tower, at the projected height, it would be visible by multiple residence in the surrounding area. Candidate was not considered to meet requirements of Stage 1.
D	N	-	-	Stage 1 assessment showed a tower would likely need to exceed 200m in height and does not include any screening vegetation around the tower. At this height, the tower would be visible to any residence in the wider 'plateau' area. Candidate was not considered to meet requirements of Stage 1.
E	N	-	-	Stage 1 assessment showed a tower would likely need to exceed 90m in height, with some screening vegetation surrounding the tower. At this height, a guyed mast would likely be required and would be visible by multiple residences in the surrounding area. Candidate was not considered to meet requirements of Stage 1.
F	Y	N	-	Stage 1 assessment showed a tower would likely need to exceed 30m in height. Given this height and separation distance to residences, it was considered to pass Stage 1. Stage 2 assessment showed while clearing for the facility and bushfire protection would not be required, unclear access to the subject property may require significant clearing, and that internal access track clearing and clearing for power may also be required. Candidate was not considered to meet requirements of Stage 2.
G	Y	N	-	Stage 1 assessment showed a tower would likely need to exceed 50m in height. Given this height, surrounding screening vegetation and separation distance to residences, it was considered to pass Stage 1. Stage 2 assessment showed significant clearing for the facility, bushfire protection and internal access, with a moderate risk of significant additional clearing for power. Candidate was not considered to meet requirements of Stage 2.
H	N	-	-	Stage 1 assessment showed a tower would likely need to exceed 65m in height, with some screening vegetation surrounding the tower. Given the height, the tower would likely be visible to multiple residences on Limestone Road. Candidate was not considered to meet requirements of Stage 1.
I	Y	Y	N	Stage 1 assessment showed a tower at 50m would likely work at the candidate location. Additionally, the candidate includes surrounding mature vegetation, and an acceptable buffer to residences. Accordingly, it was considered to pass Stage 1. Stage 2 assessment showed that the existing cleared area would likely be sufficient for the purpose of construction and locating the telecommunication facility, including ongoing bushfire protection. Clearing was identified for accessing the candidate location within the candidate property. Uncertainty regarding additional clearing for power was identified but was not counted against the candidate. The site was considered to pass Stage 2 until clearing for power could be confirmed (if necessary). Stage 3 assessment showed that even at a height of 70m, the site did not come close to passing the require metrics of the Black Spot Program. Accordingly, the candidate was not considered to meet the requirements of the Black Spot Program.
J	N	-	-	Stage 1 assessment showed a tower would likely need to exceed 90m in height, with some screening vegetation surrounding the tower. At this height, a guyed mast would likely be required and would be visible by multiple residences in the surrounding area. Candidate was not considered to meet requirements of Stage 1.
K	N	-	-	Stage 1 assessment showed a tower would likely be at 70m in height, with mature vegetation surrounding the candidate location. Given the height, the tower would likely be visible to multiple residences on Limestone Road and Archer Road. Candidate was not considered to meet requirements of Stage 1.

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

Locality Plan

Meeting Date: 18 June 2019

Attachment No: 3

D120-2018 - Locality Plan



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Printed from GeoCortex on 18/03/2019



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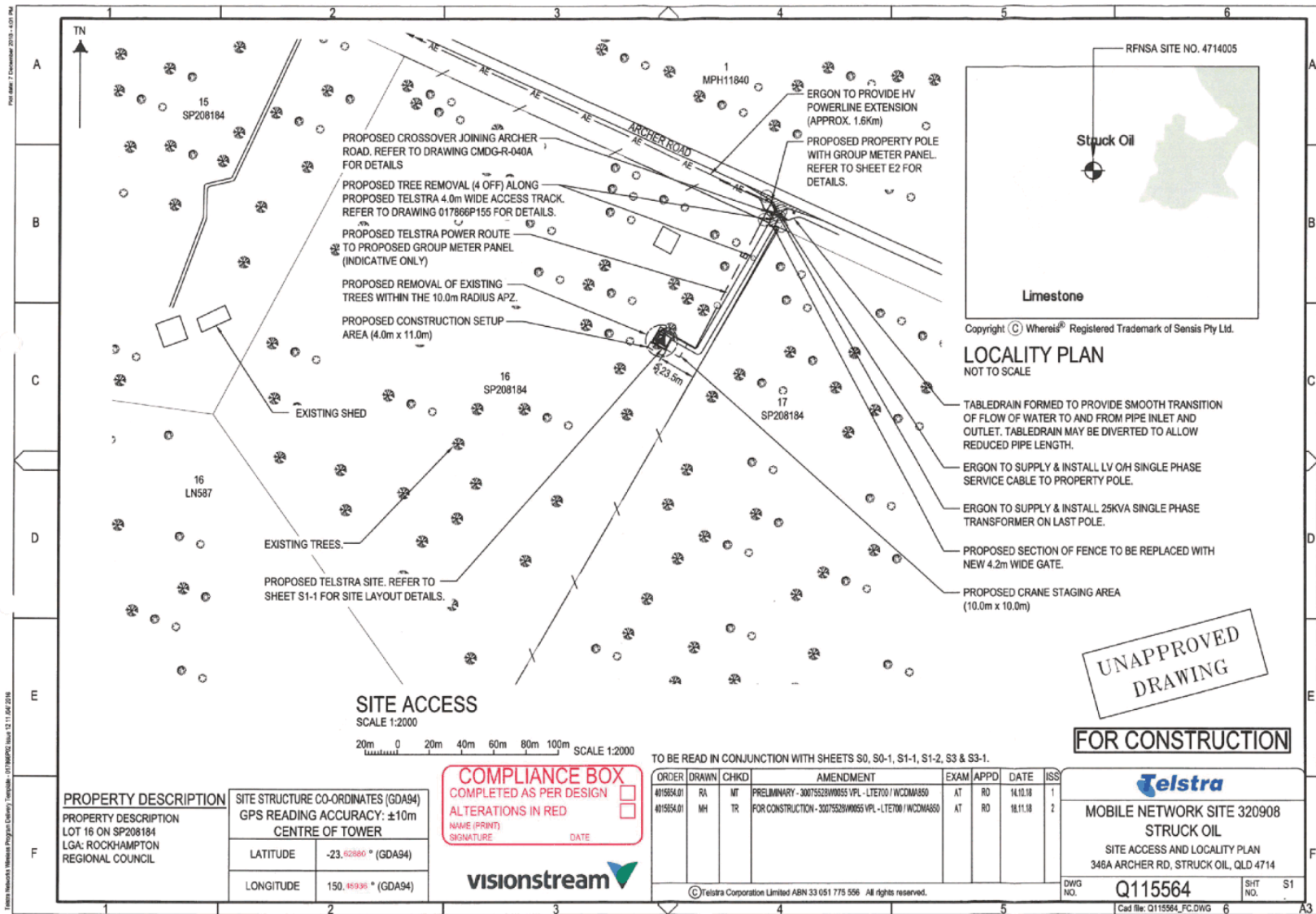


**D/120-2018 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Site Plan

Meeting Date: 18 June 2019

Attachment No: 4

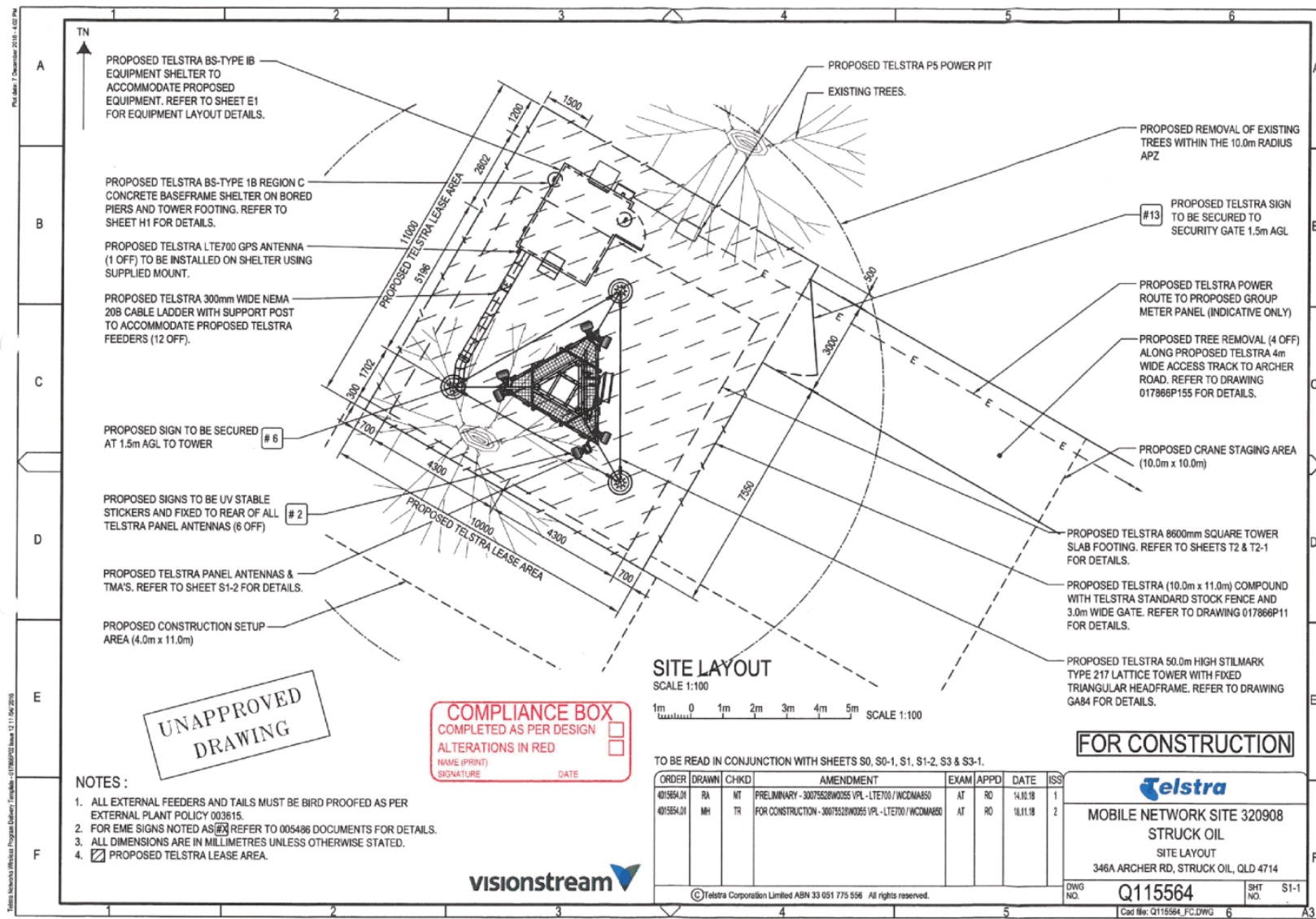


**D/120-2018 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Floor Plan

Meeting Date: 18 June 2019

Attachment No: 5

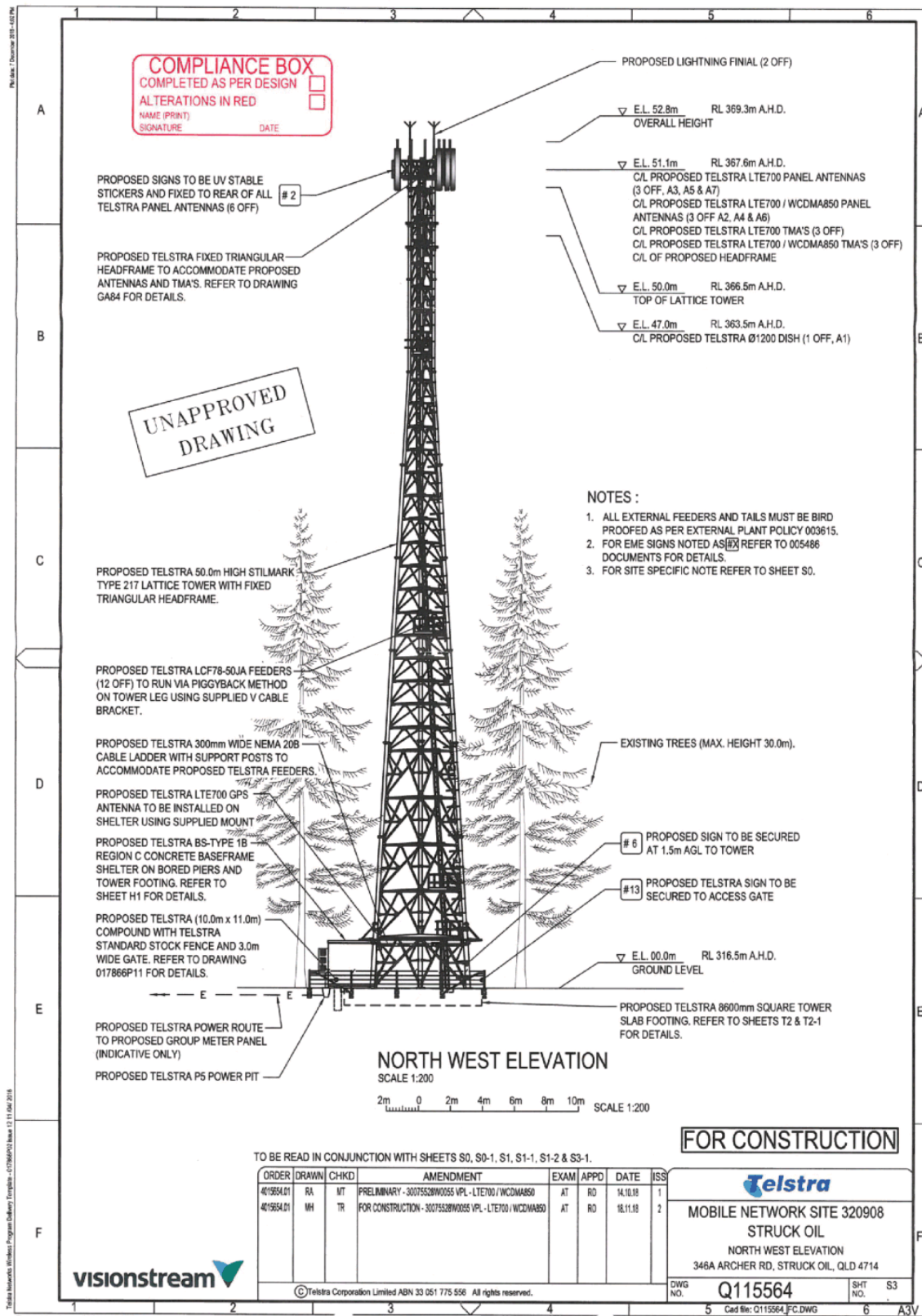


**D/120-2018 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A
TELECOMMUNICATIONS FACILITY**

Elevation Plan

Meeting Date: 18 June 2019

Attachment No: 6



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

EME Report

Meeting Date: 18 June 2019

Attachment No: 7



Environmental EME Report

Location	346A ARCHER RD, STRUCK OIL QLD 4714		
Date	05/03/2019	RFNSA No.	4714005

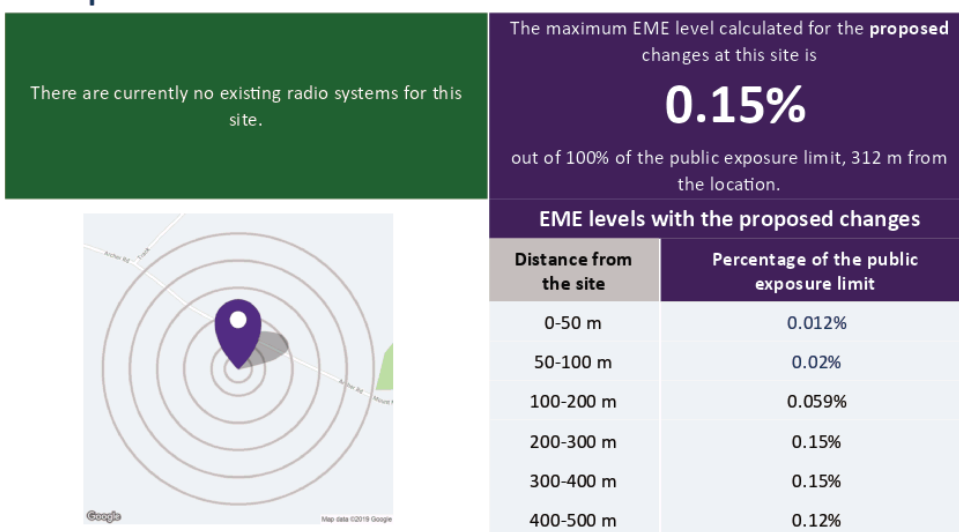
How does this report work?

This report provides a summary of levels of radiofrequency (RF) electromagnetic energy (EME) around the wireless base station at 346A ARCHER RD, STRUCK OIL QLD 4714. These levels have been calculated by Visionstream using methodology developed by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

A document describing how to interpret this report is available at ARPANSA's website:

[A Guide to the Environmental Report.](#)

A snapshot of calculated EME levels at this site



For additional information please refer to the EME ARPANSA Report annexure for this site which can be found at <http://www.rfnsa.com.au/4714005>.

Radio systems at the site

This base station currently has equipment for transmitting the services listed under the existing configuration.

The proposal would modify the base station to include all the services listed under the proposed configuration.

Carrier	Existing		Proposed	
	Systems	Configuration	Systems	Configuration
Telstra			3G, 4G	LTE700 (proposed), WCDMA850 (proposed)

An in-depth look at calculated EME levels at this site

This table provides calculations of RF EME at different distances from the base station for emissions from existing equipment alone and for emissions from existing equipment and proposed equipment combined. All EME levels are relative to 1.5 m above ground and all distances from the site are in 360° circular bands.

Distance from the site	Existing configuration			Proposed configuration		
	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit
0-50m				0.41	0.45	0.012%
50-100m				0.54	0.78	0.02%
100-200m				0.92	2.26	0.059%
200-300m				1.5	5.94	0.15%
300-400m				1.5	5.97	0.15%
400-500m				1.34	4.77	0.12%

Calculated EME levels at other areas of interest

This table contains calculations of the maximum EME levels at selected areas of interest, identified through consultation requirements of the [Communications Alliance Ltd Deployment Code C564:2018](#) or other means. Calculations are performed over the indicated height range and include all existing and any proposed radio systems for this site.

Maximum cumulative EME level for the proposed configuration

Location	Height range	Electric field (V/m)	Power density (mW/m ²)	Percentage of the public exposure limit
Residence - 272 Archer Road, Struck Oil	0-4 m	1.33	4.7	0.12%
Residence - 327 Archer Road, Struck Oil	0-4 m	0.67	1.2	0.031%
Residence - 345 Archer Road, Struck Oil	0-4 m	1.0	2.64	0.067%
Residence - 346 Archer Road, Struck Oil	0-4 m	1.18	3.72	0.095%
Residence 269 Archer Road, Struck Oil	0-4 m	0.69	1.27	0.033%
Residence - 235 Archer Road, Struck Oil	0-4 m	0.77	1.57	0.04%

11.2 LOCAL LAW MAKING PROCESS**File No:** 11698

- Attachments:**
1. Local Law No. 2 (Animal Management) 2011 [↓](#)
 2. Local Law No. 3 (Community and Environmental Management) 2011 [↓](#)
 3. Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011 [↓](#)
 4. Local Law No. 5 (Parking) 2011 [↓](#)
 5. Local Law No. 7 (Aerodromes) 2011 [↓](#)
 6. Subordinate Local Law No. 2 (Animal Management) 2011 [↓](#)
 7. Subordinate Local Law No. 3 (Community and Environmental Management) 2011 [↓](#)
 8. Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019 [↓](#)
 9. Subordinate Local Law No. 5 (Parking) 2011 [↓](#)
 10. Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011 [↓](#)
 11. Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011 [↓](#)
 12. Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 [↓](#)
 13. Subordinate Local Law No. 1.5 (Keeping of Animals) 2011 [↓](#)
 14. Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas) 2011 [↓](#)
 15. Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011 [↓](#)
 16. Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011 [↓](#)
 17. Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011 [↓](#)
 18. Local Law (Repealing) Local Law (No. 1) 2019 [↓](#)
 19. Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019 [↓](#)
 20. Schedule of Anti-Competitive Provisions [↓](#)
 21. Public Interest Test Report - Animal Management [↓](#)
 22. Public Interest Test Report - Local Government Controlled Areas and Roads [↓](#)
 23. Public Interest Test Report - Community and Environmental Management [↓](#)

Authorising Officer: Colleen Worthy - General Manager Community Services**Author:** Steven Gatt - Manager Planning and Regulatory Services

SUMMARY

In July 2016 the Chief Executive Officer requested that a Local Law Review Project be undertaken to review Local and Subordinate Local Laws for the Rockhampton Regional Council. Reviews have been conducted by internal stakeholders, state governing bodies and the public for Stage 2. The Council's Local and Subordinate Local Laws have now reached the final stage of the Local Law making process.

OFFICER'S RECOMMENDATION

THAT resolves –

- (a) to implement the recommendations of the Public Interest Test Reports as follows—
 - (i) Public Interest Test Report – subordinate local law the making of which is authorised by *Local Law No. 1 (Administration) 2011*; and
 - (ii) Public Interest Test Report – Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019 and Animal Management (Amendment) Subordinate Local Law (No. 1) 2019; and
 - (iii) Public Interest Test Report – Community and Environmental Management (Amendment) Local Law (No. 1) 2019 and Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019; and
- (b) to make each of the following local laws, as advertised—
 - (i) Animal Management (Amendment) Local Law (No. 1) 2019;
 - (ii) Community and Environmental Management (Amendment) Local Law (No. 1) 2019;
 - (iii) Local Government Controlled Areas, Facilities and Roads (Amendment) Local Law (No. 1) 2019
 - (iv) Parking (Amendment) Local Law (No. 1) 2019;
 - (v) Aerodromes (Amendment) Local Law (No. 1) 2019;
 - (vi) Local Law (Repealing) Local Law (No. 1) 2019; and
- (c) to make each of the following subordinate local laws, as advertised—
 - (i) Alteration or Improvement to Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (ii) Commercial Use of Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (iii) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formally referred to as Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2018);
 - (iv) Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019;
 - (v) Undertaking Regulated Activities on Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (vi) Carrying Out Works on a Road or Interfering with a Road or its Operation (Amendment) Subordinate Local Law (No. 1) 2019;
 - (vii) Use of a Vehicle on an Airside Area (Amendment) Subordinate Local Law (No. 1) 2019;

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- (viii) Animal Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (ix) Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (x) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019;
 - (xi) Parking (Amendment) Subordinate Local Law (No. 1) 2019;
 - (xii) Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee (Amendment) Subordinate Local Law (No. 1) 2019;
 - (xiii) Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019; and
- (d) to note that the following local laws and subordinate local laws contain anti-competitive provisions—
- (i) Commercial Use of Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
 - (ii) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formally referred to a Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2018);
 - (iii) Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019;
 - (iv) Animal Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (v) Community and Environmental Management (Amendment) Local Law (No. 1) 2019;
 - (vi) Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019;
 - (vii) Local Government Controlled Areas, Facilities and Roads (Amendment) Local Law (No. 1) 2019;
 - (viii) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019; and
- (e) to adopt, pursuant to section 32 of the *Local Government Act 2009*, in the form attached to this report to Council, consolidated versions of the local laws and subordinate local laws of Council as follows—
- (i) Local Law No. 2 (Animal Management) 2011;
 - (ii) Local Law No. 3 (Community and Environmental Management) 2011;
 - (iii) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
 - (iv) Local Law No. 5 (Parking) 2011;
 - (v) Local Law No. 7 (Aerodromes) 2011;
 - (vi) Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;
 - (vii) Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;
 - (viii) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formerly referred to as Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2018);
 - (ix) Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;
 - (x) Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on
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- Local Government Controlled Areas and Roads) 2011;
- (xi) Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011;
 - (xii) Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011;
 - (xiii) Subordinate Local Law No. 2 (Animal Management) 2011;
 - (xiv) Subordinate Local Law No. 3 (Community and Environmental Management) 2011;
 - (xv) Subordinate Local Law No. 5 (Parking) 2011; and
 - (xvi) Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011.

COMMENTARY

Council has consulted with relevant stakeholders and members of the public about the overall interest in each of the documents listed in the schedule below.

Following this stage council is now prepare to finalise the local law making process.

SCHEDULE

- Animal Management (Amendment) Local Law (No. 1) 2019;
- Community and Environmental Management (Amendment) Local Law (No. 1) 2019;
- Local Government Controlled Areas, Facilities and Roads (Amendment) Local Law (No. 1) 2019;
- Parking (Amendment) Local Law (No. 1) 2019;
- Aerodromes (Amendment) Local Law (No. 1) 2019;
- Local Law (Repealing) Local Law (No. 1) 2019;
- Alterations or Improvements to Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
- Commercial Use of Local Government Controlled Area and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
- Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formerly referred to as Subordinate Local Law No. 1.14 (Installation of Advertising Devices) 2018);
- Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019;
- Undertaking Regulated Activities on Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019;
- Carrying Out Works on a Road or Interfering with a Road or its Operation (Amendment) Subordinate Local Law (No. 1) 2019;
- Use of a Vehicle on an Airside Area (Amendment) Subordinate Local Law (No. 1) 2019;
- Animal Management (Amendment) Subordinate Local Law (No. 1) 2019;
- Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019;
- Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019;
- Parking (Amendment) Subordinate Local Law (No. 1) 2019;

- Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee (Amendment) Subordinate Local Law (No. 1) 2019;
- Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019.

LEGISLATIVE CONTEXT

The *Local Government Act 2009* and the *Local Government Regulation 2012* provide the legislative guidance for the making of Local and Subordinate Local Laws.

CONCLUSION

The schedule be presented to Council to finalise the local law making process.

LOCAL LAW MAKING PROCESS

Local Law No. 2 (Animal Management) 2011

Meeting Date: 18 June 2019

Attachment No: 1

Local Law No. 2 (Animal Management) 2011

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 2 (Animal Management) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to regulate and manage the keeping and control of animals in the local government's area in a way that—
 - (a) balances community expectations with the rights of individuals; and
 - (b) protects the community against risks to health and safety; and
 - (c) prevents pollution and other environmental damage; and
 - (d) protects the amenity of the local community and environment.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of the keeping of animals in terms of how many, what type, how, and where animals can be kept; and
 - (b) the prescription of minimum standards for keeping animals; and
 - (c) the proper control of animals in public places and koala conservation areas; and
 - (d) the management of dangerous or aggressive animals other than dogs;¹ and
 - (e) the seizure and destruction of animals in certain circumstances; and
 - (f) the establishment and administration of animal pounds.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Relationship with other laws²

This local law is—

- (a) in addition to, and does not derogate from—
 - (i) laws regulating the use or development of land; and
 - (ii) other laws about the keeping or control or welfare of animals; and
- (b) to be read with *Local Law No. 1 (Administration) 2011*.

¹ The *Animal Management (Cats and Dogs) Act 2008* provides for the management of **regulated dogs**, comprising declared dangerous dogs, declared menacing dogs and restricted dogs.

² This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or Commonwealth. See the Act, section 27.

Part 2 Keeping of animals

Division 1 Prohibition on keeping animals

5 Prohibition on keeping animals in prescribed circumstances

- (1) The local government may, by subordinate local law, prohibit the keeping of animals in prescribed circumstances.
- (2) The circumstances in which the keeping of animals is prohibited may be specified by reference to 1 or more of the following factors—
 - (a) species;
 - (b) breed;
 - (c) sex;
 - (d) age;
 - (e) number;
 - (f) whether an animal is a restricted dog;³
 - (g) the locality in which the animal would be kept;
 - (h) the nature of the premises in which the animal would be kept, including the size of the enclosure or the size of the allotment.⁴

Example for subsection (2)—

A prohibition may be imposed in relation to keeping certain species or a prescribed number of animals of a certain species in an urban locality.

- (3) A person must not keep an animal in contravention of a prohibition under this section.

Maximum penalty for subsection (3)—50 penalty units.

Division 2 Animals for which approval is required

6 Requirement for approval

- (1) Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval⁵ for keeping an animal or animals in prescribed circumstances.
- (2) The circumstances in which an approval is required may be specified by reference to 1 or more of the following factors—

³ Section 72(3) of the *Animal Management (Cats and Dogs) Act 2008* provides: “A permit application may be made for more than 1 restricted dog for the same place only if the keeping of more than 1 restricted dog and more than 1 dog of any breed is permitted under a local law.”

⁴ See the *Animal Management (Cats and Dogs) Act 2008*, chapter 4, regarding particular conditions on keeping regulated dogs, including requirements about enclosures.

⁵ Keeping an animal for which an approval is required under this local law is a **prescribed activity** under schedule 2 of *Local Law No. 1 (Administration) 2011*. The process for obtaining an approval for a prescribed activity is set out in part 2 of that local law and section 6 creates an offence for a person undertaking a prescribed activity without a current approval.

- (a) species;
 - (b) breed;
 - (c) sex;
 - (d) age;
 - (e) number;
 - (f) the locality in which the animal is to be kept, including whether it is an urban or non-urban locality;
 - (g) the nature of the premises in which the animal is to be kept, including the size of the enclosure or the size of the allotment.⁶
- (3) An approval under this section is not required for the keeping of animals on land if the keeping of the animals on the land is authorised by a development approval under the Planning Act⁷.
- (4) Under this section, the local government may not require an approval for keeping a restricted dog.⁸

Division 3 Animals for which desexing is required

7 Requirement to desex an animal

- (1) The local government may, by subordinate local law, require—
- (a) an animal of a particular species or breed to be desexed; and
 - (b) a menacing dog to be desexed.
- (2) The subordinate local law may—
- (a) specify that the requirement for desexing only applies once an animal reaches a certain age; and
 - (b) exempt animals under particular circumstances.

Example for paragraph (b)—

Exemption might be provided for an animal that is owned by a member of a recognised breeders' association for the purposes of breeding or showing.

- (3) A person must not keep an animal that is required to be desexed unless the animal has been desexed.

Maximum penalty for subsection (3)—20 penalty units.

⁶ See note 4.

⁷ See the definition of *Planning Act* in the Act, schedule 4.

⁸ Section 71 of the *Animal Management (Cats and Dogs) Act 2008* requires a permit issued by the local government for a person to own or be responsible for a restricted dog. The processes for the granting of restricted dog permits are set out under chapter 4, part 3 of that Act.

Division 4 Minimum standards

8 Minimum standards for keeping animals

- (1) The local government may, by subordinate local law, specify minimum standards for the keeping of animals or a particular species or breed of animal.
- (2) A person who keeps an animal must ensure that the relevant minimum standards prescribed by a subordinate local law are complied with.⁹
Maximum penalty for subsection (2)—20 penalty units.
- (3) If a person is required to hold an approval to keep an animal, the obligation to comply with the minimum standards prescribed by a subordinate local law is in addition to an obligation imposed by a condition of the approval.

Division 5 Identification of registered cats and dogs

9 Identification for cats and dogs in certain circumstances

The local government may, by subordinate local law, prescribe the identification required by the *Animal Management (Cats and Dogs) Act 2008* for a cat or dog that is at a place other than the address stated in the registration notice for the cat or dog.¹⁰

Part 3 Control of animals

Division 1 Animals in public places

10 Exclusion of animals

- (1) The local government may, by subordinate local law, specify public places where animals, or animals of a particular species or breed, are prohibited.
- (2) The owner or responsible person for an animal must ensure that the animal is not in a public place in contravention of a prohibition specified under subsection (1).
Maximum penalty for subsection (2)—20 penalty units.
- (3) The local government must take reasonable steps to provide notice to members of the public regarding the animals that are prohibited in a particular public place.
- (4) In this section—
reasonable steps include, as a minimum, the display of a notice at a prominent place within the particular public place, stating—
 - (a) the animals that are prohibited in the place; and
 - (b) in general terms, the provisions of subsection (2).

⁹ See also *Animal Management (Cats and Dogs) Act 2008*, schedule 1, sections 4 to 5, regarding the requirements about enclosures for declared dangerous dogs, declared menacing dogs and restricted dogs.

¹⁰ Section 45 of the *Animal Management (Cats and Dogs) Act 2008* requires a person who keeps a cat or dog at a place other than the address in the registration notice to ensure it bears the identification prescribed by the local government under a local law.

11 Dog off-leash areas

- (1) The local government may, by subordinate local law, designate an area within a public place as an area where a dog is not required to be on a leash (a ***dog off-leash area***).
- (2) The local government must take reasonable steps to provide notice to members of the public regarding the designation of an area as a dog off-leash area.
- (3) In this section—
reasonable steps include, as a minimum, the display of a notice at a prominent place within the dog off-leash area indicating the extent of the area.

12 Control of animals in public places¹¹

- (1) The owner or responsible person for an animal must ensure that the animal is not in a public place—
 - (a) unless the animal is under the effective control of someone; and
 - (b) if the animal is a declared dangerous animal¹²—unless the animal is securely restrained to prevent it from—
 - (i) attacking a person or animal; or
 - (ii) acting in a way that causes fear to a person or animal; or
 - (iii) causing damage to property.

Maximum penalty for subsection (1)—20 penalty units.

- (2) The owner or responsible person for a dog that is on heat must ensure that the animal is not in a public place.

Maximum penalty for subsection (2)—20 penalty units.

- (3) An animal is under the ***effective control*** of someone only if—
 - (a) a person who is physically able to control the animal—
 - (i) is holding it by an appropriate leash, halter or rein which has a length of not more than 2m; or
 - (ii) has appropriately tethered it to an object fixed to a place from which the object can not be moved by the animal and is continuously supervising the animal; or
 - (iii) has corralled it in a temporary enclosure adequate to contain the animal and is continuously supervising the animal; or
 - (b)

¹¹ See also *Animal Management (Cats and Dogs) Act 2008*, schedule 1, section 3, regarding the requirement for muzzling and effective control of regulated dogs in public and section 93, which applies this requirement where a dog is subject to a proposed declaration notice.

¹² See the definition of ***declared dangerous animal*** in the schedule.

the animal is tethered in or on a vehicle and unable to reach beyond the vehicle extremities; or

- (c) the animal is a dog in a dog off-leash area and under the supervision of a person who is able to control the animal by voice command; or
- (d) the animal is participating in, or being exhibited or trained at, an exhibition or an obedience trial supervised by a body recognised for this section by the local government; or
- (e) the animal is a working animal actually engaged in moving livestock and under the supervision of a person who is able to control the animal by voice command.

13 Person in control of dog or prescribed animal to clean up faeces

If a dog or any other animal prescribed by subordinate local law defecates in a public place, the person who has control of the dog or animal must immediately remove and dispose of the faeces in a sanitary way.

Maximum penalty—20 penalty units.

Division 2 Restraint of animals

14 Duty to provide proper enclosure and prevent animal from wandering

- (1) A person who keeps an animal must maintain a proper enclosure to prevent the animal from wandering or escaping from the person's land.¹³

Maximum penalty for subsection (1)—20 penalty units.

- (2) The local government may, by subordinate local law, prescribe requirements for a proper enclosure for an animal or species or breed of animal.
- (3) The owner of the animal must ensure that it is not wandering at large.¹⁴

Maximum penalty for subsection (3)—20 penalty units.

- (4) It is a defence to a prosecution for an offence against subsection (3) for the defendant to prove that—
 - (a) the defendant maintained a proper enclosure for the animal and could not, by the exercise of reasonable diligence, have prevented the escape of the animal; or
 - (b) the animal was wandering at large in circumstances authorised by the conditions of an approval granted under a local law.

Example for paragraph (b)—

The conditions of an approval to keep racing pigeons might authorise the approval holder to release the pigeons from their enclosure for a certain amount of time each day and during official pigeon racing events.

15 Koala conservation requirements

- (1) The local government may, by subordinate local law, prescribe requirements for keeping a dog on land that is within a koala area.

¹³ See also *Animal Management (Cats and Dogs) Act 2008*, schedule 1, sections 4 to 5, regarding the requirements about enclosures for declared dangerous dogs, declared menacing dogs and restricted dogs.

¹⁴ See the definition of *wandering at large* in the schedule.

- (2) The prescribed requirements may relate to—
- (a) the enclosure in which the dog must be kept between sunset and sunrise; or
 - (b) tethering the dog between sunset and sunrise to prevent it from attacking a koala; or
 - (c) fencing that must be in place to separate dogs from koalas on the land or on a part of the land; or
 - (d) other measures that will be likely to prevent an attack by the dog on a koala between sunset and sunrise.
- (3) A person who keeps a dog on land that is within a koala area must comply with requirements prescribed under this section.

Maximum penalty for subsection (3)—20 penalty units.

- (4) In this section—

koala area means—

- (a) a koala habitat area; or
- (b) an area designated by subordinate local law as a koala area.

koala habitat area means an area designated as a koala habitat by—

- (a) a conservation plan made under the *Nature Conservation Act 1992*; or
- (b) a State planning instrument.

Division 3 Aggressive behaviour by animals other than dogs

16 Limited application of division to dogs¹⁵

- (1) Unless otherwise indicated, this division does not apply in relation to aggressive behaviour by a dog.
- (2) In this section—

aggressive behaviour means attacking, or acting in a way that causes fear to, someone else or another animal.

17 Animals not to attack or cause fear to persons or animals

- (1) A responsible person for an animal must take reasonable steps to ensure the animal does not attack, or act in a way that causes fear to, someone else or another animal.

Maximum penalty for subsection (1)—

- (a) if the attack causes the death of or grievous bodily harm to a person—300 penalty units; or
- (b) if the attack causes the death of or grievous bodily harm to another animal—100 penalty units; or
- (c) if the attack causes bodily harm to a person or another animal—50 penalty units; or

¹⁵ Aggressive behaviour by dogs is covered by the *Animal Management (Cats and Dogs) Act 2008*, sections 194 to 196.

- (d) otherwise—20 penalty units.
- (2) A person must not allow or encourage an animal to attack, or act in a way that causes fear to, a person or another animal.

Maximum penalty for subsection (2)—

- (a) if the attack causes the death of or grievous bodily harm to a person—300 penalty units; or
- (b) if the attack causes the death of or grievous bodily harm to another animal—100 penalty units; or
- (c) if the attack causes bodily harm to a person or another animal—50 penalty units; or
- (d) otherwise—20 penalty units.
- (3) In this section—

allow or encourage, without limiting the *Criminal Code*, sections 7 and 8, includes cause to allow or encourage.

another animal does not include vermin that are not the property of anyone.

Examples of vermin that are someone's property—

- a pet mouse or guinea pig
- vermin that are protected animals under the *Nature Conservation Act 1992*.¹⁶

18 Defences for offence against s 17

It is a defence to a prosecution for an offence against section 17 for the defendant to prove that the animal attacked, or acted in a way that caused fear to, the person or other animal—

- (a) as a result of the animal being attacked, mistreated, teased, or provoked by the person or other animal, including a dog; or
- (b) to protect the responsible person, or a person accompanying the responsible person (the **accompanying person**), or the responsible person's or accompanying person's property.

Division 4 Dangerous animals other than dogs¹⁷

19 Declaration of dangerous animal other than a dog

- (1) A local government may, by subordinate local law, specify criteria for an authorised person to declare an animal other than a dog to be a declared dangerous animal.
- (2) An authorised person may declare an animal other than a dog to be a declared dangerous animal if the animal meets the criteria prescribed by subordinate local law.
- (3) A declaration under subsection (2) takes effect at the time the local government

¹⁶ See section 83 of that Act.

¹⁷ Dangerous dogs are dealt with in the *Animal Management (Cats and Dogs) Act 2008*.

gives the responsible person for the animal an information notice¹⁸ about the declaration.

20 Power to require responsible person for declared dangerous animal to take specified action

An authorised person may, by giving a compliance notice,¹⁹ require the responsible person for a declared dangerous animal to take specified action—

- (a) to warn persons who enter land on which the animal is kept of the presence of a declared dangerous animal on the land; and
- (b) to ensure that the animal remains in secure custody and is unable to attack or cause fear to persons or other animals or cause damage to another person's property.

Part 4 Seizure, impounding or destruction of animals

Division 1 Seizure of animals

21 Seizure of animals

- (1) An authorised person may seize²⁰ an animal, other than a dog,²¹ in the following circumstances—
 - (a) the animal is found wandering at large; or

¹⁸ See the definition of *information notice* in *Local Law No.1 (Administration) 2011*, schedule 1.

¹⁹ See *Local Law No.1 (Administration) 2011*, section 27 regarding the requirements for compliance notices and the offence for not complying with a compliance notice.

²⁰ See the *Local Government Act 2009*, chapter 5, part 2, division 1 in relation to authorised persons' enforcement powers, including entry to land.

²¹ See the *Animal Management (Cats and Dogs) Act 2008*, section 125, for seizure of a dog.

- (b) if a compliance notice has been given to the responsible person for the animal in relation to compliance with a requirement of this local law—the authorised person has entered a property, including private property, under chapter 5, part 2, division 1 of the Act, and reasonably believes the responsible person for the animal has not complied with the compliance notice; or
 - (c) the authorised person reasonably believes the animal—
 - (i) has attacked, threatened to attack or acted in a way that causes fear to, a person or another animal; or
 - (ii) is, or may be, a risk to community health or safety; or
 - (d) the animal is being kept in contravention of section 5 or section 6 of this local law and the authorised person reasonably believes there is a risk the animal may be concealed or moved to avoid a requirement of section 5 or section 6 of this local law; or
 - (e) the authorised person considers on reasonable grounds that the animal has been abandoned, left or found on a road in the circumstances mentioned in section 100(12) of the *Transport Operations (Road Use Management) Act 1995*.
- (2) An authorised person may seize a dog in the following circumstances—
 - (a) the dog is found wandering at large; or
 - (b) if a compliance notice has been given to the responsible person for the dog in relation to compliance with a requirement of this local law—the authorised person has entered a property, including private property, under chapter 5, part 2, division 1 of the Act, and reasonably believes the responsible person for the dog has not complied with the compliance notice; or
 - (c) the dog is being kept in contravention of section 5 or section 6 of this local law and the authorised person reasonably believes there is a risk the dog may be concealed or moved to avoid a requirement of section 5 or section 6 of this local law; or
 - (d) the authorised person considers on reasonable grounds that the dog has been abandoned, left or found on a road in the circumstances mentioned in section 100(12) of the *Transport Operations (Road Use Management) Act 1995*.
- (3) The authorised person may seize an animal under subsection (1)(a) or a dog under subsection (2)(a) where—
 - (a) another person has found the animal or dog wandering at large and delivered it to the authorised person; or
 - (b) an occupier of private land has found the animal or dog wandering at large on the land, taken it under effective control and requested the authorised person to enter the land to seize it.
- (4) However, an authorised person is not obliged to accept the custody of an animal under this section.
- (5) For the purposes of seizing an animal, an authorised person may take any action,

including the use of force, which is reasonable in the circumstances to capture or control the animal.

Division 2 Destruction of animal without notice

22 Power to immediately destroy seized animal

- (1) This section applies where an authorised person has seized an animal, other than a regulated dog,²² under this local law or another law.
- (2) The authorised person may, without notice, immediately destroy the animal if—
 - (a) the authorised person reasonably believes the animal is dangerous and the authorised person can not control it; or
 - (b) the animal is suffering as a result of disease, severe infection, severe emaciation or serious injury; or
 - (c) an owner of the animal has requested the authorised person to destroy it.

Division 3 Return or impounding of animals

23 Immediate return of animal seized wandering at large

- (1) This section applies where—
 - (a) an animal has been seized under section 21(1)(a) or section 21(2)(a); and
 - (b) the authorised person who seizes the animal knows, or can readily find out, the name and address of the owner or responsible person for the animal.
- (2) The authorised person may return the animal to the owner or responsible person.

24 Impounding of seized animal

An authorised person who seizes an animal under this local law or another law may impound the animal at a place of care for animals operated by—

- (a) the local government; or
- (b) another organisation or local government prescribed by subordinate local law.

Example for paragraph (a)—

An animal pound.

Example for paragraph (b)—

A veterinary surgery or an animal refuge.

25 What is a notice of impounding

- (1) A **notice of impounding** means a written notice, given to the owner or responsible person for an animal, stating that—
 - (a) the animal has been impounded; and

²² See the *Animal Management (Cats and Dogs) Act 2008*, section 127, for power to destroy a seized regulated dog.

- (b) the animal may be reclaimed within the prescribed period provided that—
 - (i) the cost-recovery fee is paid; and
 - (ii) if an approval or registration is required for the keeping of the animal and the owner or responsible person does not have the approval or registration— the approval or registration is obtained; and
 - (iii) if the animal has been seized under section 21(1)(b) or 21(2)(b)— the owner or responsible person has complied with the relevant compliance notice; and
 - (iv) continued retention of the animal is not needed as evidence for a proceeding or proposed proceeding for an offence involving the animal; and
 - (v) no destruction order has been made for the animal; and
 - (vi) if the animal has been seized under section 21(1)(c)—the owner of the animal agrees, in writing, to permanently remove the animal from the local government area not later than 14 days after the animal is reclaimed by the owner.
- (2) In this section—
relevant compliance notice means the compliance notice mentioned in section 21(1)(b) or 21(2)(b).
- (3) Subsection (4) applies if—
 - (a) an animal is reclaimed within the prescribed period under subsection (1)(b)(vi); and
 - (b) the animal is not permanently removed from the local government area not later than 14 days after the animal is reclaimed by the owner.
- (4) An authorised person may, by giving a compliance notice to the owner of the animal, require the owner to permanently remove the animal from the local government area.

26 Dealing with animal seized and impounded for wandering at large

- (1) Subsection (2) applies where—
 - (a) an authorised person has impounded an animal seized under section 21(1)(a) or 21(2)(a); and
 - (b) the animal was not a declared dangerous animal at the time of being seized; and
 - (c) the authorised person knows, or can readily find out, the name and address of the owner or responsible person for the animal.
- (2) The authorised person must give the owner or responsible person a notice of impounding.
- (3) Subsection (4) applies where—
 - (a) an authorised person has impounded a declared dangerous animal seized under section 21(1)(a); or
 - (b) an authorised person has impounded an animal that has been seized more than 3 times during a 12 month period.

- (4) The authorised person may—
 - (a) give the owner or responsible person for the animal a notice of impounding; or
 - (b) make a destruction order for the animal under section 30.

27 Dealing with animal seized and impounded for non-compliance with local law

- (1) This section applies where an authorised person has impounded an animal seized under section 21(1)(b) or 21(2)(b).
- (2) The authorised person may—
 - (a) give the owner or responsible person for the animal a notice of impounding; or
 - (b) if the animal was being kept in contravention of section 5 of this local law or is an animal for which an approval cannot be granted under this local law or is an animal for which an application for approval under this local law has been rejected— dispose of the animal under division 5.

28 Dealing with animal seized and impounded for attacking etc a person or another animal

- (1) This section applies where an authorised person has impounded an animal seized under section 21(1)(c).
- (2) The authorised person may²³—
 - (a) make a destruction order for the animal under section 30; or
 - (b) give the owner or responsible person a notice of impounding.

29 Reclaiming an impounded animal

- (1) This section applies where—
 - (a) the owner or responsible person for an animal has been given a notice of impounding; or
 - (b) an authorised person does not know, and cannot readily find out, the name and address of an owner or responsible person for the animal.
- (2) The animal may be reclaimed by an owner or responsible person if the owner or responsible person—
 - (a) reclaims the animal within the prescribed period; and
 - (b) pays the cost-recovery fee; and
 - (c) if an approval or registration is required for the keeping of the animal and the owner or responsible person does not have the approval or registration—obtains the approval or registration; and
 - (d) if the responsible person has not complied with a current compliance notice that has been issued in relation to compliance with this local law—complies

²³ An authorised person may also declare an animal as a declared dangerous animal under section 19 if specified criteria are met.

- with the compliance notice; and
- (e) if the animal is a cat or a dog that is not implanted with a PPID — has the animal implanted with a PPID before the animal is reclaimed.
- (3) However, the animal may not be reclaimed by an owner or responsible person if—
- (a) continued retention of the animal is needed as evidence for a proceeding or proposed proceeding for an offence involving the animal; or
 - (b) a destruction order has been made for the animal.
- (4) The animal may be reclaimed by an owner or responsible person for the animal if an event as follows happens—
- (a) if subsection (3)(a) applies—
 - (i) an authorised person advises the owner or responsible person that the animal's continued retention as evidence is no longer required; and
 - (ii) the owner or responsible person has satisfied subsection (2)(b)-(d);
 - (b) if subsection (3)(b) applies—
 - (i) an application for a review or an appeal is made relating to the destruction order and, as a result of the review or appeal, the order is no longer in force; and
 - (ii) the owner or responsible person has satisfied subsection (2)(b)-(d).

Division 4 Destruction of animal following notice

30 Destruction orders

- (1) An authorised person may make an order (a ***destruction order***) stating the person proposes to destroy an animal 14 days after the order is served.
- (2) A destruction order may only be made in 1 or more of the following circumstances—
 - (a) the animal has attacked, threatened to attack, or acted in a way that causes fear to, a person or another animal; or
 - (b) the animal is a declared dangerous animal and was found wandering at large; or
 - (c) the animal has been seized more than 3 times during a 12 month period.
- (3) The destruction order must—
 - (a) be served on a person who owns, or is a responsible person for, the animal; and
 - (b) include or be accompanied by an information notice.²⁴
- (4) If a destruction order is made for the animal, the person may destroy the animal 14

²⁴ See note 17.

days after the order is served if no review application has been made relating to the decision to make the order.

- (5) If an application for review has been made relating to the decision to make the order, the person may destroy the animal if—
 - (a) the review is finally decided or is otherwise ended; and
 - (b) the order is still in force; and
 - (c) the time allowed for filing a notice of appeal has expired and no notice of appeal has been filed.
- (6) If an appeal is made relating to the decision to make the order, the person may destroy the animal if—
 - (a) the appeal is finally decided or is otherwise ended; and
 - (b) the order is still in force.
- (7) If the animal has been impounded, the owner or responsible person for an animal may reclaim the animal if—
 - (a) a review relating to the decision to make the order is finally decided or is otherwise ended; and
 - (b) no application for an appeal has been made against the order; and
 - (c) the order is no longer in force; and
 - (d) the owner or responsible person has satisfied section 29(2)(b)-(d).
- (8) If the animal has been impounded, the owner or responsible person for an animal may reclaim the animal if—
 - (a) an appeal relating to the decision to make the order is finally decided or is otherwise ended; and
 - (b) the order is no longer in force; and
 - (c) the owner or responsible person has satisfied section 29(2)(b)-(d).
- (9) In this section—

review means a review conducted under the process mentioned in part 4 of *Local Law No.1 (Administration) 2011*.

appeal means an appeal under part 4 of this local law.

Division 5 Disposal of impounded animals

31 Application of this division

This division applies where—

- (a) an impounded animal has not been reclaimed within the prescribed period under section 29(2); or
- (b) if section 29(3)(a) applies— the impounded animal has not been reclaimed within 3 days of an authorised person’s advice to the owner or responsible person that the animal’s continued retention as evidence is no longer required; or
- (c) if section 29(3)(b) applies—the impounded animal has not been reclaimed

within 3 days of the completion of a review or appeal that caused a destruction order to no longer be in force; or

- (d) an authorised person has seized an animal mentioned in section 27(2)(b); or
- (e) the owner of an animal has surrendered the animal to the local government.

32 Sale, disposal or destruction of animals

(1) The local government may—

- (a) offer the animal for sale by public auction or by tender; or
- (b) if the animal is an animal mentioned in section 27(2)(b) or is of a species, breed or class specified by subordinate local law for this paragraph—
 - (i) sell the animal by private agreement; or
 - (ii) dispose of the animal in some other way without destroying it, for example, by giving the animal to an animal welfare agency for disposal by the animal welfare agency; or
 - (iii) destroy the animal.

Example for paragraph (b)—

The subordinate local law might specify dogs, cats and other small domestic animals, for which a public auction or tender might not be practicable.

(2) An animal may only be sold or disposed of under subsection (1) if the local government is satisfied that this will not result in the animal being kept in contravention of the requirements of this local law.

Examples—

- A pig that has been seized because it is being kept in an urban area in contravention of a prohibition under a subordinate local law could be sold to a person outside the urban area but not to another person in an urban area.
- An animal that a subordinate local law has prohibited in any part of the local government area could not be sold to a person who resides within the local government area.
- A declared dangerous animal could only be sold to a person who has complied with any specified requirements for keeping such an animal.

(3) If an animal is to be offered for sale at a public auction under this section, notice of the time and place of the auction must be exhibited at the local government's public office for at least 2 days before the date of the auction.

(4) An amount realised on sale of an impounded animal must be applied—

- (a) first, towards the costs of the sale; and
- (b) second, towards the cost-recovery fee for impounding; and
- (c) third, in payment of the remainder to the former owner of the animal, unless the owner had surrendered the animal to the local government.

(5) If no person establishes a valid claim to the amount to which the former owner is entitled under subsection (4)(c) within 1 year of the date of the sale, the amount becomes the property of the local government.

(6) If an animal that is offered for sale by public auction or tender is not sold through the auction or tender process, the local government may dispose of the animal as it considers appropriate.

Examples—

- The local government may give the animal away.
- The local government may have the animal destroyed.

Division 6 Other impounding matters

33 Register of impounded animals

- (1) The local government must ensure that a proper record of impounded animals (the *register of impounded animals*) is kept.
- (2) The register of impounded animals must contain at least the following information about each impounded animal—
 - (a) the species, breed and sex of the animal; and
 - (b) the brand, colour, distinguishing markings and features of the animal; and
 - (c) if applicable—the registration number of the animal; and
 - (d) if known—the name and address of the responsible person; and
 - (e) the date and time of seizure and impounding; and
 - (f) the name of the authorised person who impounded the animal; and
 - (g) the reason for the impounding; and
 - (h) a note of any order made by an authorised person relating to the animal; and
 - (i) the date and details of whether the animal was sold, released, destroyed or disposed of in some other way.
- (3) Subject to the *Information Privacy Act 2009*, the register of impounded animals must be kept available for public inspection at the place of care for animals or, if the place has no public office, at an office prescribed by subordinate local law.
- (4) However, a person may not inspect the register unless the person satisfies the local government that the person is the owner of, or responsible person for, an impounded animal by, for example, providing to the local government a statutory declaration detailing the facts and circumstances of the seizure or impounding of the impounded animal.
- (5) The owner of, or responsible person for, an impounded animal may only inspect that part of the information on the register that relates to the impounding of the impounded animal.

34 Access to impounded animal

- (1) This section applies to an animal impounded under section 24.
- (2) The local government must allow the owner of the animal to inspect it at any reasonable time, from time to time.
- (3) Subsection (2) does not apply if—
 - (a) it is impracticable or would be unreasonable to allow the inspection; or
 - (b) in the opinion of an authorised person acting reasonably, allowing the owner of the animal to inspect it would be likely to create a significant risk of injury or damage to a local government employee.

- (4) The inspection must be provided free of charge.

35 Unlawful removal of seized or impounded animal

- (1) A person must not, without the authority of an authorised person, remove or attempt to remove—
- (a) a seized animal from the custody or control of an authorised person; or
 - (b) an impounded animal from the local government's facility for keeping impounded animals.

Maximum penalty for subsection (1)—50 penalty units.

- (2) Any costs arising from damage or loss caused by a person contravening subsection (1) are recoverable by the local government as a debt.

Part 5 Appeals against destruction orders

36 Who may appeal

An owner or responsible person for an animal the subject of a destruction order may appeal to the Magistrates Court against the decision to make the destruction order.

37 Starting appeal

- (1) An appeal must not be started unless a review of the decision to make the destruction order has been finally decided or otherwise ended.
- (2) An appeal is started by—
- (a) filing notice of appeal with the Magistrates Court; and
 - (b) serving a copy of the notice of appeal on the local government; and
 - (c) complying with rules of court applicable to the appeal.
- (3) The notice of appeal must be filed within 14 days after the appellant is given notice by the local government about the finalisation of the review of the decision to make a destruction order.
- (4) However, the court may, at any time, extend the time for filing the notice of appeal.
- (5) The notice of appeal must state fully the grounds of the appeal and the facts relied on.

38 Stay of destruction order

Upon filing the notice of appeal, the destruction order is stayed until the court decides the appeal.

39 Hearing procedures

- (1) In deciding an appeal, the Magistrates Court—
- (a) has the same powers as the local government; and

- (b) is not bound by the rules of evidence; and
 - (c) must comply with natural justice.
- (2) An appeal is by way of rehearing, unaffected by the decision appealed against.

40 Court's powers on appeal

- (1) In deciding an appeal, the Magistrates Court may—
 - (a) confirm the decision appealed against; or
 - (b) set aside the decision and substitute another decision; or
 - (c) set aside the decision and return the matter to the local government with directions the court considers appropriate.
- (2) If the court substitutes another decision, the substituted decision is, for the purposes of this local law, other than this part, taken to be the decision of the local government.
- (3) An order for the costs of an appeal may only be made against the local government if the court is satisfied that the animal was unlawfully seized or there was no reasonable basis for making the decision subject to the appeal.

41 Appeal to District Court

An appeal lies to a District Court from a decision of the Magistrates Court, but only on a question of law.

Part 6 Miscellaneous

42 Sale of animals

- (1) The local government may, by subordinate local law, specify conditions to be complied with by persons who offer animals, or a particular species of animal, for sale.
- (2) Conditions specified under subsection (1) are in addition to requirements of the *Animal Management (Cats and Dogs) Act 2008* in relation to the supply of cats and dogs.
- (3) A person must not offer or display animals for sale in the area unless the person complies with conditions specified under subsection (1).

Maximum penalty for subsection (3)—50 penalty units.

43 Subordinate local laws

The local government may make subordinate local laws about—

- (a) the circumstances in which the keeping of animals is prohibited;²⁵ or
- (b) the circumstances in which an approval is required for the keeping of animals;²⁶ or

²⁵ See section 5(1).

²⁶ See section 6(1).

- (c) the circumstances in which desexing of an animal is required;²⁷ or
- (d) minimum standards for keeping animals generally or animals of a particular species or breed;²⁸ or
- (e) the identification for cats and dogs required under the *Animal Management (Cats and Dogs) Act 2008*;²⁹ or
- (f) the exclusion of animals, or animals of a specified species, from public places;³⁰ or
- (g) designated dog off-leash areas;³¹ or
- (h) animals whose faeces in public places must be removed and disposed of;³² or
- (i) proper enclosure requirements;³³ or
- (j) requirements for keeping a dog within a koala area;³⁴ or
- (k) designation of an area as a koala area;³⁵ or
- (l) the criteria for declaring an animal other than a dog to be a declared dangerous animal;³⁶ or
- (m) the organisation or local government that operates a place or care for impounded animals;³⁷ or
- (n) the species, breed or class of animal that may be disposed of other than by public auction or tender;³⁸ or
- (o) the office at which the register of impounded animals is available for public inspection;³⁹ or
- (p) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale;⁴⁰ or
- (q) the exclusion of animals of a particular species from the application of this local law;⁴¹ or

²⁷ See section 7(1).

²⁸ See section 8(1).

²⁹ See section 9.

³⁰ See section 10(1).

³¹ See section 11(1).

³² See section 13.

³³ See section 14(2).

³⁴ See section 15(1).

³⁵ See section 15(4).

³⁶ See section 19(1).

³⁷ See section 24(b).

³⁸ See section 32(1)(b).

³⁹ See section 33(3).

⁴⁰ See section 42(1).

⁴¹ See the definition of *animal* in the schedule.

- (r) the declaration of a species of animal as a declared dangerous animal;⁴² or
- (s) the period within which an impounded animal may be reclaimed.⁴³

⁴² See the definition of *declared dangerous animal* in the schedule.

⁴³ See the definition of *prescribed period* in the schedule.

Schedule Dictionary

Section 3

animal includes a mammal, fish, bird, reptile, amphibian or insect but does not include an animal of a species excluded by subordinate local law from the application of this local law.

animal welfare agency means—

- (a) the Royal Society for the Prevention of Cruelty to Animals (Queensland); and
- (b) the Animal Welfare League of Queensland; and
- (c) another incorporated association which—
 - (i) has objects similar to the objects of the corporation referred to in paragraph (a) or the incorporated association referred to in paragraph (b); and
 - (ii) is recognised as an animal welfare agency by the local government.

attack, by an animal, means—

- (a) aggressively rushing at or harassing any person or animal; or
- (b) biting, butting, kicking, or otherwise causing physical injury to, a person or an animal; or
- (c) tearing clothing on, or otherwise causing damage to the property in the immediate possession of, a person.

compliance notice means a compliance notice mentioned in *Local Law No.1 (Administration) 2011*, section 27.

cost-recovery fee means the fee fixed by the local government to cover the costs associated with impounding an animal.⁴⁴

declared dangerous animal means an animal—

- (a) of a species declared by subordinate local law as a declared dangerous animal; or
- (b) declared under section 19 of this local law to be a declared dangerous animal.

destroy, an animal, includes causing it to be destroyed.

destruction order see section 30(1).

dog off-leash area see section 11(1).

effective control see section 12(3).

menacing dog has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

notice of impounding see section 25(1).

owner, of an animal, means—

- (a) its registered owner;
- (b) a person who owns the animal, in the sense of it being the person's personal property;
- (c) a person who usually keeps the animal, including through an agent, employee or anyone else;
- (d) if a person mentioned in paragraphs (a) to (c) is a minor—a parent or guardian of the minor.

PPID has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

⁴⁴ See the Act, section 97 for the power of a local government to fix a cost recovery fee.

prescribed period means the period, fixed by subordinate local law, of not less than—

- (a) if the animal is registered with the local government—5 days; or
- (b) if the animal is not registered with the local government—3 days;

and commencing on the day a notice of impounding is given to a person or, if no notice is given to a person, on the day of the seizure.

registered owner, of an animal, means a person recorded as being the owner of the animal in a registry kept by a local government.

responsible person, for an animal, means—

- (a) the person, or the person's employee acting within the scope of the employment, who has immediate control or custody of the animal; or
- (b) the parent or guardian of a minor who has immediate control or custody of the animal; or
- (c) the person who occupies the place at which the animal is usually kept,

but does not include—

- (a) a person who occupies the place at which the animal is usually kept, if someone else who is an adult and lives at the place keeps the animal; or
- (b) a person who has the control or custody of or keeps the animal as an employee of someone else, if the person is acting within the scope of the employment.

restricted dog see *Animal Management (Cats and Dogs) Act 2008*, section 63.

State planning instrument see *Sustainable Planning Act 2009*, schedule 3.

the Act means the *Local Government Act 2009*.

wandering at large means—

- (a) the animal is not under the effective control of someone; and
- (b) the animal is in either—
 - (i) a public place; or
 - (ii) a private place without the consent of the occupier.

This and the preceding 24 pages bearing my initials is a certified copy of the consolidated version of *Local Law No. 2 (Animal Management) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

726076_1

LOCAL LAW MAKING PROCESS

Local Law No. 3 (Community and Environmental Management) 2011

Meeting Date: 18 June 2019

Attachment No: 2

Local Law No. 3 (Community and Environmental Management) 2011

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 3 (Community and Environmental Management) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to protect the environment and public health, safety and amenity within the local government's area.
- (2) The purpose is to be achieved by providing for the elimination or reduction of risks and threats to the environment and public health, safety and amenity resulting from—
 - (a) inadequate protection against animal and plant pests; and
 - (b) vegetation overgrowth; and
 - (c) visual pollution resulting from accumulation of objects and materials; and
 - (d) fires and fire hazards not regulated by State law; and
 - (e) community safety hazards; and
 - (f) noise that exceeds noise standards.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Relationship with other laws⁴⁵

This local law is—

- (a) in addition to and does not derogate from laws for pest management, regulation of fires and environmental protection; and
- (b) to be read with *Local Law No. 1 (Administration) 2011*.

Part 2 Declared local pests

Division 1 Application

5 Application of part

Subject to section 48(3) of the *Biosecurity Act 2014*, this part does not apply to a biosecurity matter⁴⁶ that is, under the *Biosecurity Act 2014*—

- (a) mentioned as a prohibited matter⁴⁷; or
- (b) declared to be a prohibited matter; or
- (c) prescribed by regulation as a prohibited matter; or

⁴⁵ This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or the Commonwealth. See the Act, section 27.

⁴⁶ See the *Biosecurity Act 2014*, section 15.

⁴⁷ See the *Biosecurity Act 2014*, section 19.

- (d) mentioned as a restricted matter⁴⁸; or
- (e) declared to be a restricted matter; or
- (f) prescribed by regulation as a restricted matter; or
- (g) a controlled biosecurity matter; or
- (h) a regulated biosecurity matter.

Division 2 Declaration of local pests

6 Declaration of local pests

- (1) The local government may, by subordinate local law, declare an invasive animal or an invasive plant of a specified species to be a local pest.
- (2) Before the local government makes a declaration under this section, it must consult with the chief executive about the desirability of the declaration.
- (3) A declaration under this section—
 - (a) must be published in a newspaper circulating generally in the local government's area; and
 - (b) comes into force on the date of publication.
- (4) In this section—

chief executive means the chief executive of the department in which the *Biosecurity Act 2014* is administered.

7 Emergency declarations

- (1) This section applies if the local government is satisfied urgent action is needed because—
 - (a) a species of animal has, or is likely to have, a significant adverse impact on a biosecurity consideration because of the introduction, spread or increase in population size of the species in an area; or
 - (b) a plant species has, or is likely to have, a significant adverse impact on a biosecurity consideration because of the introduction, spread or increase in the population size of the species in an area.
- (2) The local government may, by resolution, declare to be a local pest—
 - (a) an animal which satisfies the criteria specified in subsection (1)(a);
 - (b) a plant which satisfies the criteria specified in subsection (1)(b).
- (3) A declaration under this section—
 - (a) must be published in a newspaper circulating generally in the local government's area; and
 - (b) comes into force on the date of publication; and
 - (c) must be reviewed by the local government within 3 months of the date of publication; and
 - (d) comes to an end—

⁴⁸ See the *Biosecurity Act 2014*, section 21.

- (i) on the date a revocation notice is published in a newspaper circulating generally in the local government's area; or
- (ii) if no revocation notice is published sooner—6 months after the date the declaration came into force.

8 Application of declaration

A declaration may apply—

- (a) to the whole of the local government's area or in a specified part or parts of the area; and
- (b) generally or only in specified circumstances.

Division 3 Control of local pests

9 Power to search for declared local pests

- (1) This section applies if an authorised person wants to enter a property to search for declared local pests.
- (2) After giving reasonable written notice to the owner and the occupier of the property, the authorised person may—
 - (a) enter the property without the permission of the occupier; and
 - (b) take reasonable action to search for declared local pests.
- (3) However, the authorised person—
 - (a) must, as soon as the authorised person enters the property, inform any occupier of the property—
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property, excluding a home on the property, without the permission of the occupier; and
 - (b) may enter a home that is on the property only with the permission of the occupier of the relevant part of the property.
- (4) If the occupier gives permission under subsection (3)(b), the authorised person may ask the occupier to sign a document that confirms that the occupier has given permission.

10 Local pest control notices

- (1) An authorised person may, by compliance notice⁴⁹ given to the owner or occupier of land, require the owner⁶ or occupier to take specified action to control declared local pests.

⁴⁹ See *Local Law No.1 (Administration) 2011*, section 27, regarding the requirements for compliance notices and the offence for not complying with a compliance notice.

⁶ See the Act, section 140, in relation to the owner's right to enter property where the owner is not the occupier to take action to comply with a remedial notice, and section 141, in relation to an occupier's right to recover amounts incurred to satisfy an owner's obligations.

- (2) The specified action may include action to—
- (a) destroy declared local pests on the land; or
 - (b) minimise the risk of an outbreak of declared local pests on the land; or
 - (c) prevent or minimise seeding or reproduction by declared local pests; or
 - (d) contain infestation by declared local pests within a localised area; or
 - (e) reduce the density or extent of infestation by declared local pests; or
 - (f) remove harbour provided to declared local pests; or
 - (g) surrender the declared local pests to an authorised person for destruction.
- (3) The notice may require the repetition of a specified action at stated intervals or on the reappearance of the declared local pest within a specified period.

Division 4 Prohibition of sale and propagation

11 Prohibition on sale

A person must not—

- (a) sell or supply a declared local pest; or
- (b) offer or display a declared local pest for sale or supply.

Maximum penalty—50 penalty units.

12 Prohibition on introducing, propagating etc a declared local pest

- (1) A person must not—

- (a) introduce, propagate or breed a declared local pest; or
- (b) provide harbour to a declared local pest.

Maximum penalty for subsection (1)—50 penalty units.

- (2) However, subsection (1) does not apply to a person who has been prescribed under a subordinate local law for this subsection as exempt from the offence in subsection (1) in relation to a specified pest.

Example of persons that might be exempted from subsection (1) in relation to specified pests—

- Staff of research organisations such as universities or the CSIRO who require a particular pest for research purposes.
- An employee of a circus using a particular pest to provide entertainment to the public.
- Staff of an organisation using a particular pest as part of an education program.
- An employee of a zoo that keeps a particular pest.

- (3) In this section—

introduce means to introduce, or cause to introduce, into the local government's area.

Part 3 Overgrown and unsightly allotments

13 Unsightly objects, materials or vegetation

(1) The responsible person for an allotment must not—

- (a) bring onto the allotment; or
- (b) allow to remain on the allotment; or
- (c) allow to accumulate on the allotment; or
- (d) place on the allotment,

any objects, materials or vegetation which, in the opinion of an authorised person, is unsightly or not in accordance with the amenity of the locality in which the allotment is located.

Examples of objects or materials which may be unsightly or not in accordance with the amenity of the locality—

- Broken down or dilapidated vehicles and car bodies;
- Broken down or dilapidated boats, boat trailers and boat parts;
- Scrap machinery or machinery parts;
- Discarded bottles, containers or packaging;
- Dilapidated or unsightly building hoardings;
- Shopping trolleys;
- Overgrown vegetation that seriously affects the visual amenity of the allotment or is likely to attract or harbour vermin.

Maximum penalty—20 penalty units.

(2) An authorised person may, by compliance notice⁵⁰ given to the responsible person for the allotment, require the responsible person to—

- (a) remove objects, materials or vegetation that is causing the circumstance mentioned in subsection (1); or
- (b) take other specified action to remedy the circumstance mentioned in subsection (1).

(3) A notice issued under subsection (2) may also require the repetition of the specified action at stated intervals or on the reappearance of the accumulation of objects, materials or vegetation on the allotment within a specified period.

(4) However, the notice cannot prevent a use of land authorised under the Planning Act⁵¹ or the *Environmental Protection Act 1994*.

(5) In this section—

vegetation includes a tree, bush, shrub, plant or grass, but does not include vegetation that is protected under a law⁵² of the State or Commonwealth or under the local government's planning scheme.

Part 4 Fires and fire hazards

⁵⁰ See footnote 5.

⁵¹ See definition of *Planning Act* in the Act, schedule 4.

⁵² For example, vegetation may be protected under the *Nature Conservation Act 1994*, the *Vegetation Management Act 1999*, the *Planning Act*, the *Queensland Heritage Act 1992*, the *Fisheries Act 1994* and the *Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)*.

14 Regulation of lighting and maintaining fires in the open

- (1) This section does not apply to the lighting or maintaining of a fire that is authorised under the *Fire and Emergency Services Act 1990*.⁵³
- (2) The local government may, by subordinate local law, prohibit or restrict the lighting or maintaining of fires in the open in the whole, or designated parts, of the local government's area.

Example—

The subordinate local law might prohibit the lighting of fires, or a particular type of fire, in the open, unless 1 or more of the following conditions is met—

- the fire is contained in an approved incinerator;
 - the fire is established in a specified way and specified precautions are taken to prevent the spread of fire;
 - the fire is lit and extinguished within a specified time.
- (3) A person must comply with a prohibition or restriction imposed under this section.
Maximum penalty for subsection (3)—50 penalty units.
 - (4) A person must not light or maintain a fire if the fire exposes property to the risk of damage or destruction by fire.
Maximum penalty for subsection (4)—50 penalty units.
 - (5) However, a person does not commit an offence under subsection (3) or (4) if the person is authorised or required to light or maintain the fire in the performance of duties under another Act.

15 Fire hazards

- (1) This section applies where an authorised person forms the opinion that a fire hazard exists on an allotment.
- (2) The authorised person may, by compliance notice⁵⁴ given to the responsible person for the allotment, require the responsible person to take specified action to reduce or remove the fire hazard.⁵⁵
- (3) In this section—
fire hazard means—
 - (a) anything that, because of its flammable nature, its position or its quantity, exposes property to significant risk of damage or destruction by fire; or
 - (b) a thing that is declared to be a fire hazard under a subordinate local law for

⁵³ See the *Fire and Emergency Services Act 1990*, section 63, regarding fires authorised by notification, section 65 regarding fires authorised by permit and section 69, regarding notices requiring occupiers to take measures to reduce the risk of fire. For fires authorised by notification under section 63, see the Notification by the Commissioner of the Queensland Fire and Rescue Service published in the gazette on 6 August 2004.

⁵⁴ See footnote 5.

⁵⁵ See also the *Fire and Emergency Services Act 1990*, section 69, under which the Fire Services Commissioner can publish a general notification in the gazette requiring occupiers of land to take measures to reduce the risk of fire occurring or the risk to persons, property or environment in the event of fire occurring.

this paragraph.

Examples of fire hazards for paragraph (a)—

- Live cinders or hot ash that is not enclosed in a fireplace so constructed as to prevent the escape of cinders or ash.
- A substantial accumulation of grass clippings, vegetation, mulch or compost that is easily capable of ignition or spontaneous combustion.
- Vegetation that could be easily ignited or other flammable materials.

Part 4A Community amenity

16 Releasing helium balloons

A person must not release an unsecured balloon containing helium unless the balloon is—

- (a) released unintentionally and without negligence; or
- (a) released inside a building or structure and does not make its way into the open air; or
- (b) released for scientific, including meteorological, purposes; or
- (c) a balloon aircraft that is recovered after landing.

Maximum penalty—20 penalty units.

Part 5 Community safety hazards

17 What is a community safety hazard

A community safety hazard is—

- (a) a fence or structure on land that, because of its nature or its position, poses a significant risk of causing injury to a person or damage to property; or
- (b) objects or materials on land, including roof sheeting, guttering or sheet metal, that are likely to become airborne in periods of high wind in a way that poses a significant risk of causing injury to a person or damage to property; or
- (c) a thing that is declared to be a community safety hazard under a subordinate local law for this paragraph.

Examples of a fence or structure that may be a community safety hazard for paragraph (a)—

- Barbed wire fencing adjoining a public park or reserve or located in an urban area.
- Electric fences adjoining public land.

18 Power to enter property to inspect for community safety hazards

- (1) This section applies if an authorised person wants to enter a property to inspect it to identify any community safety hazards.
- (2) After giving reasonable written notice to the owner and the occupier of the property, the authorised person may—

- (a) enter the property without the permission of the occupier; and
 - (b) take reasonable action to inspect the property for community safety hazards.
- (3) However, the authorised person—
- (a) must, as soon as the authorised person enters the property, inform any occupier of the property—
 - (i) of the reason for entering the property; and
 - (ii) that the authorised person is authorised under this local law to enter the property, excluding a home on the property, without the permission of the occupier; and
 - (b) may enter a home that is on the property only with the permission of the occupier of the relevant part of the property.
- (4) If the occupier gives permission under subsection (3)(b), the authorised person may ask the occupier to sign a document that confirms that the occupier has given permission.

19 Removal or reduction of community safety hazards

- (1) This section applies where an authorised person forms the opinion that a community safety hazard exists on an allotment.
- (2) The authorised person may, by compliance notice⁵⁶ given to the responsible person for the allotment, require the responsible person to take specified action in relation to the community safety hazard to—
 - (a) remove the hazard; or
 - (b) reduce the level of risk to persons or property.

Example of specified action that might be required under paragraph (b) to reduce the risk to the community from a community safety hazard—

Securing objects or materials that may become airborne in periods of high wind.

20 Prescribed requirements

- (1) The local government may, by subordinate local law, prescribe requirements that must be met by responsible persons relating to specified types of community safety hazards located on the owner's land.

Example of prescribed requirements—

- A requirement to place signs on electric fences or barbed wire fences adjoining public land to warn persons of the risk of injury.
 - A requirement to install and maintain an electric fence in accordance with appropriate standards.
- (2) A responsible person must comply with requirements prescribed under this section.

Maximum penalty for subsection (2)—50 penalty units.

⁵⁶ See footnote 5.

Part 6 Noise standards

21 Prescribed noise standards

- (1) This section applies if the local government is the administering authority for the *Environmental Protection Act 1994*, chapter 8, part 3B.⁵⁷
- (2) The local government may, by subordinate local law, prescribe a noise standard in the whole, or designated parts, of the local government's area by—
 - (a) prohibiting the making of a stated noise (for example, by reference to the activity making the noise and the time at which the noise is made);⁵⁸ and
 - (b) stating the section, in the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3, for which the subordinate local law provision is prescribing a noise standard.⁵⁹

Part 7 Miscellaneous

22 Subordinate local laws

The local government may make subordinate local laws about—

- (a) declaring animals or plants of specified species to be local pests;⁶⁰ or
- (b) lighting and maintaining of fires in the open;⁶¹ or
- (c) fire hazards;⁶² or
- (d) community safety hazards;⁶³ or
- (e) prescribed requirements relating to community safety hazards;⁶⁴ or
- (f) prescribed noise standards for the *Environmental Protection Act 1994*.⁶⁵

⁵⁷ See the *Environmental Protection Act 1994*, section 514, for the making of a regulation to devolve the administration and enforcement of parts of the Act to local governments as the administering authority. The *Environmental Protection Regulation 2008*, section 99, devolves the administration and enforcement of noise standards to local governments. Section 109 of the Regulation declares local government authorised persons to be authorised persons under the *Environmental Protection Act 1994*, section 445(1)(c). Chapter 9 of that Act provides for the investigation and enforcement powers of authorised persons.

⁵⁸ See, however, *Local Law No.1 (Administration) 2011*, section 10(4)(a), regarding conditions of approvals that may authorise an act or omission that contravenes a noise standard.

⁵⁹ Section 440O(3) provides that a local law that prescribes a noise standard replaces the nominated default noise standard in the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3.

⁶⁰ See section 6(1).

⁶¹ See section 15(2).

⁶² See section 16(3)(b).

⁶³ See section 17(c).

⁶⁴ See section 20(1).

⁶⁵ See section 21(2).

Schedule Dictionary

Section 3

aircraft has the meaning given in the *Civil Aviation Act 1988 (Cwlth)*.

allotment means an individual parcel or piece of land.

animal means an organism (other than a human being) that is not a plant and includes eggs and semen.

biosecurity consideration has the meaning given in the *Biosecurity Act 2014*.

biosecurity matter has the meaning given in the *Biosecurity Act 2014*.

compliance notice means a compliance notice mentioned in *Local Law No.1 (Administration) 2011*, section 27.

controlled biosecurity matter has the meaning given in the *Biosecurity Act 2014*.

declared local pest means a plant or animal declared to be a pest under section 6 or 7.

invasive animal has the meaning given in the *Biosecurity Act 2014*.

invasive plant has the meaning given in the *Biosecurity Act 2014*.

plant means vegetation of any type, including its flowers, roots, seeds and other parts.

prohibited matter, in relation to biosecurity matter, has the meaning given in the *Biosecurity Act 2014*.

reasonable written notice means a written notice given at least 7 days before a property is to be entered, that informs the owner and the occupier of the property of—

- (a) the local government's intention to enter the property; and
- (b) the reason for entering the property; and
- (c) the days and times when the property is to be entered.

regulated biosecurity matter has the meaning given in the *Biosecurity Act 2014*.

responsible person means the person who has control or management of the place and includes a person in charge of activities or structures in the place that may result in contravention of this local law.

restricted matter, in relation to biosecurity matter, has the meaning given in the *Biosecurity Act 2014*.

the Act means the *Local Government Act 2009*.

vermin means —

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable condition; but
- (c) does not include—
 - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
 - (ii) a local government public health risk.

This and the preceding 13 pages bearing my initials is a certified copy of the consolidated version of *Local Law No. 3 (Community and Environmental Management) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

Meeting Date: 18 June 2019

Attachment No: 3

Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to—
 - (a) protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads; and
 - (b) preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of access to local government controlled areas; and
 - (b) the prohibition or restriction of particular activities on local government controlled areas or roads; and
 - (c) miscellaneous matters affecting local government controlled areas and roads.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Relationship with other laws⁶⁶

This local law is—

- (a) in addition to and does not derogate from laws⁶⁷ regulating the use of trust land and roads; and
- (b) is to be read with *Local Law No. 1 (Administration) 2011*.

⁶⁶ This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or the Commonwealth. See the Act, section 27.

⁶⁷ Other legislation that may be relevant in the application of this local law includes the *Land Act 1994*, the *Land Regulation 2009* and the *Land Protection (Pest and Stock Route Management) Act 2002*.

Part 2 Use of local government controlled areas, facilities and roads⁶⁸

5 Prohibited and restricted activities

- (1) The local government may, under a subordinate local law, declare an activity to be—
 - (a) prohibited in a local government controlled area or road (a ***prohibited activity***); or
 - (b) restricted in a local government controlled area or road (a ***restricted activity***).

Example for paragraph (a)—

The local government may declare that the lighting of fires is a prohibited activity in all local government controlled areas, in a particular local government controlled area or in a part of a local government controlled area.

Example for paragraph (b)-

The local government may declare that the playing of sport generally, or the playing of certain sports, is a restricted activity in that it is restricted to particular times of the day, week, month or year in all local government controlled areas, in a particular local government controlled area or in a part of a local government controlled area.

- (2) The local government must take reasonable steps to provide notice to members of the public regarding restricted activities declared for local government controlled areas or roads.
- (3) In this section —

reasonable steps may include each of the following—

- (a) the display of a notice at a prominent place within each local government controlled area for which a declaration under subsection (1)(b) has been made, stating —
 - (i) if the declaration relates to the whole area — the restricted activities for the area; and
 - (ii) if the declaration relates to a part of the area — the restricted activities and a description of the part of the area to which the declaration applies; and
 - (iii) in general terms, the provisions of subsection (4);
 - (b) the display of a notice on the local government's website which—
 - (i) identifies each local government controlled area for which a declaration under subsection (1)(b) has been made; and
 - (ii) in general terms, states the information specified in paragraph (a).
- (4) A person must not engage in a prohibited activity or a restricted activity.

Maximum penalty - 20 penalty units

⁶⁸ *Local Law No. 1 (Administration) 2011* deals with activities on local government controlled areas and roads that require the local government's approval, such as commercial use of local government controlled areas and roads, alterations or improvements to local government controlled areas, and other miscellaneous regulated activities.

6 Motor vehicle access to local government controlled areas

- (1) A **motor vehicle access area** is an area within a local government controlled area that is—
 - (a) a car park or roadway for which there is no sign or traffic control device indicating that vehicles owned by members of the public are excluded; or
 - (b) declared under a subordinate local law for this paragraph as a motor vehicle access area.
- (2) For the purposes of *Local Law No.1 (Administration) 2011*, section 5(b), it is a prescribed activity⁶⁹ to bring a motor vehicle onto or drive a motor vehicle on any part of a local government controlled area that is not a motor vehicle access area.
- (3) The local government may, by subordinate local law, declare a specific type of motor vehicle (a **prohibited vehicle**) as prohibited in a specified motor vehicle access area.
- (4) For the purposes of *Local Law No.1 (Administration) 2011*, section 5(b), it is a prescribed activity⁷⁰ to bring a prohibited vehicle onto or drive a prohibited vehicle on the specified motor vehicle access area.
- (5) However, subsections (2) and (4) do not apply for an emergency vehicle.
- (6) The local government must take reasonable steps to provide notice to members of the public regarding—
 - (a) declarations of motor vehicle access areas under subsection (1)(b); and
 - (b) declarations of prohibited vehicles under subsection (3).
- (7) In this section—

emergency vehicle includes the following—

 - (a) an ambulance;
 - (b) a fire-engine;
 - (c) a police vehicle;
 - (d) another vehicle, including a tow truck, helicopter or mobile crane, if used—
 - (i) in the circumstances of an emergency; or
 - (ii) by persons undertaking disaster operations under the direction of a district disaster coordinator or a local disaster coordinator.

reasonable steps include, as a minimum, the display of a notice at a prominent place within each declared motor vehicle access area stating—

 - (a) a description of the declared motor vehicle access area; and
 - (b) a description of prohibited vehicles for the area; and
 - (c) in general terms, the provisions of subsections (2) and (4).

⁶⁹ *Local Law No.1 (Administration) 2011*, section 6, creates an offence for a person to undertake a prescribed activity without a current approval granted by the local government. Section 7 requires that the approval be obtained under part 2 of that local law.

⁷⁰ See footnote 3.

7 Opening hours of local government controlled areas

- (1) The local government may, by subordinate local law, declare the times when a local government controlled area is open to the public (the *opening hours*).
- (2) A person must not enter or remain in a local government controlled area outside the opening hours unless the person is authorised to do so by the chief executive officer⁷¹.

Maximum penalty for subsection (2)—20 penalty units.

- (3) If the local government declares the opening hours for a local government controlled area under subsection (1), it must place a notice showing the opening hours at each public entrance to the area.

8 Power of closure of local government controlled areas

- (1) An authorised person may temporarily close a local government controlled area to public access—
 - (a) to carry out construction, maintenance, repair or restoration work; or
 - (b) to protect the health and safety of a person or the security of a person's property; or
 - (c) because of a fire or other natural disaster; or
 - (d) to conserve or protect the cultural or natural resources of the area or native wildlife; or
 - (e) for the purpose of the undertaking of an activity authorised by the authorised person.
- (2) A closure under subsection (1)—
 - (a) must state a period, not greater than 6 months, during which the area will be closed; and
 - (b) must be revoked by the authorised person as soon as practicable after the authorised person becomes satisfied that the reason for the closure no longer exists.
- (3) The local government may, by subordinate local law, permanently close a local government controlled area to public access for any of the following reasons—
 - (a) the conservation of the cultural or natural resources of the area, including, for example—
 - (i) to protect significant cultural or natural resources; or
 - (ii) to enable the restoration or rehabilitation of the area; or
 - (iii) to protect a breeding area for native wildlife; or
 - (iv) to manage a significant Aboriginal area in the area in a way that is consistent with Aboriginal tradition; or
 - (v) to manage a significant Torres Strait Islander area in the area in a way that is consistent with Island custom;
 - (b) protection of the health and safety of members of the public;

⁷¹ See definition of *chief executive officer* in the Act, schedule 4.

- (c) protection of a facility or service in the area, including, for example, infrastructure, water supply facilities or power generating equipment;
 - (d) protection of the amenity of an area adjacent to the area;
 - (e) the orderly or proper management of the area;
 - (f) if the local government determines that the permanent closure of the local government controlled area to public access is necessary or convenient for the good rule and local government of its local government area.
- (4) If the local government closes a local government controlled area under subsections (1) or (3), it must place at each public entrance to the area a notice of the closure, including a statement of the duration of the closure.

Example—

If the local government closes an area that is part of a wider local government controlled area, it must place notices at each public entrance to the closed area.

- (5) A person must not enter or remain in a local government controlled area while it is closed to public access under this section, unless the person is authorised to do so by the chief executive officer.

Maximum penalty for subsection (5)—20 penalty units.

- (6) In this section—

significant Aboriginal area see the *Aboriginal Cultural Heritage Act 2003*, section 9.

significant Torres Strait Islander area see the *Torres Strait Islander Cultural Heritage Act 2003*, section 9.

Part 3 Matters affecting roads

9 Power to require owner of land adjoining road to fence land

- (1) This section applies if, in the opinion of an authorised person, it is necessary for land adjoining a road to be fenced to prevent the risk of—
- (a) animals escaping from the land onto the road; or
 - (b) interference with the safe movement of traffic or the safe use of the road.
- (2) The authorised person may, by giving a compliance notice⁷² to the owner—
- (a) if the land is not currently fenced—require the owner to fence the land; or
 - (b) if a current fence on the land is in disrepair—require the owner to repair or replace the fence.
- (3) The local government may, by subordinate local law, set out the minimum standards with which the fence must comply.
- (4) In this section—

animal does not include a native animal, feral animal or pest animal.

feral animal see *Animal Care and Protection Act 2001*, section 42.

pest animal see *Animal Care and Protection Act 2001*, section 42.

⁷² See *Local Law No.1 (Administration) 2011*, section 27, regarding the requirements for compliance notices.

10 Numbering of premises and allotments adjoining a road⁷³

- (1) An owner of land must not adopt a number for a building or allotment that is inconsistent with a numbering system adopted by the local government under this section.

Maximum penalty for subsection (1)—10 penalty units.

- (2) An owner of land (other than vacant land) must display the number allocated so as to be easily identified from the adjoining road.

Maximum penalty for subsection (2)—10 penalty units.

11 Compliance notice about a road or footpath crossing

- (1) An authorised person may give a compliance notice to—

- (a) the owner of land adjoining or adjacent to a road to perform work on the land or the road if the work to be carried out is required as a direct result of the actions of the owner or occupier of the land or will confer a direct benefit on the owner or occupier and, in the opinion of the authorised person, the work should be performed to—

- (i) protect public health, safety or amenity; or
- (ii) prevent environmental harm or environmental nuisance; or
- (iii) prevent interference with the safe movement of traffic or the safe use of a road; or

- (b) the owner of land adjoining or adjacent to a road to—

- (i) construct a vehicle crossing to provide vehicular access between the road and the land to a standard specified in the compliance notice; or
- (ii) if a vehicle crossing provides vehicular access between the land and the road — maintain, repair or alter the vehicle crossing, or construct a new or modified vehicle crossing, to a standard specified in the compliance notice if, in the opinion of the authorised person, the vehicle crossing—

- (A) is not effective for its intended purpose; or
- (B) is causing a nuisance or poses a risk of a nuisance; or
- (C) constitutes an actual or potential safety hazard; or

- (iii) alter a vehicle crossing, or construct a new or modified vehicle crossing between the land and the road to a standard specified in the compliance notice if, in the opinion of the authorised person, the vehicle crossing is no longer adequate having regard to—

- (A) the volume or nature of traffic using the vehicle crossing; or
- (B) the manner in which the vehicle crossing is used by traffic; or
- (C) changes in the use of the land to which the vehicle crossing provides access; or
- (D) changes in the usual or expected standard of vehicle crossing

⁷³ See the Act, section 60, regarding control of roads by a local government.

provision in the relevant locality.

- (2) The local government may recover the amount that the local government properly and reasonably incurs in taking the action required by the compliance notice as a debt payable by the person who failed to take the action.
- (3) Interest is payable on the debt at the same rate that interest is payable on overdue rates levied by the local government.
- (4) The local government must give the person who failed to take the action written notice of the amount of the debt.
- (5) Subsection (6) applies if the person who failed to take the action is the owner of the land.
- (6) If the debt is not paid within 30 days after the date of the written notice, the local government may recover the debt as if the debt were overdue rates.

Part 4 Miscellaneous

12 Subordinate local laws

The local government may make subordinate local laws about—

- (a) the declaration of prohibited activities or restricted activities;⁷⁴ or
- (b) the declaration of motor vehicle access areas;⁷⁵ or
- (c) the declaration of prohibited vehicles;⁷⁶ or
- (d) the opening hours for a local government controlled area;⁷⁷ or
- (e) closing a local government controlled area to public access;⁷⁸ or
- (f) minimum standards for fences on land adjoining a road.⁷⁹

⁷⁴ See section 5(1).

⁷⁵ See section 6(1).

⁷⁶ See section 6(3).

⁷⁷ See section 7(1).

⁷⁸ See section 8(3).

⁷⁹ See section 9(3).

Schedule Dictionary

Section 3

environmental harm see *Environmental Protection Act 1994*, schedule 4.

environmental nuisance see *Environmental Protection Act 1994*, schedule 4.

land see *Local Government Act 2009*, schedule 4.

local government controlled area see *Local Law No.1 (Administration) 2011*, schedule 1.

occupier see *Local Government Act 2009*, schedule 4.

owner see *Local Government Act 2009*, schedule 4.

road see *Local Law No.1 (Administration) 2011*, schedule 1.

traffic see *Transport Operations (Road Use Management) Act 1995*, schedule 4.

trafficable surface, of a road, means any part of a road which is open to, or used by, traffic.

vehicle crossing means facilities provided for the purpose of vehicles making entry or exit at, or substantially at, right angles between the trafficable surface of a road and land adjoining or adjacent to the road and may include an invert, pipe or driveway at, or adjacent to, the boundary of the land.

This and the preceding 8 pages bearing my initials is a certified copy of the consolidated version of *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Local Law No. 5 (Parking) 2011

Meeting Date: 18 June 2019

Attachment No: 4

Local Law No. 5 (Parking) 2011

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 5 (Parking) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to complement the regulated parking provisions in chapter 5, part 6 of the TORUM Act by providing for the exercise of local government powers authorised under that Act.
- (2) The purpose is achieved by providing for—
 - (a) the establishment of traffic areas and off-street regulated parking areas; and
 - (b) lawfully parking contrary to an indication on an official traffic sign with a parking permit or in a loading zone with a commercial vehicle identification label; and
 - (c) the prescribing of infringement notice penalties for minor traffic offences.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Relationship with other laws⁸⁰

This local law is—

- (a) in addition to, and does not derogate from, the TORUM Act, chapter 5, part 6⁸¹; and
- (b) to be read with *Local Law No. 1 (Administration) 2011*.

Part 2 Declaration of parking areas for the TORUM Act

5 Declaration of traffic areas

- (1) The local government may, by subordinate local law, declare the whole or a part of its area to be a traffic area.^{82 83}
- (2) The subordinate local law must define the boundaries of the traffic area.

⁸⁰ This local law and any subordinate local law made under it do not apply to the extent of any inconsistency with a law of the State or the Commonwealth. See the Act, section 27.

⁸¹ A local government cannot regulate parking on a State-controlled road unless the written agreement of the chief executive has been obtained under the TORUM Act, section 101(1)(b).

⁸² See the TORUM Act, sections 102(3)(a) and 102(2)(b).

⁸³ The TORUM Act, section 69(4), provides: "A local government may install or remove an official traffic sign that will result in a change to the management of a local government road, of a kind mentioned in the *Transport Planning and Coordination Act 1994*, section 8D(1), only if the chief executive has approved the proposed change under the *Transport Planning and Coordination Act 1994*, section 8D."

6 Declaration of off-street regulated parking areas

- (1) The local government may, by subordinate local law, declare an area of land controlled⁸⁴ by the local government, including structures on the land, as an off-street regulated parking area.⁸⁵
- (2) The subordinate local law must define the boundaries of the off-street regulated parking area.

Part 3 Parking contrary to parking restriction

7 Parking permits⁸⁶

- (1) The local government may issue a parking permit.⁸⁷
- (2) The local government may prescribe, by subordinate local law, the persons that may be issued with a permit mentioned in subsection (1).
- (3) A vehicle may be parked contrary to an indication on an official traffic sign regulating parking by time or payment of a fee, if the vehicle displays—
 - (a) a parking permit for people with disabilities;⁸⁸ or
 - (b) a permit issued by the local government and valid for the place and time at which the vehicle is parked.

8 Commercial vehicle identification labels⁸⁹

- (1) The local government may, on application, approve the issue a commercial vehicle identification label.⁹⁰
- (2) The local government may, by subordinate local law, prescribe vehicles that may be issued with a commercial vehicle identification label.⁹¹

⁸⁴ See the TORUM Act, section 104(2).

⁸⁵ See the TORUM Act, sections 104(1)(b) and 101(1)(c).

⁸⁶ See the TORUM Act, section 103(4).

⁸⁷ *Local Law No. 1 (Administration) 2011*, section 5(b), provides that a **prescribed activity** includes “an activity for which a Local Government Act authorises the local government to grant an approval but does not make any other provision, except provision that is consistent with this part, about the process for the local government to grant the approval.” Section 7 of *Local Law No. 1 (Administration) 2011* provides that an approval required for a prescribed activity must be obtained under part 2 of *Local Law No. 1 (Administration) 2011*. As a result, an approval for a parking permit must be obtained under that part.

⁸⁸ Parking permits for people with disabilities are issued under the TORUM Act, section 111, by the chief executive of the department administering the TORUM Act.

⁸⁹ See the TORUM Act, section 103(5).

⁹⁰ *Local Law No. 1 (Administration) 2011*, section 5(b), provides that a **prescribed activity** includes “an activity for which a Local Government Act authorises the local government to grant an approval but does not make any other provision, except provision that is consistent with this part, about the process for the local government to grant the approval.” Section 7 of *Local Law No. 1 (Administration) 2011* provides that an approval required for a prescribed activity must be obtained under part 2 of *Local Law No. 1 (Administration) 2011*. As a result, an approval for a commercial vehicle identification label must be obtained under that part.

⁹¹ The TORUM Act already defines certain vehicles designed for the carriage of goods as commercial vehicles – see schedule 4, definition, **commercial**

- (3) A vehicle displaying a current commercial vehicle identification label may be lawfully parked in a loading zone.⁹²

Part 4 Minor traffic offence infringement notice penalties

9 Minor traffic offence infringement notice penalties

- (1) The local government may prescribe, by subordinate local law, an amount (in penalty units) as the infringement notice penalty for a minor traffic offence.⁹³
- (2) However, a subordinate local law under subsection (1) may not prescribe an amount greater than 5 penalty units.

Part 5 Miscellaneous

10 Subordinate local laws

The local government may make subordinate local laws about—

- (a) the declaration of traffic areas;⁹⁴ or
- (b) the declaration of off-street regulated parking areas;⁹⁵ or
- (c) the persons who may be issued with a permit to park a vehicle contrary to an indication on an official traffic sign;⁹⁶ or
- (d) vehicles that may be issued with a commercial vehicle identification label;⁹⁷ or
- (e) infringement notice penalty amounts that apply for minor traffic offences.⁹⁸

vehicle.

⁹² See also *Transport Operations (Road Use Management-Road Rules) Regulation 1999*, section 179, relating to drivers who are permitted to stop in a loading zone.

⁹³ See the TORUM Act, section 108(1). The maximum penalty for an offence relating to paid parking is 40 penalty units under the TORUM Act, section 106(1). The maximum penalty for other parking offences is 40 penalty units under the TORUM Act, section 74.

⁹⁴ See section 5(1).

⁹⁵ See section 6.

⁹⁶ See section 7(2).

⁹⁷ See section 8(2).

⁹⁸ See section 9(1).

Schedule Dictionary**Section 3**

commercial vehicle identification label means a label of the type depicted in the Manual of Uniform Traffic Control Devices as a commercial vehicle identification label.

indication, on an official traffic sign, see TORUM Act, schedule 4.

infringement notice penalty means an infringement notice fine under the *State Penalties Enforcement Act 1999*.

minor traffic offence see TORUM Act, section 108(4).

official traffic sign see TORUM Act, schedule 4.

off-street regulated parking area see TORUM Act, schedule 4.

parking permit for people with disabilities see TORUM Act, schedule 4.

traffic area see TORUM Act, schedule 4.

TORUM Act means the *Transport Operations (Road Use Management) Act 1995*.

This and the preceding 4 pages bearing my initials is a certified copy of the consolidated version of *Local Law No. 5 (Parking) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Local Law No. 7 (Aerodromes) 2011

Meeting Date: 18 June 2019

Attachment No: 5

Local Law No. 7 (Aerodromes) 2011

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Part 1 Preliminary

1 Short title

This local law may be cited as *Local Law No. 7 (Aerodromes) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this local law is to regulate the use and operation of aerodromes controlled by the local government.
- (2) The purpose is to be achieved by—
 - (a) protecting the public against risk of injury and the community against damage; and
 - (b) ensuring that activities at the aerodromes are undertaken in an orderly and safe manner and do not create a hazard to public health or a threat to property; and
 - (c) controlling the public use of the aerodromes to the extent that the use is consistent with the rights, expectations and safety of the local community; and
 - (d) protecting the obstacle limitation surfaces (OLS) and minimising hazards to aircraft; and
 - (e) providing for—
 - (i) fees and charges for the rights described in paragraph (c); and
 - (ii) the powers and authority of persons authorised by the local government for the purposes of this local law; and
 - (iii) penalties for breaches of the local law; and
 - (iv) liability arising out of use of the aerodromes.

3 Definitions—the dictionary

The dictionary in the schedule defines particular words used in this local law.

4 Application of local law

- (1) This local law is in addition to, and does not derogate from—
 - (a) laws regulating the use or development of land in the area in which the local government has jurisdiction; or
 - (b) civil aviation laws; or
 - (c) civil aviation safety laws.
- (2) This local law is to be read with *Local Law No. 1 (Administration) 2011*.

Part 2 Use and operation of an aerodrome

5 Use by aircraft

- (1) Subject to civil aviation laws and civil aviation safety laws the local government may, by means of signs, notices or markers placed on an aerodrome or a part of an aerodrome, regulate the use and operation of the aerodrome.
- (2) For example, under subsection (1), the local government may—
 - (a) exclude from the aerodrome, any particular aircraft or type or class of aircraft or activity where the local government is of the reasonable opinion that the operation of the aircraft or type or class of aircraft or activity is unduly noisy, dangerous or not in the public interest; and
 - (b) subject any activity on or based on the aerodrome to such conditions as the local government considers necessary and desirable including, but not restricted to, conditions about the hours and duration of operation of the activity; and
 - (c) designate a part of the aerodrome where a particular activity may or may not be carried on; and
 - (d) during specified periods or at specified times, restrict the use by aircraft of the aerodrome for—
 - (i) departures; or
 - (ii) landings; or
 - (iii) servicing; or
 - (iv) embarkment of passengers; or
 - (v) disembarkment of passengers; or
 - (vi) transport of freight; or
 - (vii) any combination of paragraphs (i) to (vi); and
 - (e) restrict the use by aircraft of the aerodrome for training operations on any night or on every night during hours prescribed by the local government; and
 - (f) prohibit access to, or the use of, the whole or part of the aerodrome by persons, aircraft or vehicles during specified periods or at specified times.
- (3) Where an aircraft is used, or an activity is carried on, in contravention of subsection (1), an authorised person may give a written notice to a person who is a relevant person in relation to the aircraft or activity, directing the person, within a time specified in the notice—
 - (a) to cease the use of the aircraft or activity; or
 - (b) to remove the aircraft from the aerodrome; or
 - (c) to remove the aircraft or activity to an area specified by the authorised person in the notice; or
 - (d) to pay prescribed fees; or
 - (e) to pay fees and charges imposed under section 14; or
 - (f) any combination of paragraphs (a) to (e).

- (4) A relevant person to whom a direction is given under subsection (3) must comply with the direction.

Maximum penalty for subsection (4) (other than where the direction is given under subsection (3)(d) or (e)) — 50 penalty units.

6 Aircraft parking

- (1) The local government may, by means of signs, notices or markers placed on an aerodrome—
- (a) designate a part of the aerodrome to be an area for the parking of aircraft; and
 - (b) if the part is not to be used for the parking of all aircraft —specify the kind of aircraft that may be parked in the part; and
 - (c) specify the conditions (if any), including conditions relating to the times and periods during which aircraft may be parked in the part.

- (2) A person must not park an aircraft on an aerodrome—
- (a) except in the part of the aerodrome designated under subsection (1) to be an area in which an aircraft, or a particular kind of aircraft, may be parked; and
 - (b) except in accordance with any conditions specified under subsection (1)(c).

Maximum penalty for subsection (2) — 50 penalty units.

- (3) Where an aircraft is parked in contravention of subsection (2), an authorised person may give a written notice to a person who is a relevant person in relation to the aircraft, directing the person to—
- (a) remove the aircraft from the aerodrome; or
 - (b) remove the aircraft to an area specified by the authorised person in the notice.

- (4) A relevant person to whom a direction is given under subsection (3) must comply with the direction.

Maximum penalty for subsection (4) — 50 penalty units.

- (5) If a person fails to comply with a direction given under subsection (3) without reasonable and lawful excuse, an authorised person may, with such assistance and reasonable force as is necessary, remove the aircraft as required by the direction.

- (6) An action does not lie against the local government, an authorised person or any other officer, employee or agent of the local government acting in the course of his or her employment, for or in respect of—

- (a) loss of, or damage to, an aircraft during its removal under subsection (5); or
- (b) loss of, or damage to, an aircraft so removed while it is in the custody, possession or control of the local government, an authorised person or any other officer, employee or agent of the local government.

- (7) Subsection (6) does not apply to loss or damage wilfully or negligently caused by the local government, an authorised person or any other officer, employee or agent of the local government.

7 General use by vehicles within an aerodrome

- (1) The local government may determine and include or notify, by means of permanently displayed signs or notices, with or without reference to lanes or marked areas and positions within an aerodrome, areas in which a person is, or is not, permitted to park a vehicle or cause a vehicle to stand.
- (2) Where a sign or notice of a kind referred to in subsection (1) is displayed on an aerodrome, the sign or notice is, unless the contrary is proved, deemed to be in accordance with a determination under this local law and to be duly displayed in accordance with this local law.
- (3) A person must not park a vehicle, or cause a vehicle to stand, in contravention of the terms of a sign or notice displayed under subsection (1).

Maximum penalty for subsection (3) — 20 penalty units.

8 Use of vehicles on an airside area

- (1) A person must not use a vehicle on an airside area unless authorised by an approval (a *vehicle approval*).
- (2) This section does not apply to the use of an emergency vehicle on an airside area by emergency personnel who are—
 - (a) responding to an emergency; and
 - (b) taking reasonable care.
- (3) For the purposes of *Local Law No. 1 (Administration) 2011*, section 5(b), it is a prescribed activity to use a vehicle on an airside area.

9 Use of buildings and facilities

- (1) A person must not—
 - (a) use any building or other structure, convenience or amenity provided on an aerodrome for any purpose other than the purpose for which it is provided or intended; or
 - (b) destroy, remove, obliterate, deface, alter or otherwise interfere with any barrier, notice, sign or marking designed or intended for direction, guidance, warning or information of persons using an aerodrome; or
 - (c) deliberately or recklessly damage or destroy any building, fence, structure, ground work, improvement or other property of the local government at an aerodrome.

Maximum penalty for each of paragraphs (a), (b) and (c) — 50 penalty units.

- (2) The local government may, by subordinate local law, prescribe conditions for the use of buildings, facilities and amenities at an aerodrome.
- (3) A person must comply with a condition prescribed for the use of buildings, facilities or amenities at an aerodrome by subordinate local law under subsection (2).

Maximum penalty — 100 penalty units.

10 Safety requirements

- (1) The local government may, by subordinate local law, prescribe procedures to be

complied with to preserve and enhance safety at an aerodrome.

- (2) For example, the local government may—
- (a) prescribe procedures for—
 - (i) the protection of members of the public at the aerodrome; and
 - (ii) the protection of infrastructure at the aerodrome; and
 - (iii) ensuring aircraft which use the aerodrome are operated in compliance with civil aviation laws and civil aviation safety laws; and
 - (b) prescribe safety procedures for—
 - (i) the fuelling of aircraft; and
 - (ii) the movement of passengers to and from aircraft; and
 - (iii) aircraft servicing and the movement of aircraft on an aircraft stand.
- (3) A person must comply with a safety procedure prescribed by subordinate local law under subsection (1).

Maximum penalty for subsection (3) — 100 penalty units.

11 Conduct of persons on the airside area of an aerodrome

- (1) A person must not, without reasonable and lawful authority or excuse—
- (a) enter or remain on an airside area; or
 - (b) bring or leave any property or dangerous goods or materials on an airside area.

Maximum penalty for each of paragraphs (a) and (b) — 100 penalty units.

- (2) An authorised person may, with such assistance and reasonable force as is necessary, remove a person, property, goods or materials from an aerodrome if —
- (a) the person contravenes subsection (1); or
 - (b) the property, goods or materials are found in contravention of subsection (1)(b).
- (3) A person must not smoke or do any act to procure a naked flame on an airside area.

Maximum penalty for subsection (3)—20 penalty units.

- (4) A passenger or intending passenger of an aircraft must, whilst on an airside area, obey the directions of an authorised person as to the passenger's conduct and movements.

Maximum penalty for subsection (4) — 10 penalty units.

- (5) A person lawfully entering or being on an airside area must—
- (a) behave in a proper manner and so as not to cause annoyance or inconvenience to any other person lawfully on the airside area; and
 - (b) obey any direction reasonably given to the person by an authorised person for the purpose of preserving order or promoting or facilitating the proper use and enjoyment of the aerodrome.

Maximum penalty for each of paragraphs (a) and (b) — 10 penalty units.

12 Conduct of persons on any part of an aerodrome

- (1) For the purposes of this section a person is an **undesirable person** if the person, whether or not a passenger or intending passenger of an aircraft, is considered by an authorised person on reasonable grounds to be —
 - (a) intoxicated or so under the influence of intoxicants or drugs as to make the person's presence on an aerodrome dangerous to themselves or to other persons; or
 - (b) indulging in unruly, obscene, offensive or threatening behaviour towards another person.
- (2) An authorised person may direct an undesirable person—
 - (a) not to enter an aerodrome or a specified part of an aerodrome; or
 - (b) if already upon the aerodrome — to leave the aerodrome or a specified part of the aerodrome and not to return on the same day.
- (3) The person to whom a direction is given under subsection (2) must comply with the direction.

Maximum penalty for subsection (3) — 20 penalty units.

- (4) An authorised person may use reasonable force to —
 - (a) prevent an undesirable person from entering an aerodrome; or
 - (b) remove an undesirable person from an aerodrome.
- (5) A person must not, without the authority of an authorised person, discharge a firearm—
 - (a) on or over any part of an aerodrome; or
 - (b) adjacent to an aerodrome in such a manner that the projectile discharged from the firearm travels over, or is likely to travel over, any part of the aerodrome.

Maximum penalty for subsection (5) — 100 penalty units.

- (6) A person must not bring, or permit to stray, on to an aerodrome, an animal without the prior approval of an authorised person.⁹⁹

Maximum penalty for subsection (6) — 20 penalty units.

- (7) An animal unlawfully on an aerodrome may be removed from the aerodrome by an authorised person, or by any person under the direction of an authorised person.
- (8) An animal removed from an aerodrome under subsection (7) may be impounded at an animal pound established by the local government.
- (9) Subject to compliance with section 11(3), a person must not light a fire on an aerodrome without the prior approval of an authorised person¹⁰⁰.

Maximum penalty for subsection (9) — 50 penalty units.

13 Special events

⁹⁹ This subsection is subject to the provisions of the *Guide, Hearing and Assistance Dogs Act 2009*.

¹⁰⁰ A person may smoke on an aerodrome other than in those areas mentioned in section 11(3).

The local government may, on any special occasion, special event or other event of public interest at an aerodrome—

- (a) make particular arrangements for the control of the aerodrome; and
- (b) charge fees for participation and admission to the occasion or event; and
- (c) impose conditions for the use of the aerodrome for the occasion or event as the local government considers appropriate in the circumstances.

Part 3 Fees and charges

14 Fees and charges

- (1) The local government may impose fees and charges for each and every right of use of an aerodrome¹⁰¹, including charges for leasehold areas within an aerodrome.

Examples—

Charges may be imposed for landing at an aerodrome, or for parking or storing aircraft on the aerodrome, or for the number of embarking passengers (i.e. so-called “passenger charges”).

- (2) All persons who use an aerodrome in a manner for which a fee or charge is imposed under subsection (1) are jointly and severally liable for the payment of the fees and charges.
- (3) The persons who use an aerodrome in relation to an aircraft include, without limitation—
- (a) the relevant person for the aircraft; and
 - (b) the operator of the aircraft; and
 - (c) the owner of the aircraft.
- (4) Where a fee or charge imposed by the local government under subsection (1) is calculated by reference to the number of passengers carried on an aircraft, the local government may permit the owner of the aircraft to furnish to the local government on a monthly basis particulars of the number of passengers carried on each flight of the aircraft together with the fee or charge imposed under subsection (1).
- (5) The information, fees and charges required to be furnished to the local government under subsection (4) must be furnished to the local government not later than 21 days after the end of the calendar month to which the particulars relate.
- (6) If the owner of an aircraft fails or neglects to furnish to the local government the particulars specified in subsection (4) then, for the purposes of the calculation of fees and charges payable to the local government, each aircraft shall be deemed to have carried a full complement of passengers.
- (7) The local government may, in an appropriate case, waive or partially remit a fee or charge imposed under subsection (1).

¹⁰¹ See section 262(3)(c) of the Act.

Part 4 Prevention of hazards to aircraft

15 Application of part

This part applies to the removal of obstacles and hazards affecting, or likely to affect, the safe operation of aircraft in the vicinity of an aerodrome.

16 Notice to remove hazard

- (1) This section applies if there is, on any land (**relevant land**) adjoining, or in the vicinity of, an aerodrome—
 - (a) a tree penetrating, or through further growth in a short period likely to penetrate, the OLS; or
 - (b) a structure or part of a vehicle penetrating the OLS; or
 - (c) a light exhibited which, by reason of glare or by causing confusion or by interfering with the operation of aircraft, is likely to endanger the safety of aircraft; or
 - (d) a presence of waste foodstuffs which constitute, or are likely to constitute, such an attraction to birds as to create a hazard, or a potential hazard, to aircraft using or operating in the vicinity of the aerodrome.
- (2) An authorised person may give a written notice (a **compliance notice**) to a person, being the owner or occupier of the relevant land or the person apparently in charge of a vehicle to which subsection (1)(b) refers, requiring the person to—
 - (a) in the case of subsection (1)(a) — remove or lop that part of the tree penetrating, or likely to penetrate, the OLS; and
 - (b) in the case of subsection (1)(b) — remove or dismantle, to the extent necessary, the structure or part of the vehicle so that the structure or part does not penetrate the OLS; and
 - (c) in the case of subsection (1)(c) — extinguish the light or shield it to the extent necessary to remove any likely danger to the safety of aircraft operation and refrain from exhibiting the light, or any other light having similar effect, in the future; and
 - (d) in the case of subsection (1)(d) — remove or effectively cover the waste foodstuffs so that the waste foodstuffs do not constitute an attraction to birds.

Examples of paragraph (b)—

1. A structure includes a pole, or television or radio mast.
2. A part of a vehicle includes a crane, jib or height extension apparatus.

17 Application of Local Law No. 1 (Administration) 2011

Section 16 applies subject to section 27 of *Local Law No. 1 (Administration) 2011*.

18 Local government's power to carry out work

If a person to whom a compliance notice is given fails to comply with the notice the local government may, in addition to any penalty imposed under section 27 of

Local Law No. 1 (Administration) 2011, enter the relevant land under section 142 of the Act and perform the work specified in the notice and, in the case of a vehicle, remove the vehicle or carry out work on the vehicle to the extent necessary so that no part of the vehicle penetrates the OLS.

19 Recovery of local government's costs

If the person who failed to comply with a compliance notice—

- (a) is the owner of the relevant land, the amount properly and reasonably incurred by the local government in performing the work is recoverable (together with interest) by the local government under section 142 of the Act; or
- (b) is not the owner of the relevant land, the amount properly and reasonably incurred by the local government is recoverable by the local government as a debt from the person in default (together with interest) under section 142 of the Act.

20 No compensation payable

- (1) The local government is not liable to pay compensation to a person —
 - (a) who is required to comply with a compliance notice and who complies with the notice; or
 - (b) who suffers loss or damage reasonably caused by the local government in performing work under section 18 because of the person's failure to comply with a compliance notice.
- (2) Subsection (1)(b) applies subject to section 147 of the Act¹⁰²

21 Approval of temporary structures, etc.

- (1) The local government may permit a temporary structure or a part of a vehicle to penetrate the OLS for a limited period of time provided proper regard is given to the safe operation of aircraft in the vicinity of an aerodrome during the period for which the permit applies.
- (2) A permit may be granted subject to conditions the local government considers to be reasonably necessary so as not to endanger aircraft safety.
- (3) A person to whom a permit is granted must—
 - (a) not exceed the time limit for which the permit is granted; and
 - (b) ensure that the conditions of the permit are complied with.

Maximum penalty for each of paragraphs (a) and (b) — 100 penalty units.

- (4) For the avoidance of doubt, the activity described in subsection (1) is not a prescribed activity for section 5(b) of *Local Law No. 1 (Administration) 2011*.

Part 5 Authority of authorised person

22 Seizure and detention of dangerous objects

¹⁰² See *Local Government Act 2009*, section 147 (Compensation for damage or loss caused).

- (1) An authorised person may seize an object from a person on an aerodrome if—
 - (a) the object is dangerous; or
 - (b) the person uses or has used the object in a dangerous way.
- (2) If an authorised person seizes an object under subsection (1), the local government must deal with the object in accordance with section 37 of *Local Law No. 1 (Administration) 2011*.

23 Removal of persons from an aerodrome

- (1) Any person found on an aerodrome committing an offence against this local law may be directed by an authorised person to leave the aerodrome.
- (2) A person must comply with a direction given under subsection (1).
Maximum penalty for subsection (2)—20 penalty units.
- (3) An authorised person may—
 - (a) remove or cause to be removed from an aerodrome any person who has failed to comply with a direction of an authorised person given under subsection (1); and
 - (b) for the purposes of the removal — use reasonable force.

24 Exclusion from aerodromes

A person who has been directed to leave an aerodrome under section 23(1) or who has been removed from an aerodrome under section 23(3) must not re-enter the aerodrome on the same day.

Maximum penalty—20 penalty units.

Part 6 Miscellaneous

25 Aerodrome damage

Whether or not any person is prosecuted under section 9(1)(b) or (c), the local government may recover the cost of repair or replacement of a thing which is damaged, destroyed or interfered with contrary to section 9(1)(b) or (c) as a debt owing by the person who caused the damage, destruction or interference.

26 Service of notices

- (1) If this local law requires or permits a notice which involves the use of an aircraft to be served on a person, the notice may be served—
 - (a) on an individual—
 - (i) by delivering it to the person personally; or
 - (ii) by leaving it at, or by sending it by post, facsimile or similar facility to, the address of the place of residence or business of the person last known to the person serving the notice; or
 - (b) on a body corporate — by leaving it at, or sending it by post, facsimile or similar facility to, the head office, a registered office or a principal office of the body corporate; or

- (c) if the person or body corporate cannot be found or the address of the person or body corporate is unknown to the person serving the notice — by securely placing or attaching the notice, addressed to the person or body corporate, as the case may be, without further description, on or to the aircraft in a conspicuous position.
- (2) If a notice is served under subsection (1)(c), it is taken to have been served on the person or body corporate, as the case may be, on the day it is placed on or attached to the aircraft.

27 Subordinate local laws

The local government may make subordinate local laws about —

- (a) the conditions for the use of buildings, facilities and amenities at an aerodrome¹⁰³; and
- (b) the procedures to be complied with to preserve and enhance safety at an aerodrome¹⁰⁴ and
- (c) other matters about which this local law specifically provides for the making of subordinate local laws.

¹⁰³ See section 9(2).

¹⁰⁴ See section 10(1).

Schedule Dictionary

section 3

aerodrome means any aerodrome within the meaning of the *Civil Aviation Act 1988 (Cwlth)*, section 3 but only if the aerodrome is—

- (a) located in the area; and
- (b) owned by or under the control of the local government.

aircraft has the meaning given in the *Civil Aviation Act 1988 (Cwlth)*, section 3.

aircraft stand means an area at an aerodrome designated by the local government for the parking of aircraft including, but not limited to, the parking of aircraft for the purposes of loading and unloading freight, mail and cargo, and for the embarkation or disembarkation of passengers.

airside area means any area of an aerodrome where aircraft movements are conducted, including—

- (a) all aprons and areas on the operational side of any security fencing; and
- (b) areas designated as such by any signage; and
- (c) any area provided for the storage of aviation fuel; and
- (d) any area set aside for radio navigation aids, communication, or ground equipment.

area means the local government area of the local government.

authorised person means a person appointed by the local government to be an authorised person for this local law.

civil aviation laws means a law made by or under an Act enacted by the Commonwealth Parliament in relation to the use and operation of an aerodrome.

civil aviation safety laws means a law made by or under an Act enacted by the Commonwealth Parliament in relation to aircraft safety at, or in the vicinity of, an aerodrome.

compliance notice see section 16(2).

emergency personnel means—

- (a) an employee, contractor or volunteer of an ambulance, rescue or fire service or a State or Territory emergency service who is responding to an emergency; or
- (b) an officer or employee of the Queensland Police Service; or
- (c) a member of the Defence Force who is responding to an event or threat of unlawful interference with aviation.’.

emergency vehicle means a vehicle driven by a person who is —

- (a) an emergency worker; and
- (b) driving the vehicle in the course of his or her duties as an emergency worker.

local government area has the meaning given in the Act.

obstacle limitation surface or **OLS** —

- (a) means the series of surfaces established by the local government in the air space around an aerodrome which limit the height above ground level of objects surrounding the aerodrome; and
- (b) an object which projects through the OLS for an aerodrome becomes an obstacle to the operation of aircraft at the aerodrome.

operator means a person, organisation or enterprise engaged in, or offering to engage in, the operation of an aircraft, including all general movements of the aircraft.

owner in relation to—

- (a) a vehicle means—
 - (i) in the case of a vehicle registered under a law of a State or territory relating to the registration of vehicles — the person in whose name the vehicle is registered; or
 - (ii) in the case of any other vehicle —every joint owner or part owner of the vehicle and any person who has lawful possession and use of the vehicle under or subject to a hire–purchase agreement or a bill of sale at the material time; and
- (b) an aircraft includes—
 - (i) each lessee, lessor or charterer of the aircraft; and
 - (ii) the holder of a certificate of registration for the aircraft; and
 - (iii) any person who is or appears to be in control of the aircraft.

prescribed fee has the meaning given in *Local Law No. 1 (Administration) 2011*.

relevant land see section 16(1).

relevant person means—

- (a) in relation to an aircraft—
 - (i) the owner, operator, hirer or pilot in command of the aircraft; or
 - (ii) the person apparently in charge of the aircraft at the time a direction is given to the person under this local law; or
- (b) in relation to an activity, the person apparently in charge of organising the activity at the time a direction is given to the person under this local law.

the Act means the *Local Government Act 2009*.

undesirable person see section 12.

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

vehicle approval see section 8(1).

version of *Local Law No. 7 (Aerodromes) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 2 (Animal Management) 2011

Meeting Date: 18 June 2019

Attachment No: 6

Subordinate Local Law No. 2 (Animal Management) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 2 (Animal Management) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 2 (Animal Management) 2011*, which provides for regulation of the keeping and control of animals within the local government's area.
- (2) The purpose is to be achieved by providing for—
 - (a) the circumstances in which the keeping of animals is prohibited or requires approval; and
 - (b) requirements for keeping animals, including minimum standards, mandatory desexing, proper enclosures, koala conservation and identification; and
 - (c) the control of animals in public places; and
 - (d) matters regarding the impounding of animals and the sale or disposal of impounded animals; and
 - (e) the conditions to be complied with by persons who offer animals, or a particular species of animal, for sale; and
 - (f) the declaration of a species of animal as a declared dangerous animal and the criteria for declaration of a specific animal as a declared dangerous animal.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 2 (Animal Management) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 13 defines particular words used in this subordinate local law.

Part 2 Keeping of animals

5 Circumstances in which keeping animals prohibited—Authorising local law, s 5(1)

For section 5(1) of the authorising local law, keeping an animal or animals mentioned in column 1 of schedule 1 is prohibited in the circumstances described in column 2 of schedule 1.

6 Circumstances in which keeping animals requires approval—Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in the circumstances described in column 2 of schedule 2.

7 Animals that must be desexed—Authorising local law, s 7

For section 7 of the authorising local law, an animal of the species or breed mentioned in column 1 of schedule 3 must be desexed once it reaches the age specified in column 2 of schedule 3 except in the circumstances described in column 3 of schedule 3.

8 Minimum standards for keeping animals—Authorising local law, s 8(1)

- (1) For section 8(1) of the authorising local law, the minimum standards for the keeping of animals are set out in schedule 4.
- (2) For section 8(1) of the authorising local law, column 2 of schedule 5 sets out the minimum standards for keeping an animal of the species or breed mentioned in column 1 of schedule 5.

9 Identification for cats and dogs in certain circumstances—Authorising local law, s 9

For section 9 of the authorising local law, the identification required for a cat or dog that is at a place other than the address stated in the registration notice for the cat or dog is the registration device mentioned in section 12(3) of the *Animal Management (Cats and Dogs) Act 2008*.

Part 3 Control of animals

10 Public places where animals are prohibited—Authorising local law, s 10(1)

For section 10(1) of the authorising local law, the species or breeds of animals mentioned in column 2 of schedule 6 are prohibited in the public places described in column 1 of schedule 6.

11 Dog off-leash areas—Authorising local law, s 11(1)

For section 11(1) of the authorising local law, the areas described in schedule 7 are designated as dog off-leash areas.

12 Animal faeces in public places—Authorising local law, s 13

For section 13 of the authorising local law, no other species of animal is prescribed as an animal whose faeces must be removed from a public place and disposed of in a sanitary way.

13 Requirements for proper enclosures for keeping animals—Authorising local law, s 14(2)

For section 14(2) of the authorising local law, column 2 of schedule 8 sets out the requirements for proper enclosures for an animal of the species or breed mentioned in column 1 of schedule 8.

14 Koala conservation—Authorising local law, s 15

- (1) For section 15(1) of the authorising local law, schedule 9 sets out the requirements for keeping a dog on land that is within a koala area.
- (2) For section 15(4) of the authorising local law, each area described in schedule 10 is designated as a koala area.

15 Criteria for declared dangerous animals—Authorising local law, s 19(1)

For section 19(1) of the authorising local law, the criteria for declaring an animal as a declared dangerous animal are set out in schedule 11.

Part 4 Seizure, impounding or destruction of animals**16 Place of care for impounded animals—Authorising local law, s 24**

For section 24 of the authorising local law, the place of care for animals impounded by the local government will be operated by the local government.

17 Animals that may be disposed of without auction or tender—Authorising local law, s 32(1)(b)

For section 32(1)(b) of the authorising local law, the species, breeds or classes of animal that may be sold by private agreement, destroyed or disposed of in some other way are the following—

- (a) dogs; and
- (b) cats; and
- (c) other domestic animals; and
- (d) stock.

18 Register of impounded animals—Authorising local law, s 33(3)

For section 33(3) of the authorising local law, the register of impounded animals will be kept at the local government's public office.

Part 5 Appeals against destruction orders

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 6 Miscellaneous

19 **Conditions regarding sale of animals—Authorising local law, s 42(1)**

For the purposes of section 42(1) of the authorising local law, persons who offer for sale an animal of a species or breed mentioned in column 1 of schedule 12 must comply with the conditions set out in column 2 of schedule 12.

20 **Animals excluded from application of the local law—Authorising local law, schedule**

For the purposes of the definition of “*animal*” in the schedule to the authorising local law, animals of the fish species are excluded from the application of the authorising local law.

21 **Species that are declared dangerous animals—Authorising local law, schedule**

For the purposes of the definition of “*declared dangerous animal*” in the schedule to the authorising local law, no species of animal is declared to be a declared dangerous animal.

22 **Prescribed period for reclaiming animals—Authorising local law, schedule**

For the purposes of the definition of “*prescribed period*” in the schedule to the authorising local law, the period within which an animal may be reclaimed is—

- (a) if the animal is a horse, cow, registered cat, registered dog or other identifiable animal—5 days; and
- (b) if the animal is an unregistered cat, unregistered dog or an animal which is not an identifiable animal—3 days.

Schedule 1 Prohibition on keeping animals

Section 5

	Column 1 Animal	Column 2 Circumstances in which keeping of animal or animals is prohibited
1	Dog	<p>(a) More than 2 dogs over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the dogs on the premises—</p> <ul style="list-style-type: none"> (i) a multiple dog approval; or (ii) a kennel approval; or (iii) a pet shop approval. <p>(b) However, the prohibition in paragraph (a) does not apply to the keeping of a working dog on premises if the premises are rural land or are in the rural zone in the planning scheme of the local government.</p> <p>(c) Any of the following breeds, and a cross breed of any of the following breeds, anywhere in the local government area—</p> <ul style="list-style-type: none"> (i) American pit bull terrier or pit bull terrier; (ii) dogo Argentino; (iii) fila Brasileiro; (iv) Japanese tosa; (v) Perro de Presa Canario or Presa Canario.
2	Cat	<p>More than 2 cats over the age of 12 weeks on premises unless the local government has granted, in respect of the keeping of the cats on the premises—</p> <ul style="list-style-type: none"> (a) a multiple cat approval; or (b) a cattery approval; or (c) a pet shop approval.
3	Horse or donkey (other than a racehorse or a stallion)	A horse or donkey (other than a racehorse or a stallion) on premises with an area less than 2,000m ² .
4	Cow	A cow on premises with an area less than 2,000m ² .
5	Bull	A bull on premises with an area less than 10,000m ² .
6	Birds	<p>(a) More than 20 birds of the same or different species on premises with an area less than 801m².</p> <p>(b) More than 40 birds of the same or different species on</p>

		premises with an area between 801m ² and 2,500m ² .
7	Pig (including a miniature pig)	A pig (including a miniature pig) on premises with an area less than 8,000m ² .
8	Ostrich or emu	An ostrich or emu on premises with an area less than 4,000m ² .
9	Racing pigeons	1 or more racing pigeons on premises with an area less than 800m ² .
10	Bees	A hive on premises with an area less than 800m ² ; (see Code of Practice for Urban Bee Keeping in Queensland 1998).
11	Racing greyhound (including a whippet)	More than 2 racing greyhounds over the age of 12 weeks on premises with an area less than 800m ² .
12	Racehorse	A racehorse on premises with an area less than 800m ² .
13	Stallion	A stallion on premises with an area less than 40,000m ² .
14	European rabbit	A European rabbit on premises in the local government area.

- (1) A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals (each an ***exempt animal***) on premises if—
- (a) the animal or animals were kept on the premises before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2019*; and
 - (b) the keeping of the animal or animals on the premises immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2019* did not contravene any provision of the authorising local law.
- (2) For the avoidance of doubt, if an exempt animal dies or is permanently removed from the premises, subsection (1) does not exempt, from the prohibition prescribed in this schedule, the keeping of any animal which is a replacement for the exempt animal.

Schedule 2 Requirement for approval to keep animal

Section 6

	Column 1 Species or breed of animal	Column 2 Circumstances in which keeping of animal or animals requires approval¹⁰⁵
1	Dog	<p>(a) 3 or more dogs over the age of 12 weeks (other than a working dog or a racing greyhound) —</p> <p>(i) are kept on premises; and</p> <p>(ii) the keeping of the dogs on the premises satisfies the criteria for the grant of a multiple dog approval.</p> <p>(b) 1 or more dogs on non-residential premises.</p> <p>(c) A guard dog on any premises.</p> <p>(d) A dog kept on residential premises—</p> <p>(i) temporarily; but</p> <p>(ii) for longer than 1 month.</p> <p>(e) 1 or more dogs kept in circumstances which require the grant of a kennel approval.</p> <p>(f) 1 or more dogs kept in circumstances which require the grant of a pet shop approval.</p>
2	Cat	<p>(a) 3 or more cats over the age of 12 weeks—</p> <p>(i) are kept on premises; and</p> <p>(ii) the keeping of the cats on the premises satisfies the criteria for the grant of a multiple cat approval.</p> <p>(b) 1 or more cats kept in circumstances which require the grant of a cattery approval.</p> <p>(c) 1 or more cats kept in circumstances which require the grant of a pet shop approval.</p>
3	Horse or donkey (other than a racehorse or a stallion)	<p>(a) More than 1 animal to which this item 3 applies on premises with an area less than 20,000m².</p> <p>(b) Subject to paragraph (a), if the density of the animals to which this item 3 applies kept on the premises is greater than 1 animal per 2,000m².</p>
4	Cow	More than 1 cow on premises, but excluding premises

¹⁰⁵ See *Local Law No.1 (Administration) 2011* and *Subordinate Local Law No.1.5 (Administration) 2011* in relation to the requirements and processes for approvals (e.g. form of application for approval, documents and materials that must accompany applications, criteria for granting approval, conditions that must be imposed on approvals, conditions that will ordinarily be imposed on approvals, term of approval, third party certification of applications).

		within an urban area, unless the density of the cows kept on the premises is less than 1 cow per 2,000m ² .
5	Bull	More than 1 bull on premises with an area not less than 10,000m ² .
6	Birds other than nuisance birds	<p>(a) More than 10, but not more than 20, birds of the same or different species on premises with an area less than 801m².</p> <p>(b) More than 20, but not more than 40, birds of the same or different species on premises with an area between 801m² and 2,500m².</p>
7	Nuisance bird	1 or more nuisance birds on premises with an area less than 20,000m ² .
8	Pig (including a miniature pig)	<p>(a) More than 1 pig on premises with an area less than 20,000m² unless—</p> <p>(i) the keeping of the pigs on the premises is authorised by a development approval; or</p> <p>(ii) the premises are situated on rural land and the responsible person for the pigs is a primary producer.</p> <p>(b) Subject to paragraph (a), unless the density of the pigs kept on the premises is less than 1 pig per 4,000m².</p>
9	Sheep, goat, or camelid	<p>(a) More than 1 animal to which this item 9 applies on premises with an area less than 20,000m².</p> <p>(b) Subject to paragraph (a), if the density of the animals to which this item 9 applies kept on the premises is greater than 1 animal per 2,000m².</p>
10	Racing pigeons	1 or more racing pigeons on premises with an area of 800m ² or more.
11	Bees	<p>(a) More than 2 hives on premises with an area between 800m² and 1,000m².</p> <p>(b) More than 5 hives on premises with an area between 1,001m² and 2,000m² (see Code of Practice for Urban Bee Keeping in Queensland 1998).</p>
12	Racing greyhound (including a whippet)	<p>(a) 3, 4 or 5 dogs to which this item 12 applies over the age of 12 weeks on premises with an area less than 10,000m².</p> <p>(b) 6, 7 or 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area between 10,000m² and 100,000m².</p> <p>(c) More than 8 dogs to which this item 12 applies over the age of 12 weeks on premises with an area of</p>

		more than 100,000m ² .
13	Racehorse	1 or more racehorses on premises in an urban area.
14	Stallion	1 or more stallions on premises with an area not less than 40,000m ² .

Schedule 3 Requirement to desex animal

Section 7

	Column 1 Species or breed of animal	Column 2 Age at which animal must be desexed	Column 3 Exemptions to the requirement for desexing
1	Dog (other than a menacing dog).	Refer to the exemption in column 3.	<p>The requirement for desexing of dogs does not apply if—</p> <ul style="list-style-type: none"> (a) more than 2 dogs over the age of 12 weeks are kept on premises; and (b) the keeping of the dogs on the premises complies with the requirements of the authorising local law; and (c) the owner of the dogs is— <ul style="list-style-type: none"> (i) a registered breeder; or (i) a recognised animal carer; or (ii) a recognised show keeper.
2	Menacing dog.	The requirement for desexing applies once the menacing dog reaches 12 weeks of age.	No menacing dog is exempt from the requirement to be desexed.
3	Cat.	Refer to exemption in column 3.	<p>The requirement for desexing of cats does not apply if—</p> <ul style="list-style-type: none"> (a) more than 2 cats over the age of 12 weeks are kept on premises; and (b) the keeping of the cats on the premises complies with the requirements of the authorising local law; and (c) the owner of the cats is— <ul style="list-style-type: none"> (i) a recognised breeder; or (ii) a recognised animal carer; or (iii) a recognised show

			keeper.
4	An animal of a species or breed, if the animal is declared to be a dangerous animal under the authorising local law, section 19.	The animal must be desexed by whichever is the later of— (a) the age of 12 weeks; and (b) within 1 month after the animal is declared as a dangerous animal.	The requirement for desexing of the animal does not apply if— (a) desexing is likely to be a serious risk to the health of the animal; and (b) the owner of the animal delivers to the local government, a signed veterinary surgeon's certificate for the animal stating that desexing the animal is likely to be a serious risk to the health of the animal.

Schedule 4 Minimum standards for keeping animals generally

Section 8(1)

- (1) A person who keeps an animal on premises must —
- (a) ensure that the animal is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and
 - (b) ensure that waste waters from enclosures are drained in a nuisance free manner and that run-off is kept off adjoining premises or as otherwise directed by an authorised person; and
 - (c) ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected at least daily and, if not immediately removed from the premises, is kept in a waste container of a kind approved by an authorised person; and
 - (d) ensure that any enclosure in which the animal is kept is properly maintained in—
 - (i) a clean and sanitary condition; and
 - (ii) an aesthetically acceptable condition; and
 - (e) take all reasonable steps to prevent the keeping of the animal on the premises from making a noise or disturbance that, in the opinion of an authorised person, causes a nuisance to 3 or more persons each of whom occupy separate premises, but only if the separate premises are situated as follows—
 - (i) the 3 premises directly opposite the premises on which the animal is ordinarily kept; or
 - (ii) the 4 premises (2 premises on either side of the premises on which the animal is ordinarily kept) on the same road frontage as the premises on which the animal is ordinarily kept; or
 - (iii) the 5 premises in a row which are directly or indirectly to the rear of, or behind, the premises on which the animal is ordinarily kept; and
 - (f) ensure that the area available to the animal kept on the premises is appropriately sized so that the animal can be effectively and comfortably kept; and
 - (g) if the animal is a cat or a dog and the animal is required to be implanted with a PPID—ensure that the cat or dog is implanted with a PPID as required by section 14 of the Animal Management Act; and
 - (h) if the animal is a dog and the dog is required to be registered by the person in the local government area of the local government—comply with section 46 of the Animal Management Act to register the dog in the local government area as required by section 44 of the Animal Management Act; and
 - (i) if the animal is a dog and section 57 of the Animal Management Act applies to the person—comply with section 57(2) of the Animal Management Act to renew the registration for the dog.

- (2) A person who keeps a dog on premises must, if the dog is on heat, comply with the requirements for a proper enclosure for the dog mentioned in schedule 8, item 1, column 2.

Schedule 5 Minimum standards for keeping particular animals

Section 8(2)

	Column 1 Species or breed of animal	Column 2 Minimum standards for keeping animals
1	Racing greyhound (including a whippet)	<p>Each owner of, and responsible person for, a racing greyhound must—</p> <ul style="list-style-type: none"> (a) ensure that the racing greyhound is kept— <ul style="list-style-type: none"> (i) without nuisance; and (ii) if a code of practice for the keeping of racing greyhounds has been approved by the Greyhound Racing Authority of Queensland—in accordance with the requirements of the code of practice; and (b) not bring into, or permit the racing greyhound to be in, a public place unless the racing greyhound is muzzled so as to prevent the racing greyhound from biting.
2	Horse, donkey, cow, bull, ox, deer and other domesticated animals of a similar size and sheep, goat, camel, pig and other animals of a similar size or type	<p>Each owner of, and responsible person for, an animal specified in column 1, item 2 which is kept on premises must ensure that any enclosure in which the animal is kept is not located within a radius of 10m of—</p> <ul style="list-style-type: none"> (a) a residence on adjoining premises; or (b) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or (c) a place used for the storage of food (other than food kept in hermetically sealed packages).
3	Budgerigar, canary cockatiel, galah and other birds of a similar size or type	<p>Each owner of, and responsible person for, a bird specified in column 1, item 3 must ensure that—</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; and (b) the bird is contained within an enclosed cage or aviary; and (c) the bird's food is kept in a properly sealed, vermin proof container; and (d) the cage or aviary in which the bird is kept is thoroughly cleaned at least once each week; and (e) if a code of practice for the keeping of birds of a relevant species has been approved by the local

		<p>government—the bird is kept in accordance with the requirements of the code of practice; and</p> <p>(f) the enclosure in which the bird is kept is not located less than 2m from the side and rear boundaries of the premises.</p>
4	Racing pigeons	<p>Each owner of, and responsible person for, racing pigeons which are kept on premises must ensure that—</p> <p>(a) the racing pigeons are kept without nuisance; and</p> <p>(b) the racing pigeons are contained within an enclosed cage or aviary; and</p> <p>(c) the racing pigeon's food is kept in a properly sealed, vermin proof container; and</p> <p>(d) the cage or aviary in which the racing pigeons are kept is—</p> <p>(i) thoroughly cleaned at least once each week; and</p> <p>(ii) located at the rear of, and behind, any residence situated on the premises; and</p> <p>(e) if a code of practice for the keeping of racing pigeons has been approved by the local government—the racing pigeons are kept in accordance with the requirements of the code of practice; and</p> <p>(f) the enclosure in which the racing pigeons are kept is not located less than 2m from the side and rear boundaries of the premises.</p>
5	Bees	<p>Each owner of, and responsible person for, bees which are kept on premises must ensure that—</p> <p>(a) the bees are kept without nuisance; and</p> <p>(b) any beehive constructed for the purpose of keeping the bees is not located within a radius of 10m of—</p> <p>(i) a residence on adjoining premises; or</p> <p>(ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bees; or</p> <p>(iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and</p> <p>(c) each beehive constructed for the purpose of keeping bees is adequately identified so that the owner's name, address and telephone number are readily ascertainable; and</p> <p>(d) if a code of practice for the keeping of bees has been approved by the local government — the bees are kept in accordance with the requirements of the code of</p>

		practice.
6	Duck, drake, peahen, a nuisance bird, ostrich, emu, guinea fowl and poultry	<p>Each owner of, and responsible person for, a bird identified in column 1 item 6 which is kept on premises must ensure that—</p> <ul style="list-style-type: none"> (a) the bird is kept without nuisance; and (b) the bird is contained within an enclosure; and (c) the bird's food is stored in a properly sealed, vermin proof container; and (d) the enclosure in which the bird is kept is— <ul style="list-style-type: none"> (i) thoroughly cleaned at least once each week; and (ii) if the bird is a domestic chicken, duck, drake, goose or turkey and the bird is kept on premises with an area less than 2,000m²—located at the rear of, and behind, any residence situated on the premises; and (e) the enclosure in which the bird is kept is not located within a radius of 10m of— <ul style="list-style-type: none"> (i) a residence on adjoining premises; or (ii) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the bird; or (iii) a place used for the storage of food (other than food kept in hermetically sealed packages); and (f) the enclosure in which the bird is kept is not located less than 2m from the side or rear boundaries of the premises.

Schedule 6 Prohibition of animals in public places

Section 10

	Column 1 Public place	Column 2 Species or breed of animals prohibited
1	Within 5m of— (a) any playground apparatus which is provided for the use of minors in a public place which is a local government controlled area; or (b) a designated playground area in a public place which is a local government controlled area; or (c) a barbecue or other cooking facility in a public place which is a local government controlled area; or (d) a public place which is a botanical garden or a zoo.	Dogs

Schedule 7 Dog off-leash areas

Section 11

1. Ted Price Park, Gracemere (access via Breakspear Street and Holgate Close) but limited to the area designated as a dog off-leash area by signpost.
2. Duthie Park, North Rockhampton (access via Thozet Road, Marsh Avenue, Lawrence Avenue and Wigginton Street) but limited to the area and times designated by signpost and, in any event, not while the area is being used by animals participating in an obedience trial supervised by a body recognised for section 12(3)(d) of the authorising local law by the local government.
3. Rosel Park, 504 Quay Street, Depot Hill (access via Quay Street).
4. Victoria Park, 1A Lion Creek Road, Wandal (access via Sir Raymond Huish Drive) but limited to the area designated as a dog off-leash area by signpost.
5. Eddie Baker Park, North Rockhampton (access via Currawong Street and Rosella Court) but limited to the designated area.
6. Part of 291 Lakes Creek Road, Koongal, but limited to the designated area.
7. Part of Number 7 Dam, Byrnes Parade, Mount Morgan, but limited to the designated area.

Schedule 8 Requirements for proper enclosures for animals

Section 13

	Column 1 Species or breed of animal	Column 2 Requirements for proper enclosures
1	All animals regardless of species or breed	<p>(1) A proper enclosure is an area of the land on which the animal is kept, appropriately sized so as to be capable of effectively and comfortably housing the animal.</p> <p>(2) The area must be suitably fenced—</p> <ul style="list-style-type: none"> (a) appropriate to the species and breed of the animal to be enclosed; and (b) so as to effectively enclose the animal on the land on which it is kept at all times; and (c) so as to effectively enclose the animal on the land so that the animal cannot reach over or through the fence to adjoining land or any public place. <p>(3) Subsection (2)(c) does not apply to the fence of a proper enclosure on land if—</p> <ul style="list-style-type: none"> (a) the fence abuts a road; and (b) the land is rural land; and (c) the animal is kept by a primary producer on the land for primary production purposes. <p>(4) For the purposes of this item 1 <i>suitably fenced</i> means enclosed by a fence —</p> <ul style="list-style-type: none"> (a) constructed of materials which are of sufficient strength to prevent the animal from escaping over, under or through the fence; and (b) of a height which is sufficient to prevent the animal jumping or climbing over the fence; and (c) where the animal has the ability to dig — which includes a barrier installed directly below the fence to prevent the animal digging its way out; and (d) where the animal has the ability to climb — designed and constructed in such a way as to prevent the animal from climbing over the fence; and (e) of which all gates are kept closed and latched except when in immediate use by a person entering or leaving the land on which the animal is kept. <p>(5) For the purposes of this item 1, and the requirements for a proper enclosure for a dog (other than a dog which is</p>

		<p>the subject of a regulated dog declaration under the <i>Animal Management (Cats and Dogs) Act 2008</i>, section 89), <i>suitably fenced</i> includes an electric dog fence, but only if the electric dog fence—</p> <ul style="list-style-type: none"> (a) prevents the dog from escaping over, under or through, the electric dog fence; and (b) prevents the dog digging its way out of, or through, the electric dog fence; and (c) effectively encloses the dog on the land on which it is kept at all times; and (d) if a member of the public seeking access to the front entrance of a residence on the land is required to cross an area of the land (the <i>frontage</i>)—is situated so that the dog is prevented from accessing the frontage.
2	Horse	<ul style="list-style-type: none"> (1) A proper enclosure for the keeping of a horse must, in addition to the requirements specified in item 1 — <ul style="list-style-type: none"> (a) effectively enclose the horse so that the horse can not reach over or through the fence to adjoining land or any public place; and (b) where the animal is a stallion—the enclosure must be constructed within an additional or second suitable and adequate fence or enclosure that is provided at the land on which the stallion is kept to a standard approved by an authorised person.

**Schedule 9 Requirements for keeping a dog in a koala
area**

Section 14(1)

No requirements prescribed.

Schedule 10 Koala areas¹⁰⁶

Section 14(2)

No area designated.

¹⁰⁶ “Koala areas” under section 15(4) of the authorising local law comprise the areas designated in this schedule plus “koala habitat areas” designated by a State planning instrument or a conservation plan made under the *Nature Conservation Act 1992*.

Schedule 11 Criteria for declared dangerous animals**Section 15**

There is a high likelihood of the animal causing injury to a person or animal or damage to property, taking into account—

- (a) its prior history of attacking or causing fear to persons or animals or damaging property; and
- (b) the extent of injury or damage that could potentially be inflicted by an animal of its size and species or breed.

Schedule 12 Conditions for sale of animals

Section 19

	Column 1 Species or breed of animal	Column 2 Conditions that must be complied with when offering animal for sale
1	A dog or a cat	<p>(1) A person who offers an animal of a species specified in column 1 item 1 for sale must keep and maintain a written register detailing —</p> <ul style="list-style-type: none"> (a) the particulars and description of each animal offered for sale including breed, name, date of birth, identifying tag and any other form of identification; and (b) a medical history for each animal listing vaccinations, inoculations and treatments that have been carried out; and (c) if the animal is sold or otherwise disposed of — the name and address of the new owner of the animal and the date of sale or disposal of the animal. <p>(2) If section 44 of the Animal Management Act applies to an animal which is offered for sale by the person—the person must comply with the requirements of the section before the sale of the animal by the person.</p> <p>(3) If section 44 of the Animal Management Act does not apply to the animal offered for sale by the person—the person must supply a register to the local government, at least monthly, giving full details of —</p> <ul style="list-style-type: none"> (a) all animals sold or otherwise disposed of including the name and address of the new owner of the animal; and (b) a full description of each animal sold or otherwise disposed of; and (c) the date of sale or disposal of each animal. <p>(4) A person must not offer an animal of a species specified in column 1 item 1 for sale unless the animal has received all necessary vaccinations, inoculations and treatments which are appropriate according to the age of the animal.</p>

Schedule 13 Dictionary

Section 4

Animal Management Act see *Animal Management (Cats and Dogs) Act 2008*.

animal welfare agency means—

- (a) the Royal Society for the Prevention of Cruelty to Animals Queensland Incorporated; and
- (b) the Animal Welfare League of Queensland Incorporated.

building has the meaning given in the *Building Act 1975*.

cat—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a kitten regardless of age.

cattery—

- (a) means premises used for boarding, breeding or training cats; but
- (b) does not include the keeping of cats as domestic pets.

cattery approval means an approval required to operate a cattery on premises.

decommissioned greyhound has the meaning given in the Animal Management Act.

designated playground area means an area which is—

- (a) physically defined; and
- (b) constructed by the local government for recreational use by minors; and
- (c) provided with 1 or more items of playground apparatus.

Example—

A designated playground area may be an area which is—

- (a) enclosed by a fence or some other barrier; and
- (b) covered by bark chips or similar material; and
- (c) equipped with a swing, see-saw or similar playground apparatus.

destroy, an animal, includes causing it to be destroyed.

dog—

- (a) has the meaning given in section 11 of the Animal Management Act; and
- (b) includes a puppy regardless of age.

domestic purposes means the purposes of—

- (a) human consumption; or
- (b) food preparation; or
- (c) washing; or
- (d) other normal domestic duties.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

exempt animal see schedule 1.

fence—

- (a) means a barrier enclosing an area, consisting of, for example, posts connected by wire or wood; but
- (b) if the animal to be enclosed in an area by a fence is a dog—does not include an electric fence, for example, a fence through which an electric current can be passed, giving an electric shock to any person or animal touching the fence.

guard dog—

- (a) means a dog which is released by a person on residential premises or non-residential premises in the area of the local government without a handler for the primary purpose of acting as a deterrent to intruders; and
- (b) includes a dog which has been released by a person on residential premises or non-residential premises in the area of the local government without a handler in circumstances where the dog has been trained to attack for the purpose of guarding either persons or property; and
- (c) in the absence of evidence in rebuttal thereof, if a person releases a dog on non-residential premises in the area of the local government without a handler, the person is presumed to have released the dog for the primary purpose of acting as a deterrent to intruders; but
- (d) does not include a police dog or a regulated dog.

horse includes a pony and a miniature horse.

identifiable animal means an animal—

- (a) wearing an identifying tag issued by the local government; or
- (b) otherwise identified so that the local government is able to ascertain the owner of the animal.

keep (an animal)—

- (a) includes board, breed and train; and
- (b) in the absence of evidence to the contrary, a person is presumed to keep an animal on land if the person —
 - (i) feeds and cares for the animal on the land; and
 - (ii) the animal is observed by an authorised person on the land on more than 1 occasion during a month.

kennel—

- (a) means premises used for boarding, breeding or training dogs; but
- (b) does not include the keeping of dogs as domestic pets.

kennel approval means an approval required to operate a kennel on premises.

land has the meaning given in the *Planning Act 2016*.

multiple cat approval, for the keeping of cats on premises, means an approval to keep 3 or more cats over the age of 12 weeks on the premises.

multiple dog approval, for the keeping of dogs on premises, means an approval to keep 3 or more dogs over the age of 12 weeks (other than a working dog or a racing greyhound) on the premises.

multi-residential premises means each of —

- (a) a residence which forms part of a group of 2 or more residences in circumstances where 2 or more of the residences of the group are directly adjacent to each other and share—
 - (i) a common wall; or
 - (ii) a ceiling in circumstances where 1 residence is directly under the floor of another residence; and
- (b) a residence situated on a lot which forms part of a community titles scheme as defined in the *Body Corporate and Community Management Act 1997*.

Examples of multi-residential premises —

Flats, boarding houses, tenement buildings, home units, townhouses and duplexes.

non-residential premises means premises other than residential premises.

nuisance bird means—

- (a) a rooster, goose, cockatoo, galah or peacock; and
- (b) another bird kept on premises which makes an audible noise which causes environmental harm or environmental nuisance to an occupier of other premises.

occupier, of premises—

- (a) means the person who has the control or management of the premises; and
- (b) includes the owner of the premises where there is no person in apparent occupation of the premises.

pet shop means a shop or a stall at a market at which animals are offered for sale.

pet shop approval means an approval required to operate a pet shop on premises.

PPID has the meaning given in the Animal Management Act.

premises means—

- (a) a building or other structure; or
- (b) land, whether or not a building or other structure is on the land.

primary producer has the meaning given in the Animal Management Act.

racehorse means a horse bred and trained for racing.

racing greyhound —

- (a) means a greyhound registered with the Queensland Racing Integrity Commission under the rules for racing, as enforced from time to time, of a control body for a code of racing, as required under the *Racing Act 2002*, or registered with a control body of another State responsible pursuant to the law of that State for the registration of racing greyhounds; and
- (b) for the avoidance of doubt, does not include a decommissioned greyhound; but
- (c) includes a whippet.

racing pigeon means a class of pigeon which is—

- (a) primarily kept for the purpose of racing or breeding for racing; and
- (b) kept by a person who is a registered member of the Queensland Racing Pigeon Federation Incorporated; and
- (c) kept in accordance with the terms of membership of the Queensland Racing Pigeon Federation Incorporated.

recognised animal carer means a person who holds a document or registration issued by an animal welfare agency in which the animal welfare agency approves the holder of the document or registration keeping 1 or more animals primarily to protect or preserve the health or welfare of the animal.

recognised breeder, of cats, means a person who—

- (a) breeds cats; and
- (b) is registered as a breeder of cats with—
 - (i) the Queensland Feline Association Inc; or
 - (ii) another association recognised by the local government for the purposes of this definition.

recognised show keeper, for an animal, means a person who—

- (a) if the animal is a cat—
 - (i) keeps the cat for show purposes; and
 - (ii) has registered the cat with—
 - (A) the Queensland Feline Association Inc; or
 - (B) another association recognised by the local government for the purposes of this definition; or
- (b) if the animal is a dog—
 - (iii) keeps the dog for show purposes; and
 - (iv) has registered the dog with—
 - (A) the Canine Control Council (Queensland); or
 - (B) another association recognised by the local government for the purposes of this definition.

registered has the meaning given in the Animal Management Act.

registered breeder, of dogs, has the meaning given in the Animal Management Act.

residence means a building, or part of a building, that is—

- (a) fixed to land; and
- (b) a self-contained unit used by, or intended for the exclusive residential use of, one household.

residential premises means premises used, or intended to be used, predominantly as a place of residence.

rural land has the meaning given in the Animal Management Act.

sale includes—

- (a) to sell; and
- (b) offer, or expose for sale; and
- (c) agree or attempt to sell; and
- (d) dispose of for negligible or no consideration; and
- (e) barter.

stallion means an uncastrated adult male horse.

stock has the meaning given in the Animal Management Act.

structure has the meaning given in the *Local Government Act 2009*.

urban area—

- (a) means an area that is used for urban purposes; and
- (b) includes an area that is used for residential (other than rural residential), retail, commercial, industrial, community or government related purposes.

working dog has the meaning given in the Animal Management Act.

This and the preceding 29 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 2 (Animal Management) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 3 (Community and Environmental Management) 2011

Meeting Date: 18 June 2019

Attachment No: 7

Subordinate Local Law No. 3 (Community and Environmental Management) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 3 (Community and Environmental Management) 2011*, which provides for protecting the environment and public health, safety and amenity within the local government's area.
- (2) The purpose is to be achieved by providing for—
 - (a) declaration of local pests; and
 - (b) prohibition of lighting or maintaining certain fires; and
 - (c) declaration of fire hazards; and
 - (d) declaration of community safety hazards; and
 - (e) prescribed requirements for owners of land containing community safety hazards; and
 - (f) declaration of noise standards.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 3 (Community and Environmental Management) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 6 defines particular words used in this subordinate local law.

Part 2 Declared local pests

5 Declaration of local pests—Authorising local law, s 6(1)

For section 6(1) of the authorising local law, the animal or plant prescribed in column 2 of schedule 1 is a declared pest in the corresponding part of the local government's area mentioned in column 1 of schedule 1.

6 Persons exempted from introducing etc a declared local pest—Authorising local law, s 12(2)

For section 12(2) of the authorising local law, a person mentioned in column 1 of schedule 2 is exempt from section 12(1) of the authorising local law in relation to

introducing, propagating, breeding or providing harbour to a declared local pest mentioned in the corresponding part of column 2 of schedule 2.

Part 3 Overgrown and unsightly allotments

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Part 4 Fires and fire hazards

7 Prohibition on lighting or maintaining fires—Authorising local law, s 15(2)

- (1) This section applies to the following fires¹⁰⁷—
- (a) a fire in which neither the height, width nor length of the material to be consumed exceeds 2 metres;
 - (b) a fire lit for the purpose of burning the carcass of a beast;
 - (c) a fire lit at a sawmill for the purpose of burning sawdust or other residue resulting from the operation of a sawmill;
 - (d) a fire lit out-doors, if enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material therefrom.
- (2) For section 15(2) of the authorising local law, lighting or maintaining a fire described in column 2 of schedule 3 is declared to be prohibited in the corresponding part of the local government's area mentioned in column 1 of schedule 3.

8 Fire hazards—Authorising local law, s 16(3)(b)

For section 16(3)(b) of the authorising local law, the following are declared to be fire hazards—

- (a) live cinders or hot ash that is not enclosed in a fireplace so constructed as to prevent the escape of cinders or ash; and
- (b) a substantial accumulation of grass clippings that is liable to spontaneous combustion; and
- (c) dry vegetation that could be easily ignited or other flammable materials; and
- (d) a substantial accumulation of grass clippings, mulch or compost easily capable of spontaneous combustion; and
- (e) a substantial accumulation of vegetation that is easily capable of ignition.

Part 5 Community safety hazards

¹⁰⁷ Pursuant to a notification by the Fire and Rescue Services Commissioner published in the gazette on 6 August 2004 under section 63 of the *Fire and Emergency Services Act 1990*, the listed fires can generally be lit without a permit issued by a fire warden, provided adequate precautions are taken to prevent the spread of fire and the fire conforms with any local law. Local laws can therefore regulate these types of fire, which is the purpose of this subordinate local law.

9 Community safety hazards—Authorising local law, s 17(c)

For section 17(c) of the authorising local law, the following are declared to be community safety hazards—

- (a) a plant on premises which—
 - (i) is dangerous or attracts vermin; or
 - (ii) has caused, or is, in the opinion of an authorised person, likely to cause—
 - (A) personal injury or property damage; or
 - (B) a negative impact on the amenity of the surrounding area; and
- (b) an act or omission on premises which—
 - (i) is dangerous or attracts vermin; or
 - (ii) has caused, or is, in the opinion of an authorised person, likely to cause—
 - (A) personal injury or property damage; or
 - (B) a negative impact on the amenity of the surrounding area; and
- (c) a dead animal on premises which—
 - (i) is dangerous or attracts vermin; or
 - (ii) has caused, or is, in the opinion of an authorised person, likely to cause—
 - (A) personal injury or property damage; or
 - (B) a negative impact on the amenity of the surrounding area.

10 Prescribed requirements for community safety hazards—Authorising local law, s 20(1)

For section 20(1) of the authorising local law, a responsible person for a community safety hazard listed in column 1 of schedule 4 must meet the requirements prescribed in the corresponding part of column 2 of schedule 4.

Part 6 Noise standards**11 Prescribed noise standards—Authorising local law, s 21(2)**

- (1) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 5 is prescribed for the section of the *Environmental Protection Act 1994*, chapter 8, part 3B, division 3 stated in column 1 of schedule 5.
- (2) For section 21(2) of the authorising local law, the noise standard in column 2 of schedule 5 applies in the corresponding part of the local government's area mentioned in column 3 of schedule 5.

Part 7 Miscellaneous

This part in the authorising local law does not contain any matters to be provided for by subordinate local law.

Schedule 1 Declared local pests

Section 5

Column 1		Column 2
Applicable part of local government's area		Declared local pest
1.	The whole of the local government area.	<p>Castor-oil Plant (<i>Ricinus communis</i>)</p> <p>Devil's Apple (<i>Solanum aculeatissimum</i>)</p> <p>Devil's Fig (<i>Solanum torvum</i>)</p> <p>Elephant Grass (<i>Penisetum purpurem</i>)</p> <p>Feral Leucaena (<i>Leucaena leucocephala</i>)</p> <p>Grey-leaved Cordia (<i>Cordia sinensis</i>)</p> <p>Indian Myna (<i>Acridotheres tristis</i>)</p> <p>Lion Tail (<i>Leonotis nepetifloia</i>)</p> <p>Log Wood (<i>Haematoxylum campechianum</i>)</p> <p>Maltese Cockspur (<i>Centaurea melitensis</i>)</p> <p>Mexican Poppy (<i>Argemone ochroleuca</i>)</p> <p>Sisal (<i>Agave vivipara</i> (var. <i>vivipara</i> and cv. <i>Marginate</i> (sisal)), <i>Agave sisalana</i> (sisal/sisal hemp)</p> <p>Snakeweed (<i>Stachytarpheta spp</i>)</p> <p>Wild Sisal (<i>Furcraea selloa</i>)</p>

**Schedule 2 Persons exempted from offence of
introducing etc declared local pest**

Section 6

Column 1 Exempt person	Column 2 Declared local pest
Each responsible person for land who grows leucaena (<i>Leucaena leucocephala</i>) on the land in compliance with the requirements of the Leucaena Growers Code of Conduct.	Leucaena (<i>Leucaena leucocephala</i>).

Schedule 3 Prohibited fires

Section 7(2)

	Column 1 Applicable part of local government's area	Column 2 Prohibited fire
1	The whole of the local government area	A fire lit out-doors, unless the fire is enclosed in a fireplace so constructed as to prevent the escape of fire or any burning material therefrom.
2	Local government controlled areas	A fire that is not in a fireplace, barbeque or incinerator constructed by the local government.

Schedule 4 Prescribed requirements for community safety hazards

Section 10

	Column 1 Community safety hazard	Column 2 Prescribed requirements to be met by responsible person
1	Barbed wire fencing	<ul style="list-style-type: none"> (a) Fencing not to be installed along a boundary adjoining a public park; (b) Barbed wire to be used in urban areas only in a security fence with the barbed wire to be more than 2 metres off the ground.
2	Electric fencing	<ul style="list-style-type: none"> (a) Fencing installed in an urban area that adjoins any road or public land to have warning signs of a size that can be read from a distance of 5 metres and fixed at 5 metre intervals along the fence; (b) Fencing installed in an urban area must be situated at least 1500mm from a fence located on or within the boundary of the premises OR such that if the fencing is installed on the boundary of the premises the lowest point of the fencing capable of imparting an electric shock when touched is at least 2000 mm in height; (c) Fencing must be installed, operated and maintained in accordance with AS/NZS 3014:2003; (d) Fencing for security must be installed, operated and maintained in accordance with AS/NZS 3016:2002.
3	Roof sheeting, guttering, and sheet metal	Any materials not fixed to a structure to be weighted down or tied down to prevent them from becoming airborne during high winds.

Schedule 5 Prescribed noise standards

Section 11

Column 1 Section of the <i>Environmental</i> <i>Protection Act 1994,</i> chapter 8, part 3B, division 3	Column 2 Prescribed noise standard	Column 3 Applicable part of local government's area
No noise standard is prescribed.		

Schedule 6 Dictionary

Section 4

local government public health risk has the meaning given in the *Public Health Act 2005*.

plant has the meaning given in the *Biosecurity Act 2014*.

urban area means an area that is used for an urban purpose as that expression is defined in the planning scheme of the local government and includes residential (other than rural residential), retail, commercial, industrial, community and government related purposes.

vermin means—

- (a) reptiles, bed bugs, lice, fleas, parasites and cockroaches; and
- (b) guinea pigs and other rodents capable of carrying or transmitting a notifiable disease; but
- (c) does not include—
 - (i) a protected animal within the meaning of the *Nature Conservation Act 1992*; or
 - (ii) a local government public health risk.

This and the preceding 10 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 3 (Community and Environmental Management) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

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Chief Executive Officer

732329_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019

Meeting Date: 18 June 2019

Attachment No: 8

Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* in order to protect the health and safety of persons using local government controlled land, facilities, infrastructure and roads and preserve features of the natural and built environment and other aspects of the amenity of local government controlled land, facilities, infrastructure and roads.
- (2) The purpose is to be achieved by providing for—
 - (a) the regulation of access to local government controlled areas; and
 - (b) the prohibition or restriction of particular activities in local government controlled areas or roads.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2011* (the *authorising local law*).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 7 defines particular words used in this subordinate local law.

Part 2 Use of local government controlled areas, facilities and roads

5 Prohibited and restricted activities—Authorising local law, s 5(1)

- (1) For section 5(1)(a) of the authorising local law, the activities prescribed in column 2 of schedule 1 are declared to be prohibited in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 1.
- (2) For section 5(1)(b) of the authorising local law, the activities prescribed in column 2 of schedule 2 are declared to be restricted in the corresponding local government controlled area or road (or part thereof) mentioned in column 1 of schedule 2, to the extent described in column 3 of schedule 2.

6 Motor vehicle access in local government controlled areas—Authorising local law, s 6(1)(b)

For section 6(1)(b) of the authorising local law, the areas prescribed in column 1 of schedule 3 are declared to be motor vehicle access areas.

7 Prohibited vehicles—Authorising local law, s 6(3)

For section 6(3) of the authorising local law, the specific types of motor vehicle prescribed in column 2 of schedule 3 are declared to be prohibited vehicles in the corresponding specified motor vehicle access area in column 1 of schedule 3.

8 Opening hours for local government controlled areas—Authorising local law, s 7(1)

- (1) For section 7(1) of the authorising local law, the times prescribed in column 2 of schedule 4 are declared to be the opening hours for the local government controlled areas mentioned in column 1 of schedule 4.
- (2) However, the local government may, from time to time, by resolution, declare other times when a local government controlled area is open to the public.

9 Permanent closure of local government controlled area—Authorising local law, s 8(3)

For section 8(3) of the authorising local law, the local government controlled areas described in schedule 5 are permanently closed to public access.

Part 3 Matters affecting roads

10 Notice requiring owner of land adjoining road to fence land—Authorising local law, s 9(3)

For section 9(3) of the authorising local law, the minimum standards for a fence that is the subject of a compliance notice under section 9(2) of the authorising local law are as follows—

- (a) the fence must be constructed of materials which are of sufficient strength to—
 - (i) restrain the types of animals to be contained in the area adjacent to the fence; and
 - (ii) stop the animals from escaping over, under or through the fence; and
- (b) the height of the fence must be sufficient to restrain the types of animals to be contained in the area adjacent to the fence from jumping or climbing over the fence; and
- (c) if an animal to be contained in the area adjacent to the fence has the ability to dig — the fence must include a barrier installed directly below the fence to prevent the animal digging its way underneath the fence; and
- (d) if the fence includes a gate — the gate must be kept closed and latched except when in immediate use by a person entering or leaving the area adjacent to the fence.

Part 4 Repeal

11 Repeal of subordinate local law

This subordinate local law repeals *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities, and Roads) 2011*.

Schedule 1 Prohibited activities for local government controlled areas or roads

Section 5(1)

	Column 1 Local government controlled area or road	Column 2 Prohibited activity
1	All local government controlled areas within the local government area.	<p>(a) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour;</p> <p>(b) Carrying or displaying a placard or other sign bearing an offensive or threatening message or image;</p> <p>(c) Injuring, misusing, defacing, marking or otherwise damaging a building or structure which is owned, held in trust or otherwise controlled by the local government;</p> <p>(d) Entering or interfering with a building or structure associated with the water supply system, stormwater drain system or sewerage system of the local government unless the person entering or interfering with the building or structure is an emergency services officer entering or interfering with the building or structure in the course of his or her duties as an emergency services officer;</p> <p>(e) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire;</p> <p>(f) Parking, leave standing, or operating an unregistered</p>

		<p>vehicle;</p> <p>(g) If land adjoins, or is adjacent to, a local government controlled area – the occupier of the land leaving, or causing to be left, a standard general waste container on the local government controlled area—</p> <p>(i) outside of the time frame specified in the local government’s relevant policy and procedure about the scheduled collection day for the standard general waste container; or</p> <p>(ii) in a manner that is likely, in an authorised person’s opinion, to cause—</p> <p>(A) harm to human health or safety, or personal injury; or</p> <p>(B) property damage or a loss of amenity; or</p> <p>(C) an environmental nuisance;</p> <p>(h) Disposing of any waste of any kind other than in a waste container provided for that purpose;</p> <p>(i) Depositing, storing, dumping or leaving unattended a shopping trolley.</p>
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2	All roads within the local government area.	<p>(a) Causing an offensive liquid, sediment or substance to be discharged onto a road;</p> <p>(b) Intentionally or negligently damaging a road or a structure associated with a road;</p> <p>(c) Creating a nuisance on a road;</p> <p>(d) Camping, sleeping, occupying or remaining overnight in a vehicle stopped on a footpath, shared path, water-channel or gutter;</p> <p>(e) Parking or standing a vehicle bearing a sign or advertisement that the vehicle is offered for sale or hire;</p> <p>(f) Parking, leave standing or operating an unregistered vehicle on a road;</p> <p>(g) If land adjoins, or is adjacent to, a road — the occupier of the land leaving, or causing to be left, a standard general waste container on the road—</p> <p>(i) outside of the time frame specified in the local government's relevant policy and procedure for the scheduled collection day for the standard general waste container; or</p> <p>(ii) in a manner that is likely, in an authorised person's opinion, to cause —</p> <p>(A) harm to human health or safety, or</p>
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		<p>personal injury; or</p> <p>(B) property damage or a loss of amenity; or</p> <p>(C) an environmental nuisance;</p> <p>(h) Disposing of any waste of any kind other than in a waste container provided for that purpose;</p> <p>(i) Depositing, storing, dumping or leaving unattended a shopping trolley.</p>
3	Each area of land which is declared, under <i>Local Law No. 5 (Parking) 2011</i> , as an off-street regulated parking area.	Parking or leave standing, an unregistered vehicle.
4	All local government cemeteries within the local government area, including each local government cemetery identified in schedule 6.	<p>(a) Interfering with a funeral or commemorative service lawfully conducted in a local government cemetery;</p> <p>(b) Selling or buying any article or thing;</p> <p>(c) Distributing or putting up any handbill, card, circular or advertisement;</p> <p>(d) Interfering with any tree, shrub or plant unless the activity is undertaken by, or on behalf of, the local government;</p> <p>(e) Taking part in any meeting other than a meeting of a religious or commemorative nature;</p> <p>(f) Discharging a firearm, except at a military or police funeral or other recognised type of funeral service ordinarily involving such discharge;</p> <p>(g) Damaging or disturbing or interfering with any memorial, inscription plaque, epitaph or inscription, or any flowers</p>

		<p>or tokens placed on or adjacent to a grave or niche, unless the activity is undertaken by, or on behalf of, the local government for maintenance, health or safety purposes;</p> <p>(h) Riding or driving or permitting to be ridden or driven, any vehicle of any description or any horse otherwise than on a paved roadway or path;</p> <p>(i) Engaging in conduct which is dangerous or creates a risk to the safety of members of the public;</p> <p>(j) Deliberately or recklessly damaging or destroying any building, fence, structure, improvement or other property;</p> <p>(k) Bringing an animal (other than a certified guide, hearing or assistance dog) into or allowing an animal (other than a certified guide, hearing or assistance dog) to be within a local government cemetery (other than for the purposes of a funeral or commemorative service);</p> <p>(l) Entering or being within a local government cemetery except for the purpose of visiting a grave or memorial, attending a funeral or religious celebration, for example a wedding or a christening, or maintaining or repairing a grave or memorial in accordance with a written authorisation of the chief executive officer.</p>
5	All parks and reserves within the local government area.	<p>(a) Entering or being within a park or reserve after sunset on a day or before sunrise on a day unless the local</p>

		<p>government has installed lighting at the park or reserve to facilitate the use of the park or reserve by the public during the hours from sunset to sunrise and the lighting is operational;</p> <p>(b) Damaging or interfering with vegetation unless the activity is being undertaken for maintenance, health or safety purposes by, or on behalf of, the local government;</p> <p>(c) Throwing a stone, projectile or other missile;</p> <p>(d) Using or carrying a trap, snare or net;</p> <p>(e) Hitting a golf ball;</p> <p>(f) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour;</p> <p>(g) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person;</p> <p>(h) Interfering with a plant or any turf, sand, clay, soil or other material unless the activity is undertaken by, or on behalf of, the local government;</p> <p>(i) Interfering with any facility or equipment located at the park or reserve unless the activity is undertaken by, or on behalf of, the local government;</p> <p>(j) Disposing of any waste of any kind other than in a waste container provided for that purpose;</p> <p>(k) Depositing, storing or abandoning any goods;</p>
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		<ul style="list-style-type: none"> (l) Bathing in any ornamental pond or lake; (m) Using a boat, canoe, craft, surf ski, surf board or other recreational floating device in an ornamental pond or lake; (n) Any activity which fouls, litters, pollutes or interferes with a park or reserve or a facility in a park or reserve; (o) Permitting or allowing a water tap in a park or reserve to run water to waste; (p) Propagating or cultivating any plant, vegetation or vegetative matter; (q) Driving a motor bike (as defined in section 11A of the <i>Summary Offences Act 2005</i>) on public land forming part, or the whole, of a park or reserve.
6	All local government accommodation parks within the local government area.	<ul style="list-style-type: none"> (a) Disposing of liquid waste other than at a drainage point provided for that purpose; (b) Disposing of waste other than in a waste container provided for that purpose; (c) Using facilities in a way that makes them unclean or insanitary; (d) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour; (e) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive annoyance to another person; (f) Interfering with a plant or any turf, sand, clay, soil or

		<p>other material unless the activity is being undertaken by, or on behalf of, the local government;</p> <p>(g) Interfering with any facility or equipment located at the local government accommodation park unless the activity is being undertaken by, or on behalf of, the local government;</p> <p>(h) Depositing, storing, dumping or leaving unattended a shopping trolley.</p>
7	The boat ramps and landings within the local government area identified in schedule 6.	<p>(a) Carrying out maintenance or repairs to a ship on a boat ramp;</p> <p>(b) The activity of a person carrying out maintenance or repairs to a ship in the water around a boat ramp or landing unless the person has a reasonable excuse;</p> <p>(c) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon a boat ramp, landing or a notice erected or displayed by the local government at a boat ramp or landing;</p> <p>(d) Wilfully damaging any lighting upon a boat ramp or a landing;</p> <p>(e) Riding an animal on a boat ramp or a landing;</p> <p>(f) Fishing from a boat ramp or a landing in a manner that obstructs or impedes, or is likely to obstruct or impede, ship, vehicular or pedestrian traffic on the boat ramp or landing;</p> <p>(g) Carrying a loaded or cocked spear gun on a boat ramp or a landing;</p>

		<p>(h) Lighting a fire on a boat ramp or a landing, whether in a container or otherwise;</p> <p>(i) Diving off a boat ramp or a landing;</p> <p>(j) A person causing themselves or any other person or object to fall or be projected into waters surrounding a boat ramp or a landing;</p> <p>(k) Obstructing another person's use of a boat ramp or landing;</p> <p>(l) Using a boat ramp or landing in a manner which is inconsistent with —</p> <p style="padding-left: 40px;">(i) the safe, secure and efficient operation of the boat ramp or landing; or</p> <p style="padding-left: 40px;">(ii) the protection of the environment at the boat ramp or landing; or</p> <p style="padding-left: 40px;">(iii) the maintenance or improvement of the convenience of users of the boat ramp or landing;</p> <p>(m) Cleaning or gutting a fish on or near a boat ramp or landing;</p> <p>(n) Disposing of fish scraps or other waste other than in a waste container provided by the local government for the purpose of the collection of waste;</p> <p>(o) Behaving in a manner which is likely to encourage a crocodile or shark attack.</p>
8	All local government swimming pools within the local government area, including each local government swimming pool identified in schedule 6.	<p>(a) Bringing any glass or any item made from glass into the swimming pool;</p> <p>(b) Bringing any animal onto</p>

		<p>the land on which the swimming pool is situated unless the animal is a certified guide, hearing or assistance dog;</p> <p>(c) Engaging in conduct which is dangerous or which creates a risk to the safety of other users of the swimming pool;</p> <p>(d) Causing wilful damage to the swimming pool or any facilities at the swimming pool;</p> <p>(e) Behaving in a way that endangers the safety of, or causes a nuisance to, other users of the swimming pool;</p> <p>(f) If a person is more than 5 years of age — entering any part of the facilities at the swimming pool which is set apart for the exclusive use of the opposite sex, other than for the purpose of rendering emergency assistance;</p> <p>(g) Entering the swimming pool whilst intoxicated or under the influence of a stupefying drug;</p> <p>(h) Entering the swimming pool whilst carrying or having possession of any alcohol or a stupefying drug;</p> <p>(i) Disposing of waste other than in a waste container provided by the local government or the operator of the swimming pool for the purpose of the collection of waste;</p> <p>(j) Entering into the swimming pool if the person has an infectious or contagious disease or illness or a skin complaint;</p>
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		<p>(k) Interfering with the property of another person at the swimming pool other than with the consent of the other person;</p> <p>(l) Entering the swimming pool unless the person has paid the entrance fee prescribed by the local government from time to time for entry to the swimming pool;</p> <p>(m) Behaving in a threatening, abusive or insulting manner to another person at the swimming pool;</p> <p>(n) Leaving a child or children under the age of 10 at the land on which the swimming pool is located otherwise than under the direct supervision of a person who is a parent or guardian of the child or children and aged at least 16.</p>
9	All local government offices, libraries and depots within the local government area, including each local government office, library and depot identified in schedule 6.	<p>(a) Obstructing or interfering with a person who is a local government employee or a contractor of the local government in the performance of the duties of the person;</p> <p>(b) Disposing of waste other than in a waste container provided for that purpose;</p> <p>(c) Using facilities in a way that makes them unclean or insanitary;</p> <p>(d) Riotous, disorderly, indecent, offensive, threatening or insulting behaviour;</p> <p>(e) Carrying out an activity or behaving in a manner reasonably likely to injure, endanger, obstruct, inconvenience or cause fear or excessive</p>

		<p>annoyance to another person;</p> <p>(f) Interfering with any facility or equipment located at the local government office, library or depot;</p> <p>(g) Depositing, storing or abandoning any goods;</p> <p>(h) Any activity which fouls, litters, pollutes or interferes with the local government office, library or depot or a facility in the local government office, library or depot;</p> <p>(i) Wilfully breaking, destroying, damaging, defacing, disfiguring or writing upon any part of the local government office, library or depot or a notice erected or displayed by the local government at the office, library or depot;</p> <p>(j) Using any part of the local government office, library or depot in a manner which is inconsistent with—</p> <p>(i) the safe, secure and efficient operation of the local government office, library or depot; or</p> <p>(ii) the maintenance or improvement of the convenience of users of the local government office, library or depot.</p>
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Schedule 2 Restricted activities for local government controlled areas or roads

Section 5(2)

	Column 1 Local government controlled area or road	Column 2 Restricted activity	Column 3 Extent of restriction
1	All local government controlled areas within the local government area.	<p>(a) Street performing.</p> <p>(b) The installation, erection or display of an advertisement or sign that is visible from a road or other public place.</p> <p>(c) Camping, sleeping, occupying or remaining overnight.</p>	<p>(a) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(b) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(c) Permitted only if—</p> <p>(i) the local government controlled area is an accommodation park; or</p> <p>(ii) the undertaking of the restricted activity is authorised by a notice erected by the local government on or near the local government controlled area.</p>
2	All roads within the local government area.	(a) The washing or cleansing, painting, repairing, alteration or maintenance of vehicles on a road' (see s.66(3)(b) of the <i>Transport Operations (Road Use Management) Act 1995</i> , which	(a) Permitted only if the vehicle is temporarily disabled with a minor fault and the driver of the vehicle stops for no longer than is necessary for the performance of maintenance work limited to the minimum necessary to allow the vehicle to be moved from the road.

		<p>permits local laws to regulate these activities on roads).</p> <p>(b) Installing a gate or a grid, or a gate and a grid, across a road.</p> <p>(c) Being a responsible person for a gate or a grid, or a gate and a grid, installed across a road.</p> <p>(d) Street performing.</p> <p>(e) The installation, erection or display of an advertisement or sign that is visible from a road or other public place.</p>	<p>(b) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(c) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(d) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(e) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p>
3	All local government cemeteries within the local government area including each local government cemetery identified in schedule 6.	<p>(a) Carrying out a burial outside the hours during which burials may be performed as fixed by the local government.</p> <p>(b) Disposing of human remains in a local</p>	<p>(a) Permitted only—</p> <p>(i) between the hours of 9am and 4pm; or</p> <p>(ii) with the written authorisation of an authorised person.</p> <p>(b) Permitted only with the written authorisation of an</p>

		government cemetery.	authorised person.
		(c) Digging or preparing a grave in a local government cemetery.	(c) Permitted only if the grave is dug or prepared by a person employed by the local government.
		(d) After a burial — reopening a grave for a further burial.	(d) Permitted only with the written authorisation of an authorised person.
		(e) Exhuming a body or the remains of a body which has been buried in a local government cemetery.	(e) Permitted only with the written authorisation of the chief executive officer of an local government.
		(f) Bringing human remains into a local government cemetery.	(f) Permitted only— (i) with the written authorisation of an authorised person; and (ii) if the remains are enclosed in a coffin or other form of approved container appropriate to the proposed form of disposal.
		(g) Erecting or installing a memorial to a deceased person in a local government cemetery.	(g) Permitted only with the written authorisation of an authorised person.
		(h) Reserving a niche or site in a local government cemetery.	(h) Permitted only under the conditions of a written authorisation of an authorised person.

		(i) Carrying out maintenance or repair work on a memorial to a deceased person in a local government cemetery.	<p>(i) Permitted only—</p> <p>(i) by a member of the family of the deceased person, or another person who has a proper interest in the maintenance of the memorial to the deceased person; and</p> <p>(ii) with the written approval of the holder of the burial rights for the memorial; and</p> <p>(iii) subject to conditions about how the work is to be carried out as are included in the written authorisation of an authorised person.</p>
4	All parks and reserves within the local government area.	<p>(a) Bringing a motor vehicle onto , or driving a motor vehicle on, a park or reserve</p> <p>(b) Lighting or maintaining a fire.</p>	<p>(a) Permitted only if the part of the park or reserve on which the motor vehicle is brought or driven is —</p> <p>(i) physically defined and constructed by the local government as a road; or</p> <p>(ii) constructed by the local government as a carpark.</p> <p>(b) Permitted only if the fire is—</p> <p>(i) lit and maintained in a fireplace established by the local government for the purpose; or</p> <p>(ii) lit and maintained in accordance with the written authorisation of the chief executive officer of the local government.</p>

		<p>(c) Sleeping, occupying or remaining overnight in a park or reserve.</p> <p>(d) Conducting a social gathering or meeting of more than 50 people.</p>	<p>(c) Permitted only with the written authorisation of the chief executive officer of the local government.</p> <p>(d) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p>
		<p>(e) Erecting or installing a building, structure or facility in, on, across or over a park or reserve.</p> <p>(f) Conducting or taking part in an organised sporting activity of regional, State or national significance.</p> <p>(g) Operating a model aircraft propelled by a motor.</p>	<p>(e) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(f) Permitted only if authorised under the conditions of an approval for a prescribed activity.</p> <p>(g) Permitted only if —</p> <p>(i) the place at which the activity is to be undertaken is a place at which the local government has approved the undertaking of the activity; and</p> <p>(ii) authorised under the conditions of an approval for a prescribed activity.</p>
		<p>(h) Using a megaphone, loud speaker, or other similar amplification device .</p>	<p>(h) Permitted only —</p> <p>(i) with the written authorisation of the chief executive officer of the local government; or</p> <p>(ii) if authorised under the conditions of an approval for a prescribed activity.</p>

		(i) The installation, erection or display of an advertisement or sign that is visible from a road or other public place.	(i) Permitted only if authorised under the conditions of an approval for a prescribed activity.
5	All local government accommodation parks within the local government area.	(a) Lighting or maintaining a fire in the open.	(a) Permitted only — (i) if the fire is in a fireplace or incinerator approved for the purpose by the local government; or (ii) with the written authorisation of an authorised person.
		(b) Camping, sleeping, occupying or remaining overnight in a caravan or complementary accommodation at an accommodation site at a local government accommodation park.	(b) Permitted only if— (i) the person undertaking the activity maintains the accommodation site and any caravan or complementary accommodation on the accommodation site in a clean and sanitary condition; and (ii) the person deposits all waste in a waste container, or a waste disposal system, provided by the local government for the purpose; and (iii) the person does not use facilities at the local government accommodation park in a way that makes them unclean or unsanitary; and (iv) the person who occupies the accommodation site allows onto the site no more persons than the limit fixed under a relevant approval or as

			<p>notified by notice displayed by the local government at the local government accommodation park; and</p> <p>(v) the person pays all fees, if applicable, for use of the accommodation site in advance to the local government; and</p> <p>(vi) if required by the local government or an Act—the person enters into a written agreement with the local government about undertaking the activity at the local government accommodation park; and</p> <p>(vii) at the end of the period of occupation of the accommodation site — the person vacates and leaves the accommodation site in a clean and tidy condition; and</p> <p>(viii) the person ensures that the caravan or complementary accommodation is not let or hired to another person; and</p> <p>(ix) the person ensures that the accommodation site is kept and maintained in good repair and clean, tidy and sanitary condition; and</p> <p>(x) the person ensures that the accommodation site is not left unoccupied for more than 2 days; and</p> <p>(xi) the person ensures that not more than 1 tent or other accommodation</p>
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			<p>occupies an accommodation site at the accommodation park; and</p> <p>(xii) the person ensures that the activity does not cause a nuisance, annoyance, disturbance or inconvenience to other persons using the local government accommodation park.</p>
6	The boat ramps and landings within the local government area identified in schedule 6.	<p>(a) Driving or standing a vehicle on a boat ramp.</p> <p>(b) Launching or retrieving a ship at a boat ramp.</p> <p>(c) Anchoring, mooring or placing a ship in the water around a boat ramp or a landing.</p> <p>(d) Carrying out the rigging of a sailing ship on a boat ramp or landing.</p> <p>(e) Taking or driving a vehicle onto a boat ramp.</p>	<p>(a) Permitted only to launch or retrieve a ship from the boat ramp.</p> <p>(b) Permitted only if the person launching or retrieving the ship does so as quickly as is reasonably possible.</p> <p>(c) Permitted only if the anchoring, mooring or placing of the ship is not likely to obstruct another person's use of the boat ramp or landing.</p> <p>(d) Permitted only if the carrying out of the rigging does not, or is not likely to, impede access to the boat ramp or landing.</p> <p>(e) Permitted only if the mass of the vehicle and its load (if any), together with any trailer that the vehicle is towing and its load (if any), is not more than—</p> <p>(i) 5 tonnes; or</p> <p>(ii) if the local government erects on or near the boat ramp a notice approved by the local government and displaying a greater mass—the greater mass.</p>

		<p>(f) Taking or driving a vehicle onto a landing.</p>	<p>(f) Permitted only if—</p> <p>(i) the local government erects on or near the landing a notice that—</p> <p>(A) is approved by the local government; and</p> <p>(B) authorises the taking or driving of a vehicle on the landing for the purpose mentioned in paragraph (ii); and</p> <p>(C) states the maximum mass of the vehicle and its load (if any) together with any trailer that the vehicle is towing and its load (if any) that may be taken or driven on the landing; and</p> <p>(ii) the vehicle is taken or driven on the landing only to take goods or passengers to, or pick up goods or passengers from, a ship moored at the landing.</p>
		<p>(g) Taking or driving a vehicle onto a boat ramp or landing.</p>	<p>(g) Permitted only if the vehicle moves on wheels fitted with pneumatic or rubber tyres.</p>
7	All local government offices, libraries and depots within the local government area, including each local government office, library and depot identified in schedule 6.	<p>(a) The activity of a person bringing onto, or permitting or allowing an animal to remain on, the local government office, library or</p>	<p>(a) Permitted only if—</p> <p>(i) the animal is a certified guide, hearing or assistance dog; and</p> <p>(ii) the person is the handler of the certified guide, hearing or assistance dog.</p>

		depot.	
		(b) Entering or remaining at a local government office, library or depot, or a part of a local government office, library or depot.	(b) Permitted if— <ul style="list-style-type: none"> (i) the local government office, library or depot, or relevant part of the local government office, library or depot, is a public place; and (ii) if the local government erects on or near the local government office, library or depot, or the relevant part of the local government office, library or depot, a notice that is approved by the local government which authorises entry to the local government office, library or depot, or the relevant part of the local government office, library or depot—the person complies with the requirements of the notice.

**Schedule 3 Motor vehicle access areas in local
government controlled areas**

Sections 6 and 7

Column 1 Motor vehicle access areas	Column 2 Prohibited vehicles
No motor vehicle access area declared.	

Schedule 4 Opening hours for local government controlled areas

Section 8

Column 1 Local government controlled area	Column 2 Opening hours¹⁰⁸
All parks and reserves in the local government area.	Between the hours of sunrise and sunset, unless the local government has installed lighting at the park or reserve to facilitate the use of the park or reserve by the public during the hours from sunset to sunrise and the lighting is operational.

¹⁰⁸ Public holidays excepted.

Schedule 5 Permanent closure of local government controlled areas

Section 9

No local government controlled area described.

Schedule 6 Identification of local government controlled areas

Section 5

Local government cemeteries

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Bajool Cemetery	Operating Cemetery	18 School Street, Bajool	2	SP163920
Gracemere Cemetery	Operating Cemetery	Corner Fisher and Bland Streets, Gracemere	326 1	LN2897 SP163921
North Rockhampton Cemetery	Operating Cemetery	Yaamba Road, Norman Gardens	235	LN2505
Mt Morgan Cemetery	Operating Cemetery	Burnett Highway, Mt Morgan	184	C8190
Rockhampton Memorial Gardens	Operating Cemetery	21 Hartington Street, Lakes Creek	62	CP891377
South Rockhampton Cemetery	Closed Cemetery	113-171 Upper Dawson Road, Allenstown	1	RP604898

Boat ramps and landings

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
North bank of Fitzroy River	Boat Ramp	Reaney Street, Berserker		
North bank of Fitzroy River	Boat Ramp	Reaney Street, The Common		
North bank of Fitzroy River	Boat Ramp	Larcombe Street		
South bank of Fitzroy River	Boat Ramp	Rockhampton Ski Gardens via Huet Street, Wandal		
South bank of Fitzroy River	Jetty	Rockhampton, Derby Street		
South Side of Dee River Dam	Boat Ramp	Mount Morgan, Dee River		
South bank of Fitzroy River	Boat Ramp	Rockhampton, Quay Street		
South bank of Fitzroy River	Floating Walkway	Rockhampton, Quay Street		
Port Alma	Boat Ramp	Port Alma, Port Alma Road		

Local government swimming pools

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Gracemere Swimming Pool	Swimming Pool	Cedric Archer Sports Complex Fisher Street, Gracemere	1	LN837879
Mount Morgan Swimming Pool	Swimming Pool	Thompson Avenue, Mt Morgan	1	SP187981
World War II Memorial Aquatic Centre	Swimming Pool	Lion Creek Road, Wandal	41	SP240869
42nd Battalion Memorial Pool	Swimming Pool	330-360 Berserker Street, Frenchville	2	SP175995

Local government office

Facility Common Name	Description	Street Address	Real Property Description	
			Lot	Plan
Local government public office	Public office	232 Bolsover Street, Rockhampton	3 11	R2616 SP254998

Schedule 7 Dictionary

Section 4

accommodation, at a local government accommodation park, means—

- (a) a caravan; or
- (b) a complementary accommodation.

accommodation park means a place for parking and residing in caravans, including a place that provides also for complementary accommodation.

accommodation site, at a local government accommodation park, means a part of the local government accommodation park which is designated for a single accommodation of a particular type.

animal has the meaning given in *Local Law No. 2 (Animal Management) 2011*.

authorised person has the meaning given in *Local Law No. 1 (Administration) 2011*.

boat ramp—

- (a) means a ramp or other device or structure used or capable of use or designed or intended for use for the purpose of launching and retrieving a trailable vessel and which is the property of, or under the control of, the local government; and
- (b) includes any area of foreshore used or capable of use, for the purpose of launching and retrieving a trailable vessel and which is the property of, or under the control of, the local government.

Example—

The slope of an area of foreshore may make the area capable of use for the purpose of launching and retrieving trailable vessels despite the fact that no device or structure has been constructed on the area of foreshore for the purpose of the launching and retrieving of trailable vessels.

building has the meaning given in the *Building Act 1975*.

camping, at a place, includes sleeping, occupying or remaining overnight at the place.

caravan has the meaning given in *Local Law No. 1 (Administration) 2011*.

certified guide, hearing or assistance dog, has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

complementary accommodation has the meaning given in *Subordinate Local Law No. 1.6 (Operation of Accommodation Parks) 2019*.

driver has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

emergency services officer means—

- (a) an officer of the Queensland Ambulance Service or an Ambulance Service of another State; or
- (b) an officer of the Queensland Fire and Emergency Services or a Fire and Emergency Services of another State; or
- (c) an officer or employee of another entity with the written permission of the Commissioner of the Police Service; or
- (d) an officer of the State Emergency Service or a State Emergency Service of another State; or
- (e) an officer or employee of an authority permitted by law to conduct utility installation or utility maintenance; or
- (f) an officer of Disaster Management Queensland.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

goods includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever.

grid means a structure designed to —

- (a) permit the movement of pedestrian or vehicular traffic along a road; but
- (b) prevent the passage of livestock.

handler has the meaning given in the *Guide, Hearing and Assistance Dogs Act 2009*.

holder, of burial rights—

- (a) means the lawful holder of the right to inter human remains or ashes within a local government cemetery; and
- (b) a holder of burial rights has the right to be buried or interred and be identified or allocated a site and to authorise the burial or interment of others in the site; and
- (c) a holder of burial rights may transfer the rights with the consent of the local government.

interfere means prevent from continuing or being carried out properly, get in the way of, or handle or adjust without permission, and **interference** has a corresponding meaning.

land has the meaning given in the *Planning Act 2016*.

landing includes jetty, pontoon and wharf.

local government accommodation park means an accommodation park under the control of the local government, including an accommodation park located on land owned by the local government or on land for which the local government is the trustee.

local government cemetery has the meaning given in *Local Law No. 1 (Administration) 2011*.

local government employee has the meaning given in the *Local Government Act 2009*.

local government office includes—

- (a) the public office of the local government; and
- (b) each place used by the local government for local government administration or management purposes.

local government swimming pool means a swimming pool under the control of the local government, including a swimming pool located on land owned by the local government or on land for which the local government is the trustee.

memorial includes—

- (a) a headstone; and
- (b) an inscribed plaque or commemorative plate; and
- (c) monumental, ornamental or other structures erected on a grave site; and
- (d) anything else erected or placed to mark the site where human remains have been buried or placed, or to commemorate a deceased person.

motor vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

non-public place means—

- (a) the whole or any part of a local government office that is not a public place; and
- (b) the whole or any part of a local government office, including a public place, that is designated as a non-public place by—
 - (i) an authorised person; or
 - (ii) a notice displayed at a prominent place at—
 - (A) if the whole of the local government office is a non-public place—the local government office; or
 - (B) if a part of the local government office is a non-public place—the part of the local government office.

occupier, of land, means the person who reasonably appears to be the occupier of, or in charge of, the land.

park —

- (a) means a public place which the local government has set apart for park, recreational or environmental purposes; and

- (b) includes land designated as a park in the planning scheme of the local government.

plant has the meaning given in the *Biosecurity Act 2014*.

public office has the meaning given in the *Local Government Act 2009*.

public place —

- (a) has the meaning given in the *Local Government Act 2009*; but
- (b) does not include a non-public place.

reserve—

- (a) means —
 - (i) land dedicated as a reserve, or granted in trust, under the *Land Act 1994* and for which the local government is a trustee under that Act; and
 - (ii) other land held in trust by the local government which the local government has set apart for recreational or environmental purposes; and
- (b) includes land designated as a reserve in the planning scheme of the local government.

responsible person, for a gate or grid installed across a road, means each of the following persons—

- (a) the person who installed the gate or grid, or the gate and the grid;
- (b) the person for whose use or benefit the gate or grid, or the gate and the grid, were installed;
- (c) the person who has the benefit of the gate or grid, or the gate and the grid installed across the road.

road has the meaning given in the *Local Law No. 1 (Administration) 2011*.

scheduled collection day, for a standard general waste container, means the day of the week on which the local government has arranged for the collection of waste from the standard general waste container.

sewerage system has the meaning given in the *Plumbing and Drainage Act 2002*.

ship has the meaning given in the *Transport Operations (Marine Safety) Act 1994*.

shopping trolley means a wheeled basket or frame used for transporting purchases from a supermarket or shop.

standard general waste container means a container of a type approved by the local government for storing domestic waste, commercial waste or recyclable waste at premises in the local government area.

stormwater drain has the meaning given in the *Local Government Act 2009*.

street performing—

- (a) means a musical, theatrical or other type of performance undertaken by a person to entertain the public; and
- (b) includes both a performance undertaken by the person for voluntary reward and a performance undertaken by the person in circumstances where no reward, either voluntary or otherwise, is sought by the person.

structure has the meaning given in the *Local Government Act 2009*.

swimming pool has the meaning given in the *Building Act 1975*.

unregistered, for a vehicle that is required to be registered under the *Transport Operations (Road Use Management – Vehicle Registration) Regulation 2010*, means that the vehicle is not a registered vehicle.

utility installation means—

- (a) the supply of water, hydraulic power, electricity or gas; or
- (b) the provision of sewerage or drainage services; or
- (c) the provision of telecommunications services.

utility maintenance means the maintenance of—

- (a) water, hydraulic power, electricity or gas services; or
- (b) sewerage or drainage services; or
- (c) telecommunications services.

vegetation means trees, plants and all other organisms of vegetable origin (whether living or dead).

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

waste has the meaning given in the *Environmental Protection Act 1994*.

water supply system has the meaning given in the *Standard Plumbing and Drainage Regulation 2003*.

This and the preceding 36 pages bearing my initials is a certified copy of *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of 2019.

.....
Chief Executive Officer

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 5 (Parking) 2011

Meeting Date: 18 June 2019

Attachment No: 9

Subordinate Local Law No. 5 (Parking) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 5 (Parking) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 5 (Parking) 2011*, which provides for the exercise of local government powers authorised under the TORUM Act.
- (2) The purpose is to be achieved by providing for—
 - (a) the establishment of traffic areas and off-street regulated parking areas; and
 - (b) the persons that may be issued with a parking permit; and
 - (c) the vehicles that may be issued with a commercial vehicle identification label; and
 - (d) the infringement notice penalty amounts for minor traffic offences.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 5 (Parking) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

Part 2 Declaration of parking areas for the TORUM Act

5 Declaration of traffic areas—Authorising local law, s 5

For section 5 of the authorising local law—

- (a) a traffic area is declared, the area shown hatched in black on the map titled “Rockhampton Regional Council CBD On Street Parking CBD Traffic Area” in schedule 1; and
- (b) the boundaries of the traffic area are indicated by a bold black line circumscribing the hatched area on the map in schedule 1.

6 Declaration of off-street regulated parking areas—Authorising local law, s 6

- (1) For section 6(1) of the authorising local law, each area of land identified in schedule 2 is declared to be an off-street regulated parking area.
- (2) For section 6(2) of the authorising local law, the boundaries of each off-street regulated parking area are the boundaries of the land identified in schedule 2.

Part 3 Parking contrary to parking restriction**7 Parking permits issued by local government—Authorising local law, s 7(2)**

- (1) This section prescribes—
 - (a) the persons that may be issued with a parking permit mentioned in section 7(1) of the authorising local law; and
 - (b) the circumstances in which the parking permits may be issued.
- (2) A parking permit (a *resident parking permit*) may be issued to a person whose circumstances are as follows—
 - (a) the person resides in a residence¹⁰⁹ situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
 - (b) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
 - (c) the residence does not have, and cannot reasonably be provided with, adequate off-street parking; and
 - (d) if the parking permit is granted — there would not be in force more than 1 resident parking permit for the same residence.
- (3) A parking permit (a *community service organisation parking permit*) may be issued to a person whose circumstances are as follows—
 - (a) the person is a community service organisation¹¹⁰; and
 - (b) the person will use the parking permit for an activity which is consistent with the objects of the community service organisation; and
 - (c) the activity is undertaken on a section of road where —
 - (i) parking is regulated by time; and
 - (ii) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area.
- (4) A parking permit (a *temporary parking permit*) may be issued to allow the holder of the parking permit to park 1 or more vehicles in a designated parking space or spaces for a period specified in the parking permit despite an indication on an official traffic

¹⁰⁹ See definition of *residence* in the dictionary.

¹¹⁰ See definition of *community service organisation* in the dictionary.

- sign to the contrary and despite the fact that paid parking would otherwise apply to the space or spaces.
- (5) A temporary parking permit may only be granted if the local government is satisfied that—
- (a) the applicant is engaged in some temporary activity affecting premises immediately adjacent to the designated parking space or spaces to which the application relates; and
 - (b) it is not reasonably practical for the applicant to carry out the activity unless the designated parking space or spaces to which the application relates are allocated to the applicant's exclusive use for the duration of the activity.
- (6) A parking permit (a ***works zone parking permit***) may be issued to a person if the local government is satisfied that—
- (a) the part of the road to which the application relates is adjacent to a site at which the person is proposing to undertake building or construction work; and
 - (b) the carrying out of the building or construction work is lawful; and
 - (c) having regard to the nature of the building or construction work and the characteristics of the site, it is not reasonably practical for all work activity involving vehicle loading and unloading and associated vehicle movements to be confined within the site.
- (7) A parking permit (a ***visitor parking permit***) may be issued to a person whose circumstances are as follows—
- (a) the person (the ***resident***) resides in a residence situated on a section of road and parking immediately adjacent to the residence is regulated by time; and
 - (b) the parking permit is to be made available by the resident for use by another person who —
 - (i) is visiting or attending at the residence identified in the parking permit; and
 - (ii) intends parking on the section of road immediately adjacent to the residence; and
 - (c) the issue of the parking permit would not unduly impede the flow of traffic either on the road or in the area; and
 - (d) the residence does not have and cannot reasonably be provided with adequate off-street parking; and
 - (e) if the parking permit is granted — there would not be in force more than 1 visitor parking permit for the same residence.
- (8) A parking permit (a ***local government works parking permit***) may be issued to allow a person to park 1 or more vehicles in a designated parking space or spaces, despite an indication on an official traffic sign regulating parking by time or payment of a fee to the contrary, if the person is—
- (a) an employee, contractor or agent of the local government; and
 - (b) parking the vehicle or vehicles in the space or spaces—

- (i) for the purpose of carrying out work for or on behalf of the local government; and
 - (ii) in the course of carrying out the person's duties for or on behalf of the local government.
- (9) A parking permit (a *tourist vehicle parking permit*) may be issued to allow a person to park a tourist vehicle which is used for the purpose of carrying passengers on a commercial basis in a designated parking space or spaces, despite an indication on an official traffic sign regulating parking by time or payment of a fee to the contrary.

Part 4 Minor traffic offence infringement notice penalties

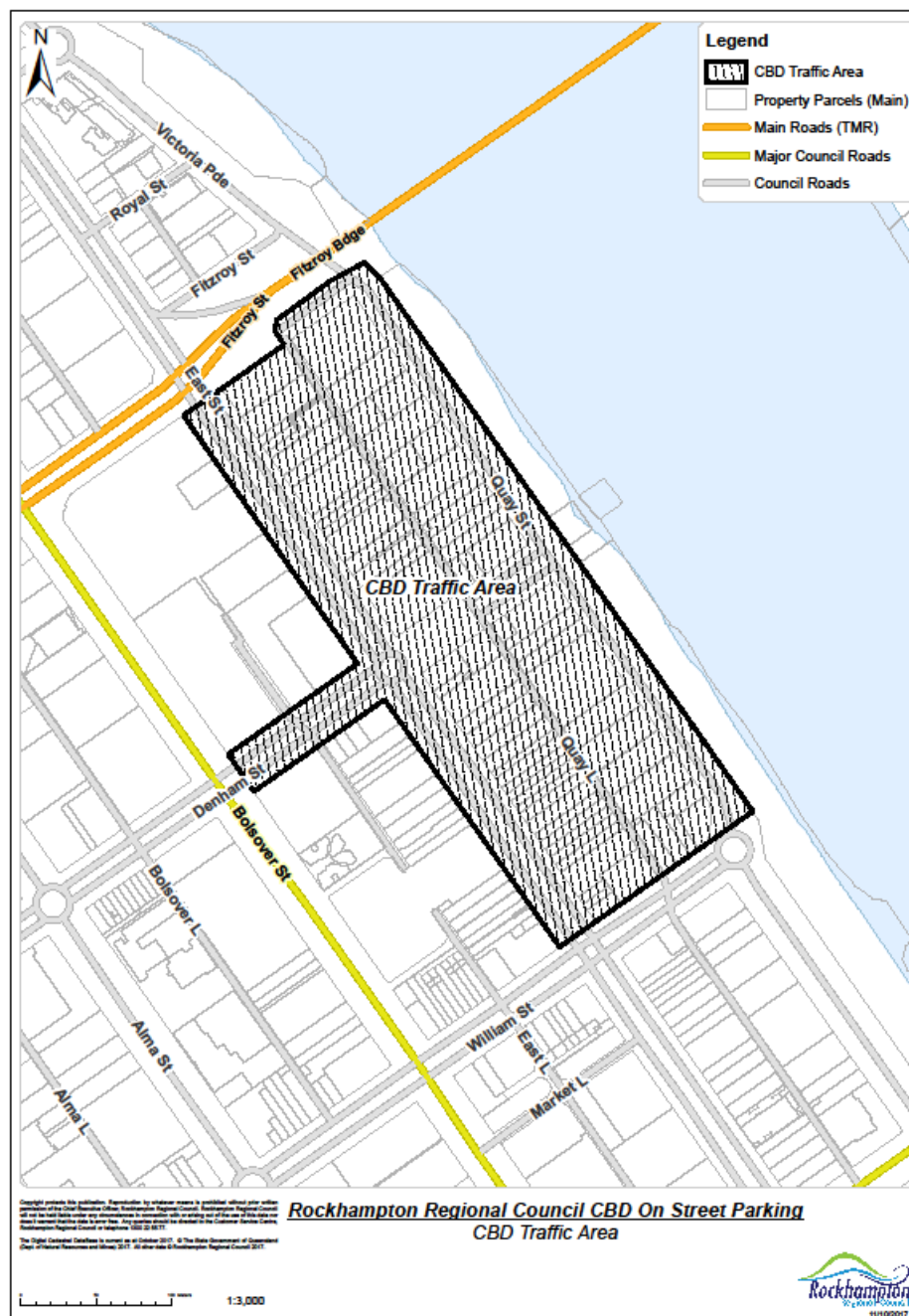
8 Infringement notice penalty amounts—Authorising local law, s 9

For section 9 of the authorising local law, the infringement notice penalty amount¹¹¹ for an offence mentioned in column 1 of schedule 3 is the corresponding amount stated in column 2 of schedule 3.

¹¹¹ See section 5 of the *Penalties and Sentences Act 1992*. The value of a penalty unit is, for a local law, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law—the amount, not more than \$100.00, prescribed under a regulation. See section 2A of the *Penalties and Sentences Regulation 2005*. The value of the penalty unit for a local law made by a local government mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government mentioned in schedule 2 of the Regulation is \$75.00. The value of a penalty unit for a local law made by a local government not mentioned in schedule 2 of the Regulation, or an infringement notice under the *State Penalties Enforcement Act 1999* for an offence against a local law made by a local government not mentioned in schedule 2 of the Regulation, is \$100.00.

Schedule 1 Declaration of traffic area

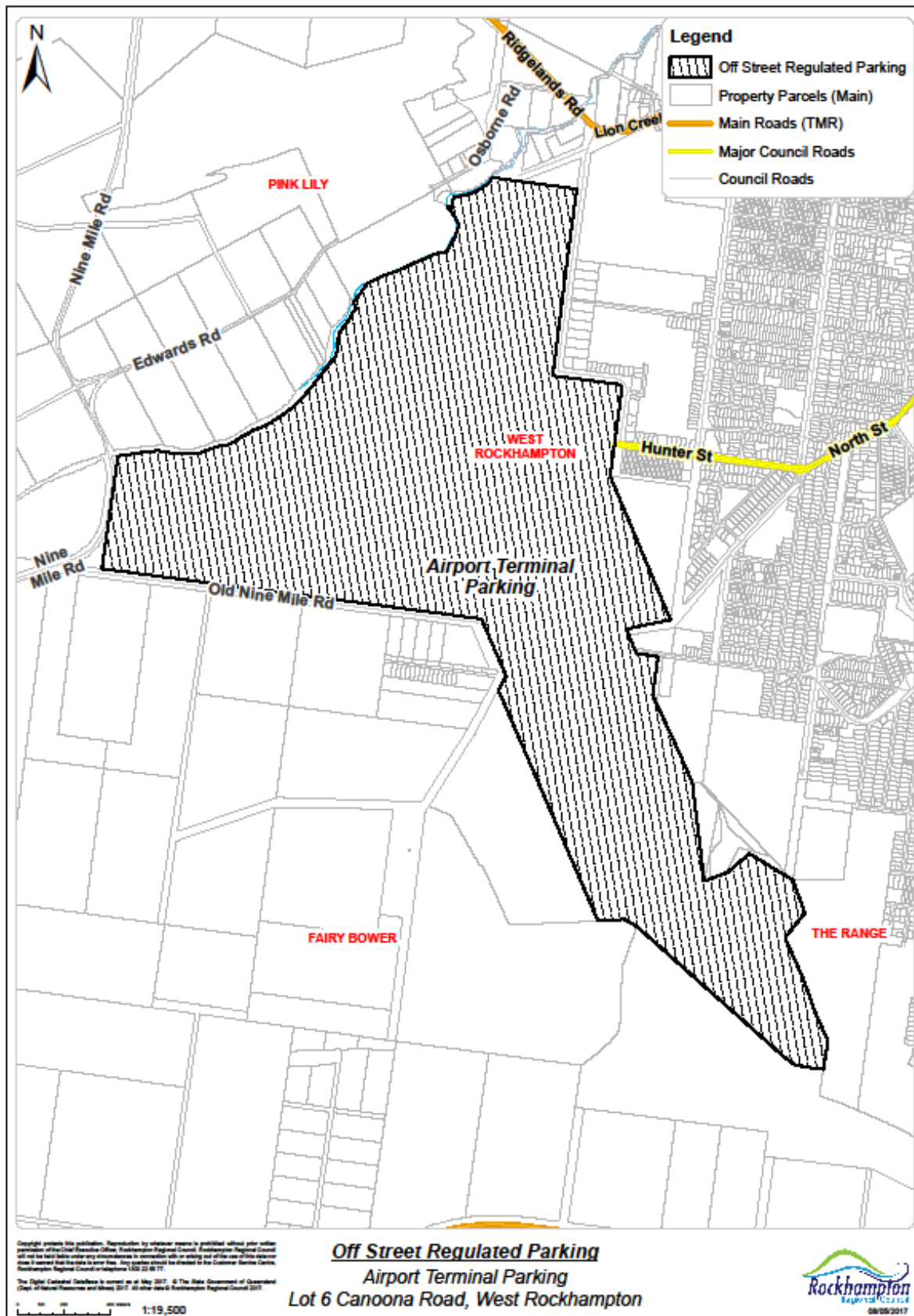
Section 5

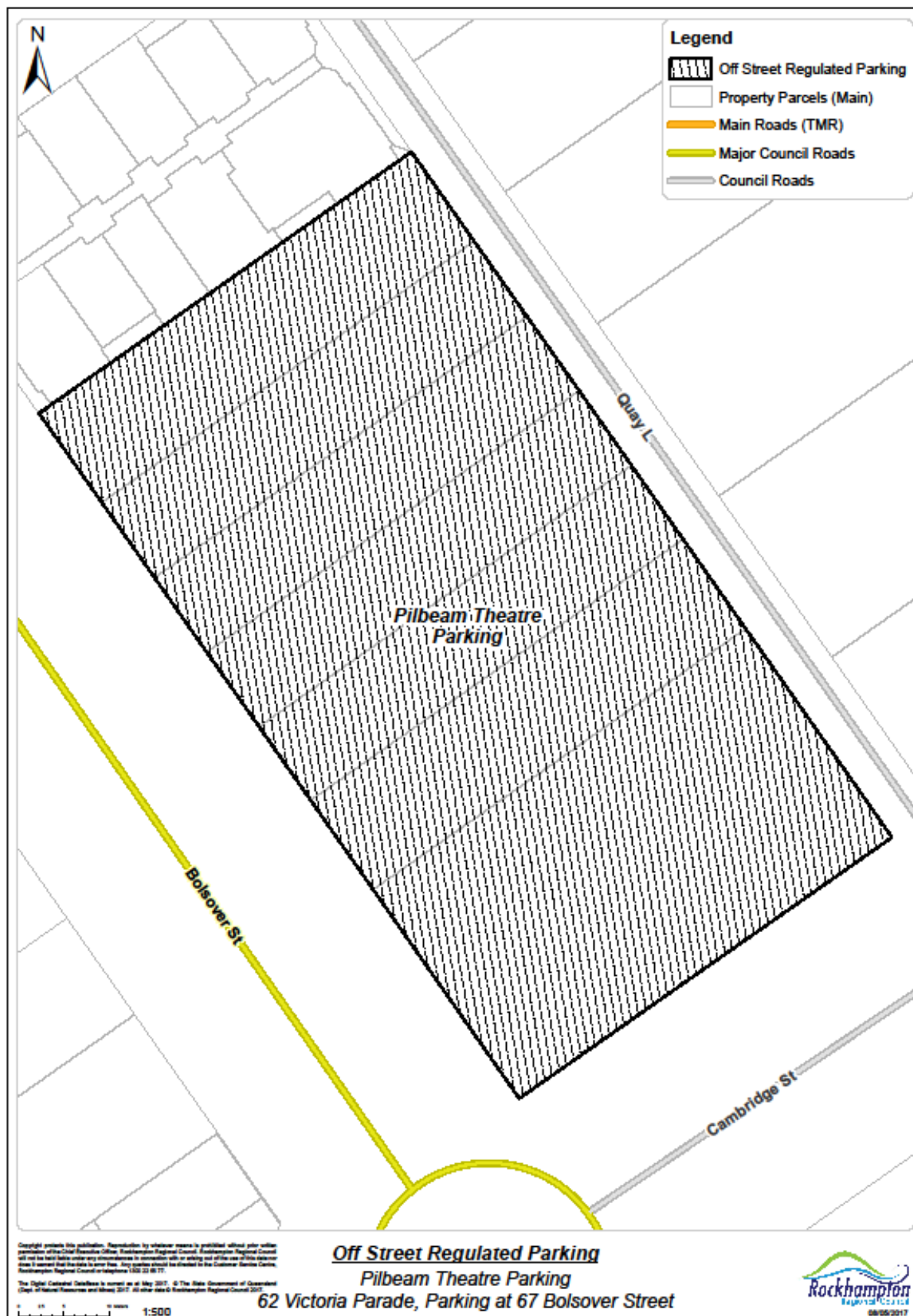


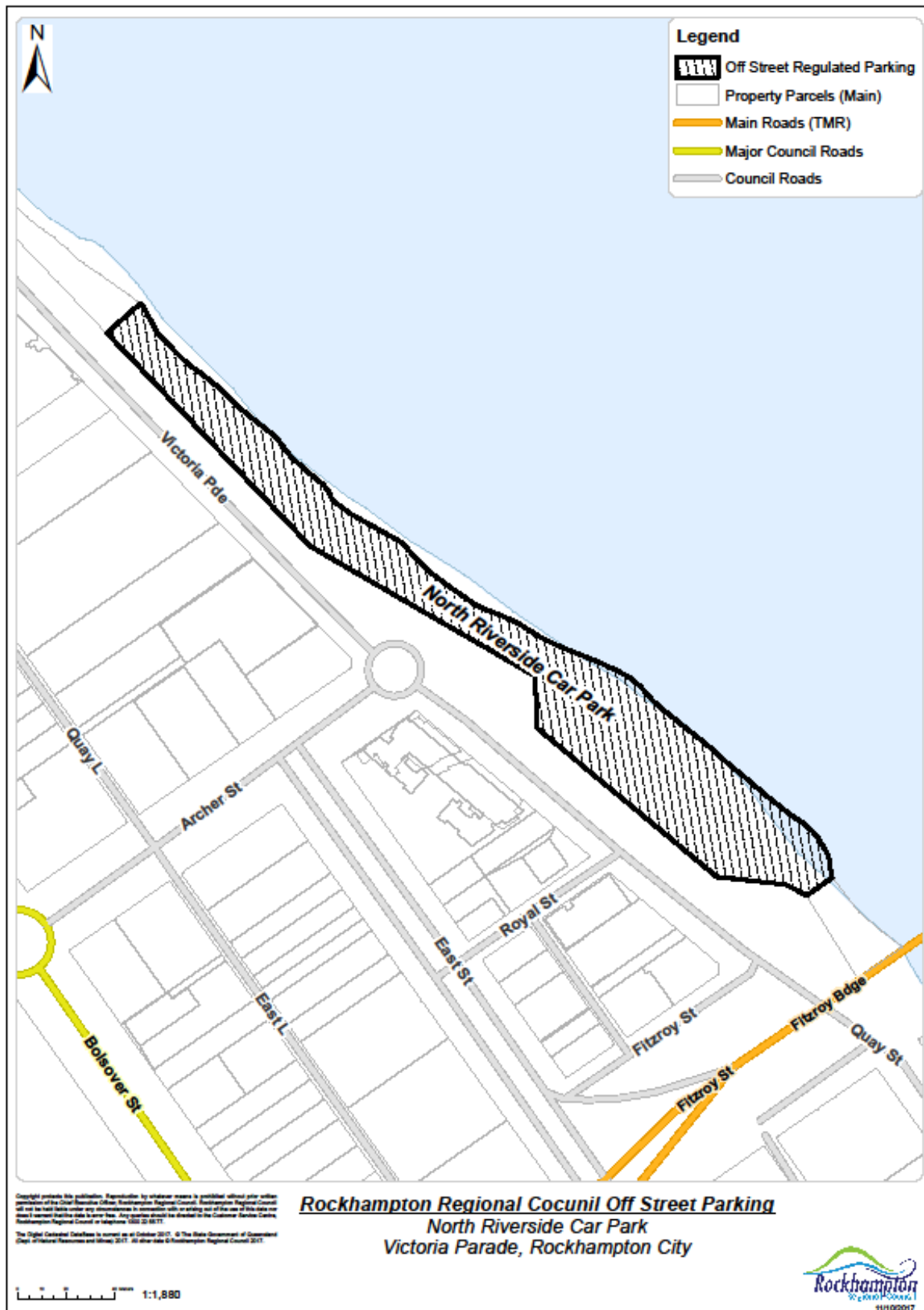
Schedule 2 Declaration of off-street regulated parking areas

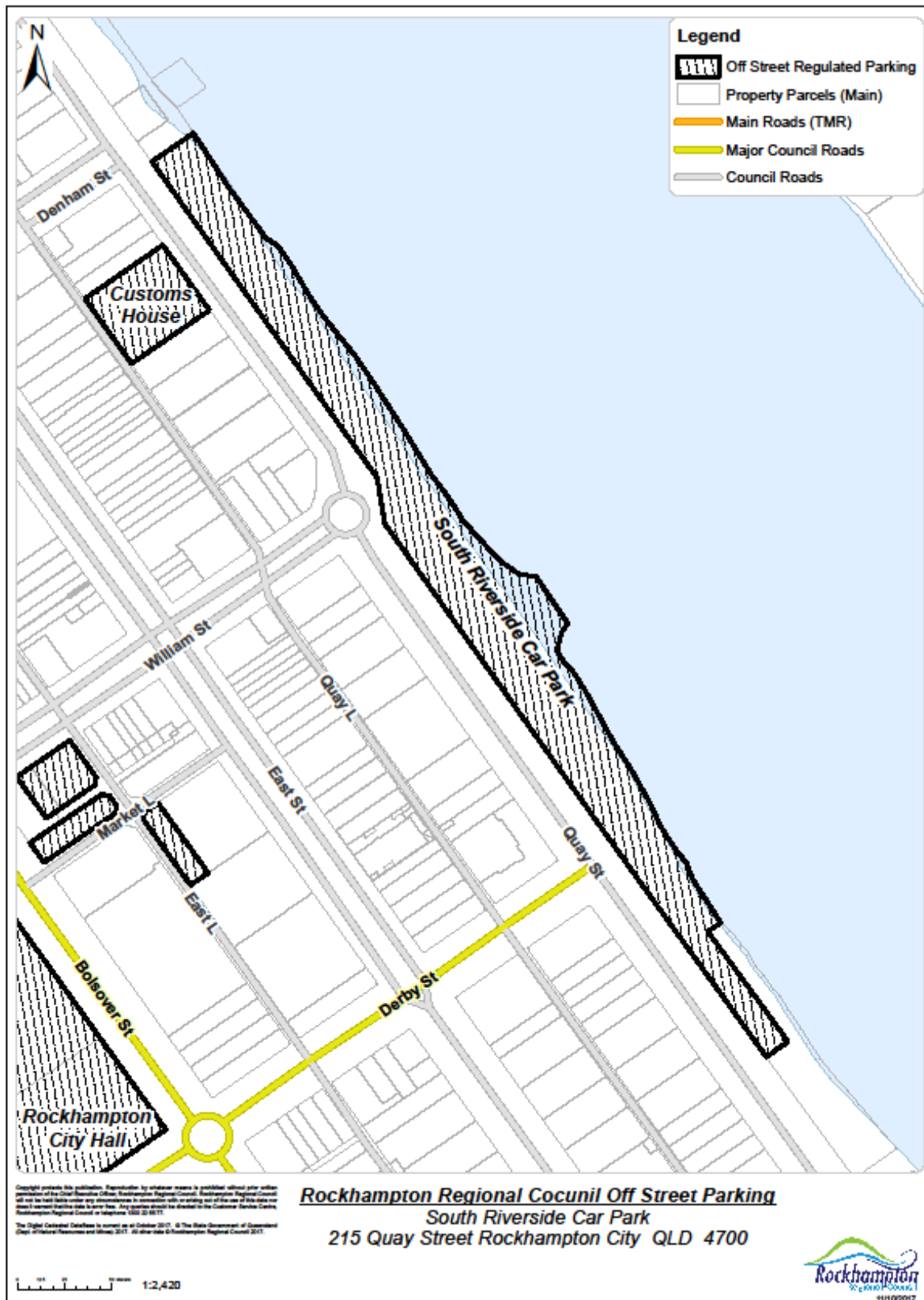
Section 6

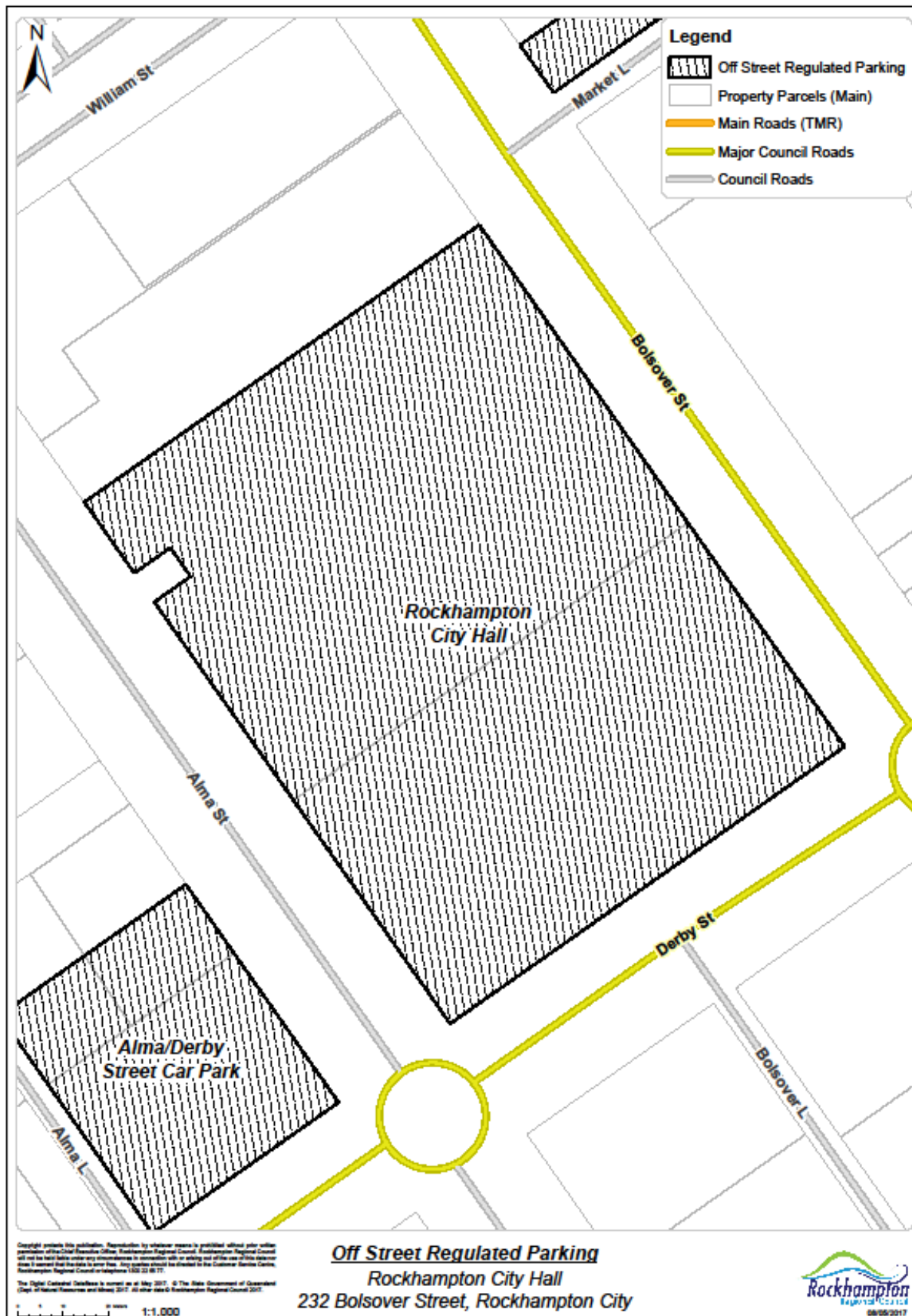
Facility Common Name	Street Address	Real Property Description	
		Lot	Plan
Rockhampton Airport Terminal Parking	Part of Lot 6, Canoona Road, West Rockhampton, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 6	CP906611
Pilbeam Theatre Car Park, Rockhampton	62 Victoria Parade, Rockhampton City (parking at 67 Bolsover Street, Rockhampton City), but limited to the area shown hatched in black on the map in this schedule 2.	Lot 68 Lot 3 Lot 1 Lot 2 Lot 3 Lot 4 Lot 1	SP268488 RP600027 RP601155 RP601155 RP601155 RP601155 RP600889
Riverside Car Park (North)	Victoria Parade, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 1	LN844289
Riverside Car Park (South)	215 Quay Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 7	SP289445
Rockhampton City Hall	232 Bolsover Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 11 Lot 3	SP254998 R2616
Customs House	208 Quay Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 3	RP619454
East St Post Office	150 East Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 4	RP892686
Heritage Village	296 Boundary Road, Parkhurst, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 220	LN2565
Corner Alma Street and Derby Street, Rockhampton	180-186 Alma Street, Rockhampton City, but limited to the area shown hatched in black on the map in this schedule 2.	Lot 2 Lot 3 Lot 211	RP602014 RP615771 R1675

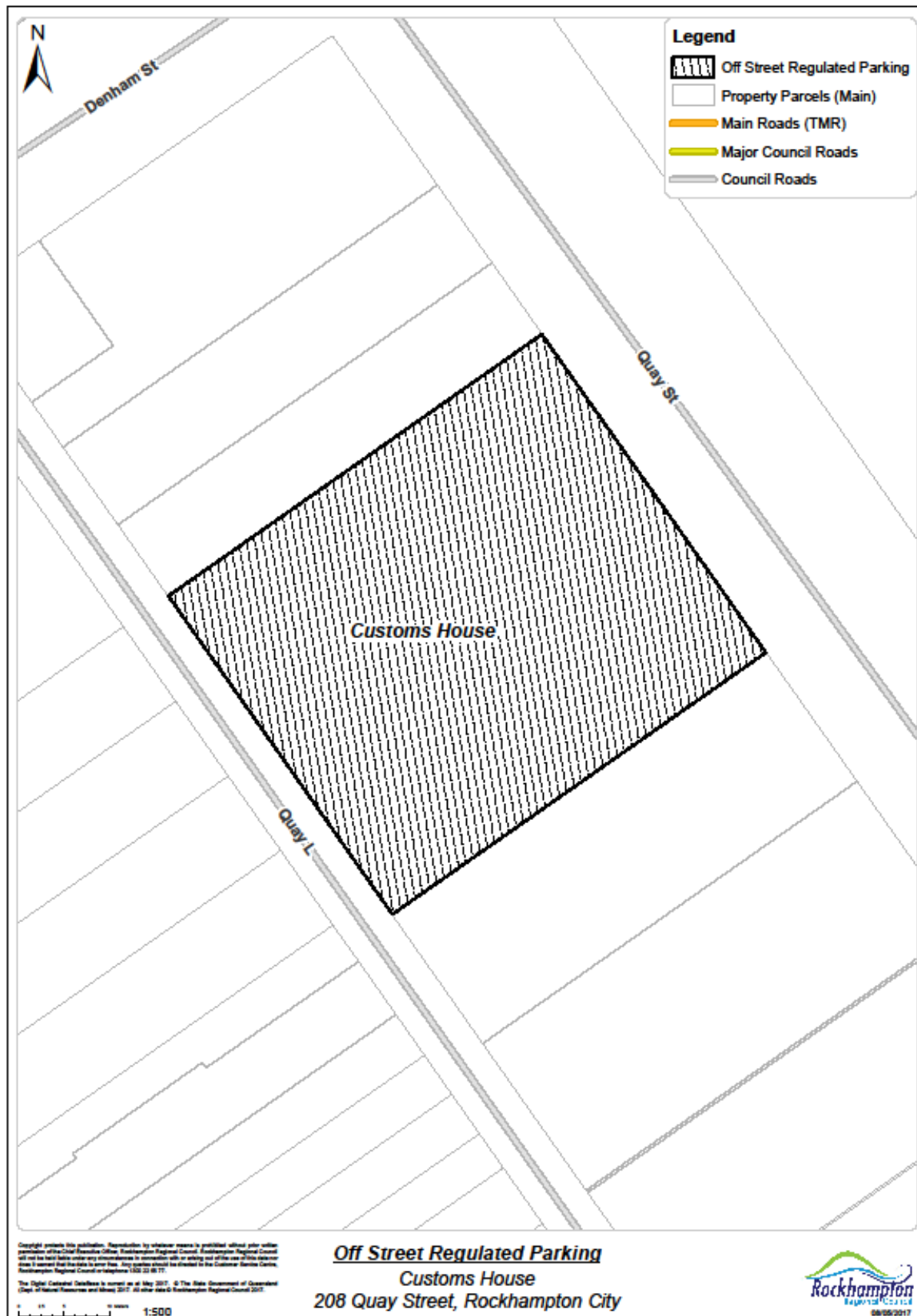


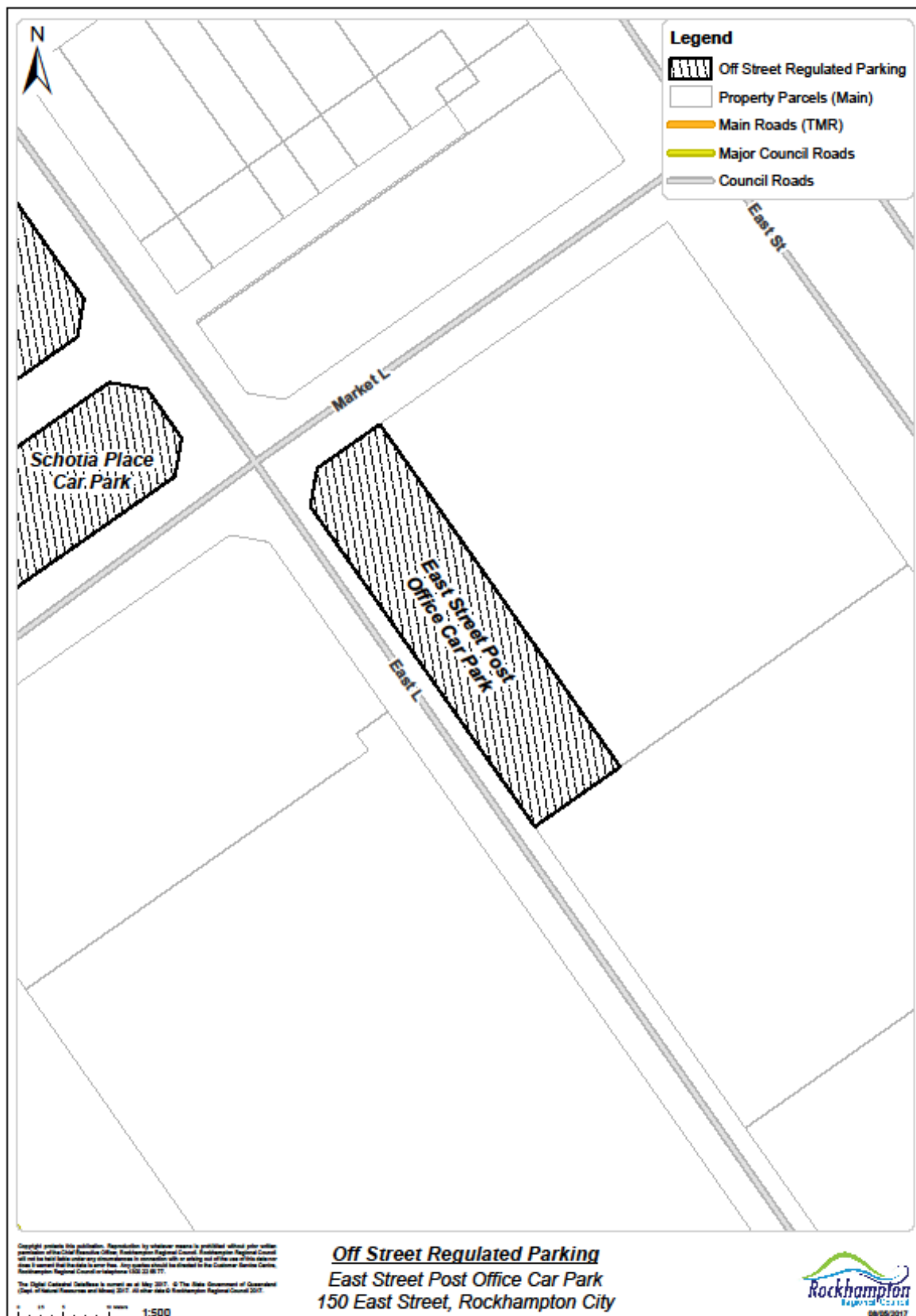


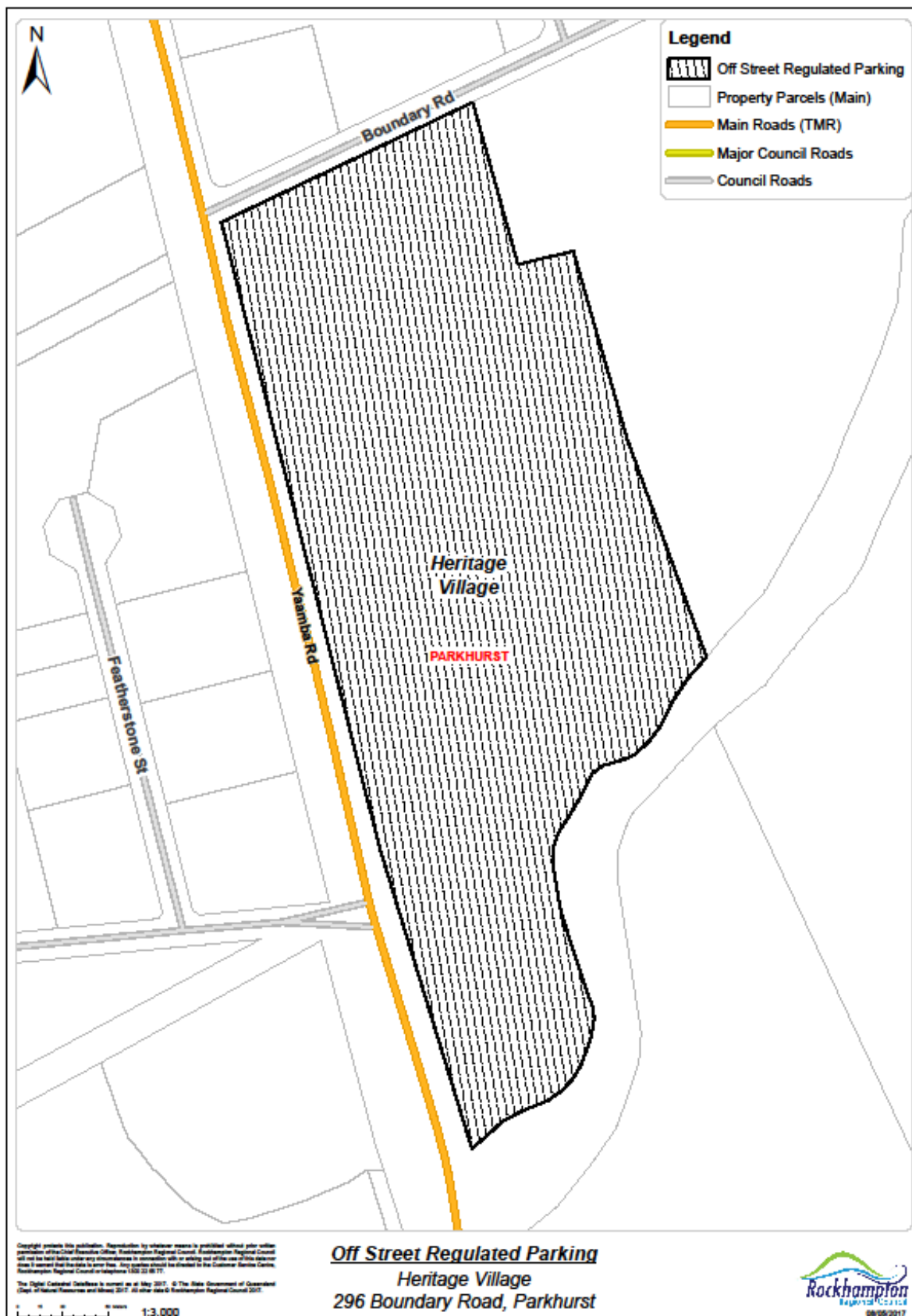


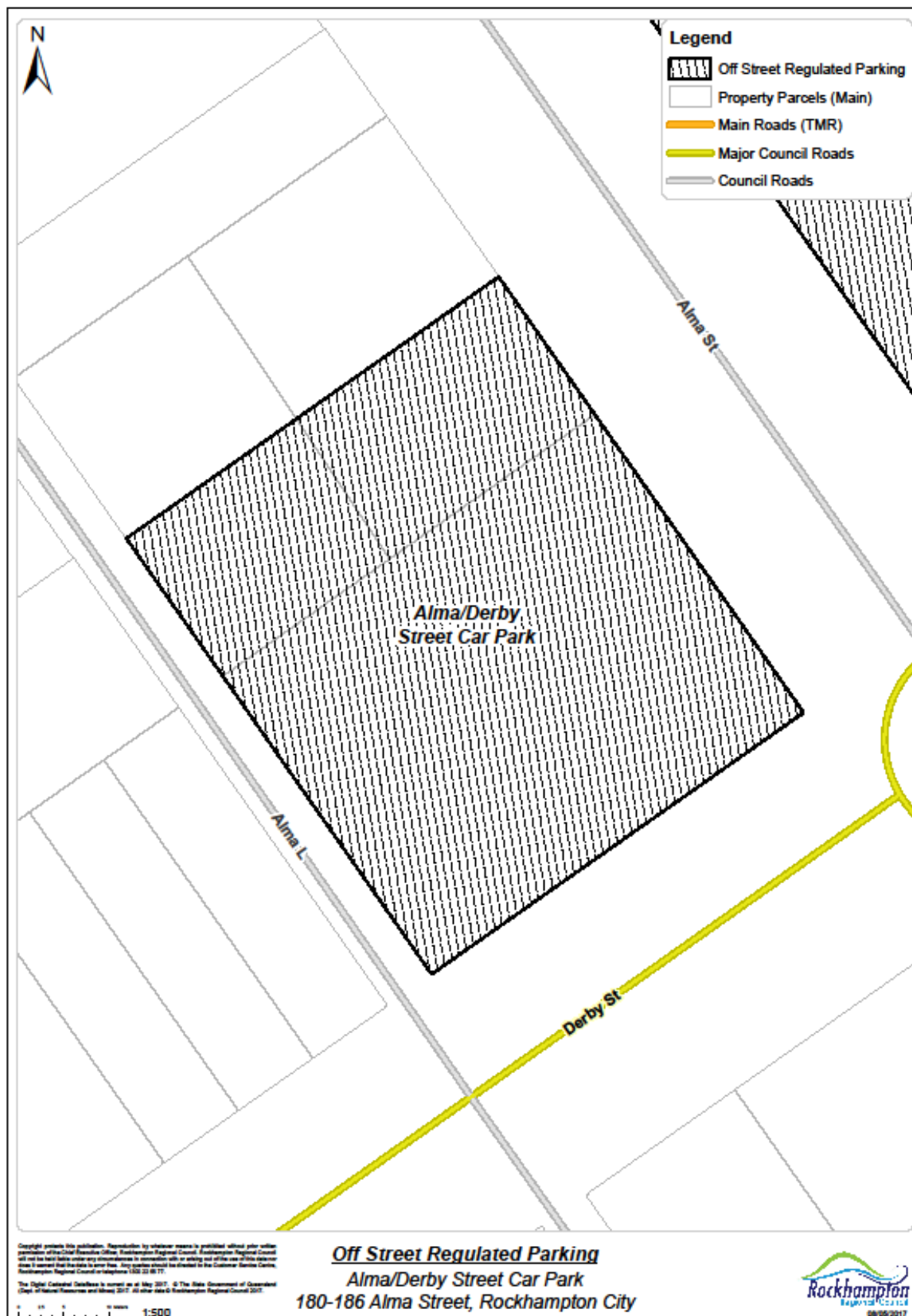












Schedule 3 Infringement notice penalty amounts for certain minor traffic offences

Section 8

Column 1		Column 2
<i>Transport Operations (Road Use Management) Act 1995 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
106(1)(a)(i)	Parking a vehicle in a designated parking space unless a parking meter or park at area installed for the space indicates that the parking fee has been paid	0.4 penalty units
106(1)(a)(ii)	Parking a vehicle in a designated parking space unless the person has done what is required by an authorised system that applies in relation to the space	0.4 penalty units
106(1)(b)	Parking a vehicle in a designated parking space for a time longer than the maximum time indicated on the official traffic sign installed for the space	0.4 penalty units
106(1)(c)	Parking a vehicle in a designated parking space if another vehicle is parked in the space	0.4 penalty units
106(1)(d)	Parking a vehicle in a designated parking space so that the vehicle is not wholly within the space	0.4 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
167	Stopping on a length of road or in an area to which a no stopping sign applies	1 penalty unit
169	Stopping at the side of a road marked with a continuous yellow edge line	1 penalty unit

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
170(1)	Stopping in an intersection	1 penalty unit
170(2)	Stopping within 20m of an intersection with traffic lights unless permitted by a sign	0.4 penalty units
170(4)(a)	Stopping within 10m of an intersection without traffic lights unless permitted by a sign	0.4 penalty units
172(1)	Stopping within 20m before a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.4 penalty units
172(1)	Stopping within 10m after a pedestrian crossing that is not at an intersection otherwise than as permitted by a sign	0.4 penalty units
173	Stopping on a marked foot crossing that is not at an intersection, or on a road within 10m before the traffic lights pole nearest to the driver at the crossing and 3m after the crossing unless permitted by a sign	1 penalty unit
175	Stopping on a level crossing, or on a road within 20m before the nearest rail or track to the driver approaching the crossing and 20m after the nearest rail or track to the driver leaving the crossing unless permitted by a sign	1 penalty unit
176(1)	Stopping on a road contrary to a clearway sign	0.4 penalty units
179(1)	Stopping an unauthorised vehicle in a loading zone	0.4 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
179(2)(a)	Authorised driver stopping in a loading zone for longer than 30 mins	0.4 penalty units
179(2)(b)	Authorised driver stopping in a loading zone for longer than permitted by a sign	0.4 penalty units
181	Unauthorised driver stopping in a works zone	0.4 penalty units
182(1)	Stopping an unauthorised vehicle in a taxi zone	0.4 penalty units
183(1)	Stopping an unauthorised vehicle in a bus zone	0.4 penalty units
183(1)	Stopping a bus in a bus zone contrary to a bus zone sign	0.4 penalty units
185(1)	Stopping an unauthorised vehicle in a permit zone	0.4 penalty units
186(1)	Stopping in a mail zone	0.4 penalty units
189(1)(a)	Stopping on a two way road between the centre of the road and another vehicle parked at the side of the road	0.4 penalty units
191	Stopping on a road so as to obstruct traffic	0.4 penalty units
195(1)	Stopping within 20m before a bus stop unless permitted by a sign	0.4 penalty units
195(1)	Stopping within 10m after a bus stop unless permitted by a sign	0.4 penalty units
197(1)	Stopping on a bicycle path, footpath, shared path or dividing strip or a nature	0.4 penalty units

Column 1		Column 2
<i>Transport Operations (Road Use Management – Road Rules) Regulation 2009 provision</i>	Minor Traffic Offence	Infringement notice penalty amount
	strip adjacent to a length of road in a built-up area unless permitted by a sign	
198(2)	Stopping on or across a driveway unless dropping off or picking up, passengers	0.4 penalty units
199	Stopping near a postbox	0.4 penalty units
202	Stopping contrary to a motorbike parking sign	0.4 penalty units
203(1)	Stopping contrary to a people with disabilities parking sign	1 penalty unit
205(1)(a)	Parking for longer than the period indicated on a permissive parking sign	0.4 penalty units
208(1)	Parking on a two way road other than parallel and as near as practicable to the far left side of the road	0.4 penalty units
208(1)	Parking on a one way road other than to the far left or far right of the road unless permitted by a sign	0.4 penalty units
208(1)	Parking within 3m of a continuous dividing line or dividing strip unless permitted by a sign.	0.4 penalty units
210(1)	Angle parking - failing to properly position the vehicle.	0.4 penalty units
211(2)	Parking otherwise than completely within the confines of a parking bay	0.4 penalty units
Part 12	Other parking offences provided for in Part 12 (Restrictions on stopping and parking)	0.4 penalty units

Schedule 4 Dictionary

Section 4

community service organisation means an association incorporated under the *Associations Incorporation Act 1981* which has as the main purpose of its objects, making financial gain for community service, charitable or similar purposes.

community service organisation parking permit see section 7(3).

local government works parking permit see section 7(8).

residence means a building, or part of a building, that is —

- (a) fixed to land; and
- (b) designed, or approved by a local government, for human habitation by a single family unit; and
- (c) used for residential purposes.

resident see section 7(7)(a).

resident parking permit see section 7(2).

temporary parking permit see section 7(4).

tourist vehicle means a horse drawn vehicle or a pedicab which is used for the purpose of carrying passengers on a commercial basis.

tourist vehicle parking permit see section 7(9).

visitor parking permit see section 7(7).

works zone parking permit see section 7(6).

This and the preceding 21 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 5 (Parking) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

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Chief Executive Officer

663593_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011

Meeting Date: 18 June 2019

Attachment No: 10

Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), (4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and
 - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.

- (3) For section 6(4) of the authorising local law, it is declared that the prescribed activity named in section 1 of schedule 1 is a category 2 activity.
- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.
- (10) For section 12 of the authorising local law, in Table 1 of schedule 1—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

6 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Part 3 Application to State-controlled roads

7 State-controlled roads to which the local law applies—Authorising local law, schedule 1

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 3 are roads to which the authorising local law applies unless otherwise provided in the local law.

Schedule 1 Alteration or improvement to local government controlled areas and roads

Section 5

1. Prescribed activity

Alteration or improvement to local government controlled areas and roads.

2. Activities that do not require an approval under the authorising local law

(1) Section 6(2) of the authorising local law does not apply to—

- (a) a person undertaking vegetation management on a footpath or nature strip immediately adjacent to the person's property provided the activity is not likely to create a risk to the safety of pedestrian or vehicular traffic; or
- (b) an alteration or improvement to a local government controlled area or road undertaken by, or on behalf of, the local government.

(2) In this section, *vegetation management* means—

- (a) mowing, slashing or edging grass; and
- (b) weeding or watering grass.

3. Documents and materials that must accompany an application for an approval

- (1) If requested, full details of the proposed alteration or improvement including plans.
- (2) Details of all building work and other work to be carried out under the approval.
- (3) Details of the time and place at which the prescribed activity will be undertaken.
- (4) The proposed term of the approval.
- (5) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (6) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity.
- (7) Plans and specifications detailing—
 - (a) the relevant part of the local government controlled area or road that is to be used for the undertaking of the prescribed activity; and
 - (b) the proposed location of each structure and item of equipment to be used in the undertaking of the prescribed activity; and

- (c) the type and location of any utility, service or infrastructure to be used in the undertaking of the prescribed activity.

4. Additional criteria for the granting of an approval

The alteration or improvement must not—

- (a) result in—
 - (i) harm to human health or safety; or
 - (ii) property damage or loss of amenity; or
 - (iii) nuisance; or
 - (iv) undue obstruction of vehicular or pedestrian traffic; or
 - (v) environmental harm; or
 - (vi) environmental nuisance; or
 - (vii) interference with the proper maintenance of a road; or
- (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may—
 - (a) require compliance with specified safety requirements; and
 - (b) regulate the time within which the alteration or approval must be carried out; and
 - (c) specify standards with which the alteration or improvement must comply; and
 - (d) require the approval holder to—
 - (i) carry out specified additional work such as earthwork and drainage work; and
 - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the alteration or improvement; and
 - (iii) give the local government specified indemnities; and
 - (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition including, for example, a

- requirement that the approval holder destroy noxious plants and weeds in a specified area; and
- (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
 - (vi) exhibit specified signage warning about the conduct of the prescribed activity; and
 - (vii) if the approval authorises the approval holder to use a specified part of a road for the undertaking of the prescribed activity—pay a licence fee to the local government at specified intervals.
- (2) The conditions of an approval may require the approval holder to take specified measures to—
- (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
 - (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
 - (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic; and
 - (d) if the undertaking of the prescribed activity includes the installation or erection of a structure—ensure that the structure does not prejudice the proper maintenance of a road.

7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirement stated		

Schedule 2 Categories of approval that are non-transferable

Section 6

Every approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

Schedule 3 State-controlled roads to which the local law applies

Section 7

No State-controlled roads listed.

Schedule 4 Dictionary

Section 4

building work has the meaning given in the *Building Act 1975*.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

structure has the meaning given in the *Local Government Act 2009*.

This and the preceding 7 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

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Chief Executive Officer

726619_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011

Meeting Date: 18 June 2019

Attachment No: 11

Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011

Contents

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), (4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and
 - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.
- (3) For section 6(4) of the authorising local law, it is declared that the prescribed

activity named in section 1 of schedule 1 is a category 1 activity.

- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.
- (10) For section 12 of the authorising local law, in Table 1 of schedule 1—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

6 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Part 3 Application to State-controlled roads

7 State-controlled roads to which the local law applies—Authorising local law, schedule 1

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 3 are roads to which the authorising local law applies unless otherwise provided in the local law.

Schedule 1 Commercial use of local government controlled areas and roads

Section 5

1. Prescribed activity

Commercial use of local government controlled areas and roads.

2. Activities that do not require an approval under the authorising local law

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) Details of the nature, time and place of the prescribed activity for which the approval is sought.
- (2) If the applicant wants to use a particular part of a local government controlled area or road for serving food and drink or for other business purposes—a plan showing the relevant part of the local government controlled area or road.
- (3) If the prescribed activity is to be operated from a site, stall or vehicle—specifications for the site, stall or vehicle which is proposed to be used in the operation of the prescribed activity.
- (4) The name, Australian Business Number, street address and contact details of the person responsible for the operation of the prescribed activity.
- (5) Details of the operation of the prescribed activity including—
 - (a) if goods or services are to be supplied—the nature of the goods and services to be supplied; and
 - (b) if the goods or services are to be supplied at particular times—the times during which the goods or services will be supplied; and
 - (c) if goods or services are to be supplied—the method of sale of the goods or services; and
 - (d) a copy of each policy of insurance of the applicant which relates to the operation of the prescribed activity; and
 - (e) how the applicant proposes to dispose of waste generated by the operation of the prescribed activity; and
 - (f) if signage is intended to be displayed – details of the signage and how the signage will be secured whilst displayed.
- (6) Subsection (7) applies if—
 - (a) the prescribed activity is to be operated at a place on a local government controlled area or road; and

- (b) the place abuts, or is adjacent to, land other than a local government controlled area or road; and
 - (c) the operation of the prescribed activity may cause a nuisance, inconvenience or annoyance to the occupier of the land; and
 - (d) the prescribed activity is to encroach on the land.
- (7) The application must be accompanied by—
- (a) the written consent of the occupier of the land to the operation of the prescribed activity at the place; or
 - (b) a written statement from the occupier of the land in support of the operation of the prescribed activity at the place.

4. Additional criteria for the granting of an approval

- (1) The prescribed activity for which the approval is sought must not unduly interfere with the proper use of the local government controlled area or road.
- (2) There must be a public demand for the prescribed activity in respect of which the approval is sought.
- (3) The physical characteristics of the local government controlled area or road must be suitable for the prescribed activity.
- (4) The prescribed activity must not cause nuisance, inconvenience or annoyance to—
 - (a) the occupier of any land which adjoins the location of the prescribed activity; or
 - (b) vehicular traffic; or
 - (c) pedestrian traffic.
- (5) The prescribed activity must not have a detrimental effect on the amenity of the surrounding area.
- (6) If the prescribed activity is mobile roadside vending or stationary roadside vending—
 - (a) whether the prescribed activity for which the approval is sought is competitive with business activities operated from fixed premises in the local government area; and
 - (b) whether the business activities operated from the fixed premises are sufficient to meet public demand for the goods or services proposed to be sold as part of the operation of the prescribed activity; and
 - (c) whether the grant of the approval will result in substantial competition between the applicant for the approval and operators of business activities operated from fixed premises in the local government area; and

- (d) whether the goods or services proposed to be sold as part of the operation of the prescribed activity, or similar goods or services, are available for sale from fixed premises near the location of the prescribed activity.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require that the approval holder—
 - (a) limit the activities authorised by the approval to 1 or more of—
 - (i) a single specified location;
 - (ii) a number of specified locations;
 - (iii) a specified area;
 - (iv) a number of specified areas; and
 - (b) limit the activities to specified days and times; and
 - (c) limit the activities to—
 - (i) a specified period of time; or
 - (ii) specified periods of time; and
 - (d) display the approval in a specified position, and produce the approval for inspection on demand by an authorised person; and
 - (e) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
 - (f) give specified indemnities and take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
 - (g) take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and
 - (h) if the approval authorises the approval holder to use a specified part of a local government controlled area or road for the operation of the activity — pay a specified rental to the local government at specified intervals; and
 - (i) submit the operation of the activity, including any vehicle or premises used in the operation of the activity, for inspection by an authorised person; and
 - (j) prominently and permanently display at a specified location each of—

-
- (i) the approval number granted by the local government in numbers not less than 50mm in height; and
 - (ii) the name and address of the approval holder in letters not less than 75mm in height; and
 - (k) if the approval relates to an activity on a road—give a written indemnity to the State; and
 - (l) limit the activities authorised by the approval such that the activities may be operated within a specified radius of—
 - (i) fixed premises which sell or offer for sale, the same or similar goods or services; or
 - (ii) the site of operation of another prescribed activity—
 - (A) the operation of which is authorised by an approval granted by the local government; and
 - (B) at which the same or similar goods or services are sold or offered for sale; and
 - (m) limit the operation of the prescribed activity so that it does not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or
 - (iii) detrimentally affect the efficiency of the road network in which the activity is undertaken; and
 - (n) limit the operation of the prescribed activity so that it does not detrimentally affect the amenity of the neighbourhood in which the prescribed activity is undertaken; and
 - (o) ensure that the operation of the prescribed activity does not create a road safety risk; and
 - (p) ensure that all facilities and equipment used in the operation of the prescribed activity are, at all times, maintained—
 - (i) in good working order and condition; and
 - (ii) in a clean and sanitary condition; and
 - (q) if the approval authorises the operation of a roadside vending activity on a local government controlled area or a road on specified days—remove the vehicle from the local government controlled area or road after the close of business each day unless otherwise specified by the local government.
- (2) If the prescribed activity is mobile roadside vending, the conditions of the approval may also require that the approval holder—
-

- (a) limit the operation of the activity to—
 - (i) a specified vehicle; or
 - (ii) a number of specified vehicles; and
- (b) if the approval holder is selling or offering for sale, goods, for example, food, or services—not engage in mobile roadside vending on any local government controlled area or road within a specified radius of fixed premises which sell or offer for sale, the same or similar goods or services; and
- (c) not—
 - (i) unless authorised by an authorised person—park the vehicle used for the activity for a period longer than is necessary to serve a customer who has hailed down the vehicle; or
 - (ii) amplify, or cause to be made, any noise identifying or otherwise drawing attention to the vehicle, except in accordance with standards laid down under the *Environmental Protection Act 1994*; or
 - (iii) place a sign or device advertising the activity of the approval holder on any local government controlled area or road; and
- (d) keep and maintain the vehicle in a clean, tidy and orderly condition at all times; and
- (e) produce the vehicle for inspection by an authorised person—
 - (i) prior to commencement of the prescribed activity; and
 - (ii) when required by the authorised person; and
- (f) limit the operation of the activity to vehicles having specified characteristics, appropriate for the operation of the activity; and
- (g) only serve customers from the non-traffic or kerbside side of a vehicle used in the operation of the activity; and
- (h) not operate the activity in a manner which is, or may be, a risk to road safety; and
- (i) unless authorised by an authorised person—not permit or allow an animal in or about any vehicle used in the operation of the activity; and
- (j) not discharge trade waste generated by the operation of the activity otherwise than in accordance with an approval under the *Water Supply (Safety and Reliability) Act 2008*; and
- (k) for waste generated by the operation of the activity—
 - (i) only dispose of the waste—

- (A) in a safe and sanitary manner; and
 - (B) in a manner which maintains the vehicle and its surrounds in a clean, tidy, sanitary and hygienic condition; and
- (ii) not dispose of the waste—
 - (A) so as to attract pests; or
 - (B) into a water course; or
 - (C) at another location other than a location properly intended for the receipt of the waste.
- (3) If the prescribed activity is footpath dining, the conditions of the approval may also require that the approval holder—
 - (a) limit the operation of the activity to a specified area which is contiguous to, or in the vicinity of, a registered café, restaurant, takeaway food shop or similar premises which are operated by the approval holder (*principal premises*); and
 - (b) if the approval holder has not obtained the written consent of the occupier of the land which abuts, or is contiguous to, both the principal premises and the footpath—limit the operation of the activity to the footpath immediately adjacent to the principal premises; and
 - (c) keep and maintain a clear unobstructed pedestrian corridor of a specified width depending on the density of pedestrian traffic; and
 - (d) limit the operation of the activity to the normal business hours of the principal premises; and
 - (e) remove all tables, chairs, fixtures and fittings from the area identified in the approval when the principal premises are not open for business; and
 - (f) keep and maintain the area identified in the approval, including all tables, chairs, fixtures, fittings and equipment used in the operation of the activity at all times in a clean, sanitary and tidy condition; and
 - (g) keep and maintain in and about the area identified in the approval, adequate waste disposal facilities, for example, bins, and be responsible for the removal of all waste from the waste disposal facilities at such intervals as an authorised person may direct; and
 - (h) if a sign or device advertising the prescribed activity is not a permitted advertisement—not place or display the sign or device in the area identified in the approval otherwise than in accordance with an approval of the local government which authorises the use of the footpath for that purpose; and
 - (i) not use an umbrella within the area identified in the approval unless the umbrella has not less than 2m clearance above ground level adjacent to

- the umbrella and is securely anchored to the satisfaction of an authorised person; and
- (j) only use furniture in the area identified in the approval which is—
 - (i) aesthetically acceptable to the local government; and
 - (ii) kept in a proper state of repair; and
 - (k) provide, for use by patrons of each of the principal premises and the area identified in the approval, adequate toilet facilities; and
 - (l) regularly clean the area identified in the approval—
 - (i) during business hours for the principal premises; and
 - (ii) daily, after the close of business of the principal premises.
- (4) If the prescribed activity is the display of goods for sale on a footpath, the conditions of the approval may also require that the approval holder—
- (a) limit the operation of the activity to a specified area which is contiguous to, or in the vicinity of, retail premises which are operated by the approval holder (also *principal premises*); and
 - (b) if the approval holder has not obtained the written consent of the occupier of the land which abuts, or is contiguous to, both the principal premises and the footpath—limit the operation of the activity to the footpath immediately contiguous to the principal premises; and
 - (c) keep and maintain a clear unobstructed pedestrian corridor of a specified width depending on the density of pedestrian traffic; and
 - (d) limit the operation of the activity to the normal business hours of the principal premises; and
 - (e) only use, for the purposes of display of the goods for sale, a structure which is—
 - (i) of safe construction; and
 - (ii) in good condition and repair; and
 - (iii) securely fixed to the footpath; and
 - (f) only display goods for sale if the goods are in an orderly and sightly condition; and
 - (g) only display goods for sale if the goods are the property of, or offered for sale by, the approval holder; and
 - (h) remove all goods, and any structure designed for the display of the goods for sale, when the principal premises are not open for business.

7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirement stated.		

Schedule 2 Categories of approval that are non-transferable

Section 6

Each approval for the prescribed activity named in schedule 1, section 1 is transferable.

Schedule 3 State-controlled roads to which the local law applies

Section 7

No State-controlled roads listed.

Schedule 4 Dictionary

Section 4

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

goods includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever and also includes an animal.

mobile roadside vending means an operator soliciting or carrying on the supply of goods or services (including food or drink) for profit in circumstances where—

- (a) the operator travels from place to place; and
- (b) the operator supplies the goods or services to a customer in response to the customer waiving down the operator.

permitted advertisement has the meaning given in *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011*.

principal premises has the meaning given in schedule 1, section 6(3)(a) and (4)(a).

Rockhampton CBD area means the area within the Rockhampton Central Business District bounded by Quay Street, Bolsover Street, Fitzroy Street and Derby Street.

sale includes —

- (a) to sell; and
- (b) sell for resale; and
- (c) offer, or expose for sale; and
- (d) agree or attempt to sell; and
- (e) receive, keep or have in possession for sale; and
- (f) cause or permit to be sold or offered or exposed for sale; and
- (g) provide a sample; and
- (h) barter; and
- (i) auction; and
- (j) supply or have available for supply; and
- (k) suffer or permit any of the above acts.

stationary roadside vending means an operator soliciting or carrying on the supply of goods or services (including food or drink) for profit in circumstances where—

- (a) the operator carries on the activity from—
 - (i) a specified place; or
 - (ii) a number of specified places; but
- (b) the activity is not footpath dining.

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

waste has the meaning given in the *Environmental Protection Act 1994*.

This and the preceding 14 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of *(insert the date of the relevant resolution of Council)* 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019

Meeting Date: 18 June 2019

Attachment No: 12

Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.4 Installation of Advertising Devices) 2019*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 6 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), 6(4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and
 - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.

- (3) For section 6(4) of the authorising local law, it is declared that the prescribed activity named in section 1 of schedule 1 is a category 1 activity.
- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.

6 Approvals that are non-transferable—Authorising local law, s15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Part 3 Application to State-controlled roads

7 State-controlled roads to which the local law applies—Authorising local law, schedule 1

For the purposes of the definition of road in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 5 are roads to which the authorising local law applies unless otherwise provided in the local law.

Note

The display of an advertising device which is placed on, or visible from, a State-controlled road may—

- (a) be regulated under the Roadside Advertising Guide of the Department of Transport and Main Roads; and
- (b) also require an approval from the Department.

Part 4 Repeal

8 Repeal

This subordinate local law repeals *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011*.

Schedule 1 Installation of advertising devices

Section 5

1 Prescribed activity

Installation of advertising devices.

2 Activities that do not require an approval under the authorising local law

- (1) An approval is not required under the authorising local law for the prescribed activity if the activity is the installation, erection or display of a permitted advertisement.
- (2) A *permitted advertisement* is an advertising device that is visible from a road or other public place which is—
 - (a) defined in schedule 3; and
 - (b) installed, erected and displayed in accordance with—
 - (i) the prescribed criteria specified in schedule 3; and
 - (ii) the general criteria specified in schedule 4.
- (3) Also, an approval is not required under the authorising local law for the prescribed activity if—
 - (a) under the planning scheme of the local government, the prescribed activity is identified as—
 - (i) development which is accepted development or prohibited development; or
 - (ii) assessable development which is subject to code assessment or impact assessment; or
 - (b) the installation, erection or display of the advertising device is undertaken by, or on behalf of, the local government.
- (4) Also, an approval is not required under the authorising local law for the prescribed activity if the activity is the installation, erection or display of an election sign that is visible from a road or other public place.
- (5) However, the activity of the installation, erection or display of an election sign that is visible from a road or other public place may be undertaken by a person only if the person complies with the following requirements—
 - (a) the election sign must be kept in good order and repair; and
 - (b) the election sign must not be exhibited on a local government controlled area, or any plant, equipment or facility of the local government; and
 - (c) the election sign must not be exhibited so as to constitute a risk to public health or safety, road safety or obstruct the use of a road (including a footpath); and

Examples of paragraph (c) — an election sign is exhibited so as to constitute a risk to public health or safety, road safety or obstruct the use of a road, if the election sign—

- is unsecured or unattended on the carriageway of a road (the carriageway of a road is the sealed section of the road between the unsealed shoulders of the road);
- obstructs, or is likely to obstruct, pedestrian or bicycle movement on a paved footpath,

walkway or bikeway;

- is positioned in a way that obstructs or hinders access to private property when exiting a road, or obstructs or hinders access to a road when exiting private property;
 - is positioned in a way that does not provide clear sight lines for drivers of vehicles or pedestrians at a road junction, vehicle access way or pedestrian crossing;
 - creates a traffic problem, or increases an existing traffic problem;
 - is not weighted, anchored or affixed so as to ensure stability and avoid falling or blowing into the path of pedestrian or vehicular traffic;
 - is exhibited on a traffic island, a median strip or the centre of a roundabout;
 - is exhibited within an intersection controlled by traffic lights or within the intersections of one or more major roads;
 - is exhibited at a bus stop or in a school zone in a way that interferes with passengers entering or exiting a bus or another vehicle;
 - obstructs a pedestrian crossing or a school crossing;
 - is rotating, audible or illuminated and likely to cause a distraction to a driver;
 - is exhibited in close proximity to an official traffic sign in a way which is likely to hinder or obstruct a driver from seeing, reading or understanding the official traffic sign whilst driving;
 - is exhibited on a road in a rural area with a speed limit of 80 km/h or less, and is located less than 3.5m from the edge of the nearest traffic lane;
 - is exhibited on a road in a rural area with a speed limit greater than 80km/h and is located less than 6m from the edge of the nearest traffic lane;
 - is exhibited on street furniture, a light pole, guard rail, tree, plant, landscaped area or other local government asset.
- (d) the election sign must not have a surface area exceeding 1.1m², unless the sign is exhibited on an approved advertisement; and
- (e) the election sign must be made of a material that is designed to be easily broken, for example, a corflute sign on a timber stake.

3 Documents and materials that must accompany an application for an approval

- (1) An application for an approval must be made to the local government on the approved form required under *Local Law No. 1 (Administration) 2011* as detailed on the local government's website.
- (2) Full details of the proposed advertising device including—
 - (a) the location at which the proposed advertising device will be installed, erected or displayed; and
 - (b) the name, address and contact details of the person responsible for the installation, erection or display of the advertising device; and
 - (c) the name and address of any business which will be advertised on the advertising device.
- (3) Details of all building work and other work to be carried out under the approval.
- (4) Details of the time and place at which the prescribed activity will be undertaken.

- (5) The proposed term of the approval.
- (6) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (7) The materials, equipment and vehicles (if applicable) to be used in the undertaking of the prescribed activity.
- (8) If requested, evidence that the applicant currently holds any separate approval relating to the prescribed activity that is required under another law, for example, a certification, that the sign complies with the requirements of the Manual of Uniform Traffic Control Devices.
- (9) Plans and specifications detailing—
 - (a) the location of the proposed advertising device; and
 - (b) particulars of the content, design, dimensions and construction of the proposed advertising device; and
 - (c) a site plan and elevation, to scale, of the proposed advertising device; and
 - (d) if the applicant is not the owner of the premises on which the proposed advertising device is to be installed, erected or displayed, the consent of the owner of the premises to the installation, erection and display of the advertising device; and
 - (e) a copy of each development approval required for the installation, erection and display of the proposed advertising device; and
 - (f) if the proposed advertising device is to be installed, erected or displayed at a place which is registered as a State heritage place and an exemption certificate is required in respect of the undertaking of the prescribed activity at the place—a copy of the exemption certificate; and
 - (g) a pictorial representation of the proposed advertising device.

4 Additional criteria for the granting of an approval

- (1) The conduct of the prescribed activity must not—
 - (a) result in—
 - (i) harm to human health or safety; or
 - (ii) property damage or loss of amenity; or
 - (iii) nuisance; or
 - (iv) unsafe movement of pedestrian or vehicular traffic; or
 - (v) environmental harm; or
 - (vi) environmental nuisance; or
 - (vii) a potential road safety risk; or
 - (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken; or
 - (c) significantly obstruct the view of any premises.
- (2) Where an advertising device is to be displayed at a State heritage place, more favourable consideration will normally be given to an advertising device which is in keeping with the original character and period of the State heritage place.

5 Conditions that must be imposed on an approval

No conditions prescribed.

6 Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may—
 - (a) require compliance with specified safety requirements; and
 - (b) regulate the time within which the prescribed activity must be carried out; and
 - (c) specify standards with which the undertaking of the prescribed activity must comply; and
 - (d) require the approval holder to—
 - (i) carry out specified additional work such as earthwork and landscaping; and
 - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the prescribed activity; and
 - (iii) give the local government specified indemnities; and
 - (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
 - (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
 - (vi) construct the advertising device from specified materials; and
 - (vii) maintain the advertising device in good order and repair; and
 - (viii) install the advertising device at a specified location, or in a specified manner; and
 - (ix) take specified measures to illuminate, or control the illumination of, the advertising device; and
 - (x) restrict the dimensions of the advertising device.
- (2) The conditions of an approval may require the approval holder to take specified measures to—
 - (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
 - (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
 - (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of pedestrian or vehicular traffic.
- (3) The conditions of an approval may require the approval holder to take specified measures to ensure that the advertising device is installed, erected and displayed in accordance with—
 - (a) the prescribed criteria in schedule 3; and

- (b) the general criteria specified in schedule 4.

7 Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8 Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Schedule 2 Categories of approval that are non-transferable

Section 6

Every approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

Schedule 3 Definitions and prescribed criteria for installation, erection and display of advertising devices

Schedule 1, section 2(2)(a) and (b)

1 Community organisation site sign



- (1) A **community organisation site sign** is a temporary, non-illuminated advertising device which advertises a non-profit short term event such as a fete, fair, festival or other similar event organised by a charitable, religious, educational, childcare or sporting organisation or a community service organisation.
- (2) The criteria prescribed for a community organisation site sign are that the sign must—
 - (a) only be displayed for a maximum period of 30 days prior to the event advertised; and
 - (b) not have a face area in excess of—
 - (i) 2.5m² in a residential zone; or
 - (ii) 5m² in all remaining zone category areas; and
 - (c) be removed within 2 days of the event finishing.
- (3) Also, for any premises, a limit of 2 community organisation signs per street front boundary of the premises may be displayed.

2 Temporary directional community organisation sign

- (1) A **temporary directional community organisation sign** is a sign which while not displayed at the site of a fete, fair, festival or other similar event, has the primary purpose of directing the public to the fete, fair, festival or other similar event.
- (2) The criteria prescribed for a temporary directional community organisation sign are that the sign must—
 - (a) not have a face area in excess of 0.6m² when placed on a road or public place; and
 - (b) not have a face area in excess of 2.4m² when placed on private property; and
 - (c) only be displayed for a maximum period of 7 days prior to the event advertised on the sign and be removed within 2 days of the event finishing.

- (3) Also—
 - (a) for signs placed on a road or public place, the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
 - (b) a maximum of 15 signs may be displayed on private properties; and
 - (c) on a private property — a maximum of 2 signs may be displayed on the private property; and
 - (d) a maximum of 10 signs may be displayed on roads and public places.

3 Footway sign

- (1) **Footway sign** is a portable, free-standing sign, normally supported by an ‘A’ or inverted ‘T’ frame, and typically displayed on a footway.
- (2) The criteria prescribed for a footway sign are that the sign must—
 - (a) not have a width in excess of 0.75m or a height in excess of 1m; and
 - (b) be positioned immediately adjacent to the shop frontage of the shop advertised on the sign; and
 - (c) be positioned to ensure a minimum 1.5m wide pedestrian corridor is kept clear along the footway; and
 - (d) be clear of any vehicle accessway across the footway; and
 - (e) not be positioned to obstruct or clutter the footway, street landscaping, furniture or artwork; and
 - (f) not have moving, rotating or animated parts; and
 - (g) not be displayed other than during the trading hours of the shop; and
 - (h) not be used for the display of merchandise; and
 - (i) be secured so as not to cause a pedestrian or vehicular hazard in windy conditions; and
 - (j) not have more than 2 face areas.
- (3) Also—
 - (a) the advertiser must have in effect and maintain a public liability insurance policy in an amount not less than \$20,000,000.00 against claims for personal injury and property damage resulting from the display of the sign; and
 - (b) the number of footway signs that may be displayed on premises is limited to the greater of—
 - (i) 1 sign per shop; and
 - (ii) 1 sign per full 6m of the linear street front boundary of the shop on the premises.

Example-

A shop with over 12m of linear street front boundary is permitted 2 footway signs, a shop with over 18m of linear shop front boundary is permitted 3 footway signs etc.

4 **Illuminated sign**

- (1) An *illuminated sign* is a sign that has internal and/or external means of illumination of the whole or a portion of the sign.
- (2) The criteria prescribed for an illuminated sign are that the sign must—
 - (a) not be situated within 100m of a residential zone, unless the sign is not visible from any premises used for a residential purpose; and
 - (b) not have luminance in excess of 350 candelas per square metre; and
 - (c) not be located within 30m of a set of traffic signals or 20m of an intersection; and
 - (d) not be flashing or moving.

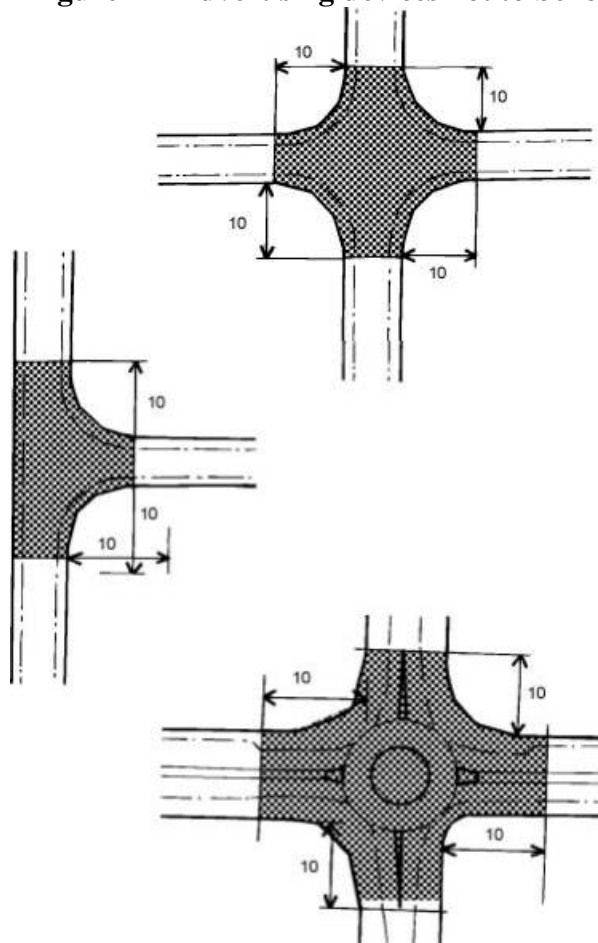
Schedule 4 General criteria for installation, erection and display of advertising devices

Schedule 1, section 2(2)(b)(ii)

- 1** This schedule specifies general criteria for the installation, erection and display of advertising devices.
- 2** The advertising device must not be erected on a road, community infrastructure or a public place unless otherwise permitted by this subordinate local law.
- 3** An advertising device must not be installed, erected or displayed at a place which is registered as a State heritage place unless an exemption certification has been granted in respect of the undertaking of the prescribed activity at the place.
- 4** The advertising device must—
 - (a) not cause a nuisance as reasonably determined by the local government; and
 - (b) not incorporate beacon lights or revolving lights, excluding emergency vehicles and other emergency devices authorised under a State Act; and
 - (c) not be illuminated, unless the illumination is permitted under this subordinate local law; and
 - (d) be kept and maintained at all times in good order and repair, and free of graffiti.
- 5** The activity being advertised on the advertising device must be able to be lawfully conducted.
- 6** The display of the advertising device must not cause—
 - (a) a safety hazard; or
 - (b) unsafe movement or obstruction of, or distraction to, pedestrian or vehicular traffic.
- 7** An advertising device mounted over a road or other place where vehicles are able to pass, must provide a clearance of not less than 5.7m above ground level directly adjacent to the advertising device.
- 8** This schedule also specifies the criteria that the local government must have regard to when deciding whether to approve the display of a free-standing advertising device by reference to the size of the advertising device.
- 9** The face area of any advertising device is the area bounded by the framework of a manufactured panel, hoarding or illuminated advertising device case and is calculated by multiplying the advertising device face area height and width parameters.
- 10** However, in the case of lettering, logos or designs applied to a lesser area than the panel parameters, or individual lettering, the area is calculated by drawing a rectangle around the advertising device lettering, logos or designs.

- 11 In the case of irregular shaped advertising devices, including words with ascending or descending upper or lower case letter strokes, or replicas or shapes, the face area is calculated by not more than 2 abutting and non-overlapping rectangles added together.
- 12 Decorative lines, stripes and architectural trims of an advertising device, whether illuminated or not, form part of the face area of the advertising device.
- 13 In calculating the size of an advertising device, v-shaped advertising devices are classed as 2 advertising devices unless otherwise determined by this subordinate local law.
- 14 Unless otherwise permitted or determined under this subordinate local law, an advertising device must not to be installed, erected or displayed on any of the following locations—
- (a) within an intersection or roundabout shown on figure 1;
 - (b) within, or on, a median strip, traffic island or roundabout;
 - (c) upon any tree, shrub, pole or traffic sign support, unless on private property;
 - (d) within 10m of a traffic warning or direction sign;
 - (e) within 3m from the bitumen edge of a road (where no kerb and channel exists); and
 - (f) outside the footpath area of a road (where kerb and channel exists).

Figure 1 – Advertising devices not to be located in shaded areas



All measurements in figure 1 are in shown in metres.

Schedule 5 State-controlled roads to which the local law applies

Section 7

The authorising local law does not apply to the installation of an advertising device on any State-controlled road in the local government area of the local government.

Schedule 6 Dictionary

Section 4

accepted development see *Planning Act 2016*, schedule 2.

advertiser means a person—

- (a) by whom a sign is installed, erected or displayed; or
- (b) whose business or place of business is advertised by a sign; or
- (c) who manages and controls, or has power to manage and control, the place at which a sign is installed, erected or displayed; or
- (d) who is—
 - (i) the owner of premises or a place on which a sign is installed, erected or displayed; or
 - (ii) the occupier of premises or a place on which a sign is installed, erected or displayed; or
 - (iii) the owner of a vehicle on which a sign is installed, erected or displayed.

advertising device means a structure or device which is visible from a road or other public place and which conveys information or directions of any kind (other than a structure or device displayed pursuant to the authority or requirements of an Act) and the term includes any structure forming part of the advertising device or to which the advertising device is attached or on which it is displayed.

approved advertisement means an advertisement that is—

- (a) approved by a development approval; or
- (b) deemed acceptable development under the planning scheme of the local government; or
- (c) approved in accordance with *Local Law No. 1 (Administration) 2011* and this subordinate local law; or
- (d) lawfully carried out under another local law.

assessable development see *Planning Act 2016*, schedule 2.

building has the meaning given in the *Building Act 1975*.

building work has the meaning given in the *Building Act 1975*.

code assessment see *Planning Act 2016*, schedule 2.

community infrastructure means infrastructure prescribed by regulation under the *Planning Act 2016*, section 35.

community organisation site sign see schedule 3, section 1.

development see *Planning Act 2016*, schedule 2.

election sign see *Local Government Act 2009*, section 36.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

exemption certificate has the meaning given in the *Queensland Heritage Act 1992*.

exhibit includes, in relation to an election sign, the painting, writing, drawing, depiction, making, erection, installation, display, affixing, putting out, operation or transport of an election sign.

face area see schedule 4, sections 8 to 13 inclusive.

footway sign see schedule 3, section 3.

free-standing sign —

- (a) means a sign which does not form part of a building or other structure which is erected on a solid, free-standing structure; and
- (b) includes a footway sign.

height (of an advertising device) means the distance measured between the top of the advertising device and ground level directly adjacent to the advertising device.

illuminated sign see schedule 3, section 4.

impact assessment see *Planning Act 2016*, schedule 2.

land has the meaning given in the *Planning Act 2016*.

occupier, of premises—

- (a) means the person who has the control or management of the premises; and
- (b) includes the owner of the premises where there is no person in apparent occupation of the premises.

official traffic sign has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

owner, of premises, means the registered owner of the premises as defined in the *Land Title Act 1994*, schedule 2.

permitted advertisement see schedule 1, section 2.

premises means any land, building or structure and includes any part thereof.

prohibited development see *Planning Act 2016*, schedule 2.

public place has the meaning given in the Act.

road has the meaning given in the Act.

sign see advertising device.

State heritage place has the meaning given in the *Queensland Heritage Act 1992*.

street front boundary —

- (a) of premises, means the length, measured in metres, along the alignment of the premises abutting a road or abutting an access restriction strip directly between the premises and a road; and
- (b) if premises continuously abut more than 1 road or access restriction strip directly between the premises and a road, the street front boundary dimensions shall be the total length of those boundaries added together; and
- (c) if premises have more than 1 street front boundary that is not continuous, each street front boundary is to be considered separately.

structure has the meaning given in the Act.

temporary directional community organisation sign see schedule 3, section 2.

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

zone means an area identified as a zone in the planning scheme of the local government.

Certification

This and the preceding 18 pages bearing my initials is a certified copy of *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of , 2019.

.....
Chief Executive Officer

710754_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.5 (Keeping of Animals) 2011

Meeting Date: 18 June 2019

Attachment No: 13

Subordinate Local Law No. 1.5 (Keeping of Animals) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 3 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), (4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and
 - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.
- (3) For section 6(4) of the authorising local law, it is declared that the prescribed

activity named in section 1 of schedule 1 is a category 1 activity.

- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.
- (10) For section 12 of the authorising local law, in Table 1 of schedule 1—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

6 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Schedule 1 Keeping of animals

Section 5

1. Prescribed activity

Keeping of animals.

2. Activities that do not require an approval under the authorising local law

The keeping of animals at an animal entertainment park or an animal sanctuary.

3. Documents and materials that must accompany an application for an approval

- (1) An application detailing—
 - (a) the species, breed, age and gender of each animal for which the approval is sought; and
 - (b) the number of animals to be kept; and
 - (c) the nature of the premises at which the animal or animals are to be kept; and
 - (d) the area, or the part of the area, in which the animal or animals are to be kept; and
 - (e) the materials out of which any enclosure in which the animal or animals to be kept is (or is to be) constructed and any other details of the enclosure; and
 - (f) the location of the enclosure on the premises; and
 - (g) the name of each person who is to occupy any residence located on the premises on which the animal or animals are to be kept.
- (2) Proof that the applicant currently holds any development approval relating to the prescribed activity that is required under the Planning Act.
- (3) If the applicant is not the owner of the premises on which the animal or animals are to be kept — the written permission of the owner of the premises to the keeping of the animal or animals on the premises.
- (4) Where the animal or animals are to be kept on multi-residential premises and the keeper of the animal or animals is entitled to make use of an area used in common with others (a *common area*) for the purpose of keeping the animal or animals — the written permission of the person or body which manages or controls the common area to use the common area for the purpose of keeping the animal or animals.
- (5) If an animal the subject of the application is required to be registered under the Animal Management Act — evidence that the animal is currently registered with the local government.

- (6) A drawing showing the design and dimensions of any enclosure in which the animal or animals are to be kept.

4. Additional criteria for the granting of an approval

- (1) Whether the premises on which the animal or animals are to be kept is appropriately sized so that the animal or animals can be effectively and comfortably kept on the premises.
- (2) Whether a residence exists on the premises.
- (3) Whether a proper enclosure is maintained on the premises in accordance with the requirements of *Local Law No. 2 (Animal Management) 2011*.
- (4) Whether the applicant for the approval of some other suitable person to supervise the animal or animals will be resident on the premises on which the animal or animals are to be kept.
- (5) Whether the animal or animals will be properly supervised.
- (6) If the application relates to the keeping of dogs— whether the animals identified in the application are registered with the local government.
- (7) If section 14 of the Animal Management Act applies to the applicant for the approval — whether the applicant has complied with the requirements of the section.
- (8) Whether the applicant is a suitable person to hold the approval.
- (9) Whether the grant of the approval for the prescribed activity on the premises is likely to —
 - (a) cause nuisance, inconvenience or annoyance to occupiers of adjoining land; or
 - (b) affect the amenity of the surrounding area; or
 - (c) have a deleterious effect on the local environment or cause pollution or other environmental damage.
- (10) If the application relates to the keeping of cats —
 - (a) whether the cats have been desexed; and
 - (b) whether the cats have been fitted with an approved microchip.
- (11) If the application relates to the keeping of an animal or animals on multi-residential premises —
 - (a) whether the applicant is entitled to make use of a common area; and
 - (b) whether the applicant has exclusive possession and control of the whole or a part of the common area for the purpose of keeping the animal or animals; and

- (c) whether the applicant has the written permission of the person or body which manages or controls the common area to use the common area, or a part of the common area, for the purpose of keeping the animal or animals.
- (12) Where the animal or animals are to be kept on premises other than multi-residential premises and the applicant is not the owner of the premises — whether the applicant has the written permission of the owner of the premises to keep the animal or animals on the premises.
- (13) Whether the applicant has been refused a similar type of approval by the local government or another local government.
- (14) If the application relates to a multiple cat approval or a multiple dog approval—whether compassionate grounds exist for granting the approval.

Example—

Compassionate grounds for the grant of an approval exist if—

- (a) 2 dogs are registered with the local government as kept by a person (the *first person*) on the premises; and
- (b) another person (the *second person*) is the keeper of another dog (the *third dog*); and
- (c) the second person is, due to the occurrence of an event (the *intervening event*) which is beyond the reasonable control of the second person, for example, a serious injury, sickness or the death of the second person, unable to keep the third dog; and
- (d) the first person, as a result of, or after the occurrence of, the intervening event, wishes to keep the third dog on the premises.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions that will ordinarily be imposed on an approval to keep dogs on premises are—
 - (a) a condition requiring that the approval holder take all reasonable steps to prevent the dogs from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises; and
 - (b) a condition requiring that the approval holder ensure that any enclosure in which the dogs are kept is properly drained and that run-off is kept off adjoining premises; and
 - (c) a condition requiring that the approval holder ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person; and
 - (d) a condition requiring that the approval holder ensure that any enclosure in which the dogs are kept is maintained in—
 - (i) a clean and sanitary condition and disinfected regularly; and

- (ii) an aesthetically acceptable condition; and
 - (e) a condition limiting the approval to the dogs identified in the approval; and
 - (f) a condition limiting the approval to the premises identified in the approval; and
 - (g) subject to compliance with the requirements of the Animal Management Act, section 14, a condition requiring that each dog be implanted with an approved microchip.
- (2) The conditions that will ordinarily be imposed on an approval to keep cats on premises are—
- (a) a condition limiting the approval to the cats identified in the approval; and
 - (b) a condition requiring the approval holder to—
 - (i) desex each cat within 3 months of the issue of the approval if the cat is aged 6 months or over; and
 - (ii) otherwise, desex each cat within 3 months after the cat reaches 6 months of age; and
 - (iii) produce to the local government evidence, by way of, for example, a statutory declaration, that the cat has been desexed; and
 - (c) a condition requiring that each cat be implanted with an approved microchip.
- (3) The conditions that will ordinarily be imposed on an approval to keep an animal (other than a dog or a cat) are—
- (a) if minimum standards for the keeping of the species or breed of the animal are prescribed in schedule 5 of *Subordinate Local Law No. 2 (Animal Management) 2011*—the animal must be kept in accordance with the minimum standards for the species or breed of animal prescribed in schedule 5 of *Subordinate Local Law No. 2 (Animal Management) 2011*; and
 - (b) if the approval relates to the keeping of 1 or more animals and the animal or animals are identified in the approval—a condition limiting the approval to the animal or animals identified in the approval; and
 - (c) a condition limiting the approval to the premises identified in the approval.
- (4) The conditions that will ordinarily be imposed on each of a cattery approval and a kennel approval are—
- (a) the operation of the prescribed activity must not detrimentally affect the amenity of neighbouring premises; and

- (b) the cattery or kennel must be suitably and continuously ventilated to ensure that all areas on which animals are kept are free of dampness, nuisance odours and dust emissions; and
 - (c) only rain from uncontaminated areas may drain directly into the storm water system; and
 - (d) all spillages of waste, contaminants and other materials must be cleaned up immediately and must not be cleaned up by hosing, sweeping or otherwise releasing such waste, contaminants or material to any storm water system or waters; and
 - (e) the operation of a prescribed activity must not attract fly breeding or vermin infestation; and
 - (f) all fixtures, fittings, equipment and facilities used in the operation of the prescribed activity must be maintained in a clean, tidy, sanitary and hygienic condition; and
 - (g) waste containers sufficient to accommodate the collection and storage of all waste generated as part of the operation of the prescribed activity must be provided in the manner, and at locations, approved by an authorised person; and
 - (h) all waste containers must be regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition; and
 - (i) animal feed must be stored in insect and vermin proof containers; and
 - (j) all enclosures which form part of the operation of the prescribed activity must be provided and maintained in a manner so as to—
 - (i) be clean and in a sanitary condition; and
 - (ii) prevent the escape of any animal kept in the enclosure; and
 - (iii) be in a state of good order and repair; and
 - (iv) avoid injury to any animal kept in the enclosure; and
 - (v) be impervious and able to be effectively cleaned and sanitised.
- (5) The conditions that will ordinarily be imposed on a pet shop approval are—
- (a) the holder of the approval must ensure that each animal kept at the premises receives all necessary vaccinations, inoculations and treatments which are appropriate according to the age of the animal; and
 - (b) no animal may be sold from the premises unless all necessary vaccinations, inoculations and treatments which are appropriate according to the age of the animal have been implemented; and
 - (c) the premises must be maintained in a clean and sanitary condition at all times; and

- (d) all excreta, offensive material and food scraps must be collected at least once each day and placed in a fly proof approved waste container for disposal; and
- (e) all animal food must be stored in a sealed vermin proof container; and
- (f) waste waters from the premises must be drained in a nuisance free manner or as directed by an authorised person; and
- (g) if a code of practice for the operation of a pet shop has been approved by the local government—the holder of the approval must operate the pet shop in accordance with the requirements of the code of practice.

7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirements stated.		

Schedule 2 Categories of approval that are non-transferable

Section 6

Every approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

Schedule 3 Dictionary

Section 4

animal entertainment park means a public place which includes, as part of its entertainment, the exhibiting of animals for the amusement or entertainment of the public.

Animal Management Act has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

animal sanctuary means a park, reserve or other place used for the preservation, protection or rehabilitation of animals.

approved microchip (for an animal)—

- (a) means a microchip which—
 - (i) is capable of being read by the local government's microchip reader; and
 - (ii) bears an electronic code which permanently identifies the animal for identification purposes; and
- (b) includes a permanent identification device.

cattery approval has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

common area has the meaning given in schedule 1, section 3(4).

development approval has the meaning given in the *Sustainable Planning Act 2009*.

kennel approval has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

multiple cat approval has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

multiple dog approval has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

multi-residential premises has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

owner (of an animal) has the meaning given in *Local Law No. 2 (Animal Management) 2011*.

owner (of land) includes—

- (a) the registered proprietor of freehold land; and
- (b) the purchaser of land to be held as freehold land that is being purchased from the State under an Act; and
- (c) the holder of a leasehold interest from the State; and
- (d) the holder of a mining claim or a mining lease to which the *Mineral Resources Act 1989* applies; and
- (e) another person who is entitled to receive the rent for the land.

owner (of premises) means the person for time being entitled to receive the rent for the premises or who would be entitled to receive the rent for it if it were let to a tenant at a rent.

permanent identification device has the meaning given in the *Animal Management Act*.

pet shop approval has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

PPID has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*.

premises has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

proper enclosure has the meaning given in *Local Law No. 2 (Animal Management) 2011*.

public place has the meaning given in *Local Law No. 1 (Administration) 2011*.

registered has the meaning given in the *Animal Management Act*.

residence has the meaning given in *Subordinate Local Law No. 2 (Animal Management) 2011*.

suitable person, to hold an approval, means a person who, in the local government's opinion, is acceptable as a keeper of an animal having regard to the following—

- (a) the nature of any offence committed by the person under the authorising local law or another law about the keeping of animals; and
- (b) whether the person has been the keeper of an animal and an approval of the person about the keeping of the animal has been cancelled under the authorising local law or another law; and
- (c) whether the person has committed an offence involving cruelty to an animal; and
- (d) any unsatisfactory past conduct of the person in relation to the keeping of an animal; and
- (e) whether the person has complied with the criteria prescribed for the keeping of an animal.

waste has the meaning given in the *Environmental Protection Act 1994*.

This and the preceding 11 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

726629_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas) 2011

Meeting Date: 18 June 2019

Attachment No: 14

Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), (4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and
 - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.
- (3) For section 6(4) of the authorising local law, it is declared that the prescribed

activity named in section 1 of schedule 1 is a category 2 activity.

- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.
- (10) For section 12 of the authorising local law, in Table 1 of schedule 1—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

6 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Part 3 Application to State-controlled roads

7 State-controlled roads to which the local law applies—Authorising local law, schedule 1

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 3 are roads to which the authorising local law applies unless otherwise provided in the local law.

Schedule 1 Undertaking regulated activities on local government controlled areas and roads

Section 5

1. Prescribed activity

- (1) Undertaking regulated activities on local government controlled areas and roads, and in particular, undertaking 1 of the following activities on a local government controlled area or road—
 - (a) driving or leading of animals to cross a road;
 - (b) depositing of goods or materials;
 - (c) holding of a public place activity prescribed under a subordinate local law but excluding the operation of a temporary entertainment event.
- (2) For the purposes of subsection (1)(c), provided the activity on the local government controlled area or road is not the use of the local government controlled area or road for soliciting or carrying on the supply of goods or services (including food or drink) for profit, public place activity means each of the following activities—
 - (a) the placing of a display or information booth;
 - (b) conducting a social gathering or meeting of more than 50 people;
 - (c) conducting or taking part in—
 - (i) an organised sporting activity of regional, State or national significance; or
 - (ii) a street parade; or
 - (iii) a vintage car display; or
 - (iv) a novelty vehicle race, for example, a go-cart race; or
 - (v) an invitation-only ceremony, party or celebration attended by more than 50 people; or
 - (vi) a training event held on no more than 1 day; or
 - (vii) a training event held on more than 1 day without payment of a fee; or
 - (viii) street performing;
 - (d) exercising a right of occupation and use of a specified part of a local government controlled area by an incorporated association;
 - (e) film and television production.

2. Activities that do not require an approval under the authorising local law

Section 6(2) of the authorising local law does not apply to each of the following activities—

- (a) any activity undertaken by, or on behalf of, the local government;
- (b) a picnic, day outing, walk or the like undertaken by not more than 50 persons;
- (c) an invitation only gathering of friends or family, including, for example, a barbecue or birthday party, undertaken by not more than 50 persons, provided the undertaking of the activity does not include the placing of temporary entertainment equipment, for example, a jumping castle or an inflatable water side, on a local government controlled area or road;
- (d) a cake stall, sausage sizzle, car wash or similar fundraising event;
- (e) an authorised public assembly undertaken in compliance with the requirements of the *Peaceful Assembly Act 1992*.

3. Documents and materials that must accompany an application for an approval

- (1) Details of the nature, time and place of the prescribed activity for which the approval is sought.
- (2) If the applicant wants to use a particular part of a local government controlled area or road for the prescribed activity— if requested, a site plan showing the relevant part of the local government controlled area or road.
- (3) If the prescribed activity is to be undertaken at or in close proximity to a site, stall or vehicle—specifications for the site, stall or vehicle which is proposed to be used in the undertaking of the prescribed activity.
- (4) Details of the name, street address, and contact details, of the person responsible for the undertaking of the prescribed activity.
- (5) If the person undertaking the prescribed activity is a child—the written consent of the parent or guardian of the child, to the undertaking of the prescribed activity by the child.
- (6) If requested—a traffic management plan which details—
 - (a) anticipated pedestrian and vehicular traffic which will be created by the undertaking of the prescribed activity; and
 - (b) anticipated impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to be undertaken; and
 - (c) how the applicant will minimise the impact of the undertaking of the prescribed activity on the movement of pedestrian and vehicular traffic in the area surrounding the place at which the prescribed activity is to

be undertaken.

- (7) Details of the undertaking of the prescribed activity including—
 - (a) if requested—a copy of each policy of insurance of the applicant which is applicable to the undertaking of the prescribed activity including, without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20,000,000.00; and
 - (b) how the applicant proposes to dispose of waste generated by the undertaking of the prescribed activity; and
 - (c) if signage is intended to be displayed – details of the signage and how the signage will be secured whilst displayed.
- (8) If requested—details of proposed arrangements for each of the following which may include, but is not limited to—
 - (a) consultation with key stakeholders; and
 - (b) notification of the event and, if applicable, road closure information, to the surrounding residents and/or businesses, including contact details for the person or business who will be undertaking the prescribed activity; and
 - (c) cleaning and sanitation; and
 - (d) noise management, including audio equipment; and
 - (e) waste and recycling; and
 - (f) catering services with each food business licence issued under the *Food Act 2006*; and
 - (g) toilet and wash basin facilities; and
 - (h) drinking water quality and supply; and
 - (i) security services; and
 - (j) emergency response; and
 - (k) road closure arrangements; and
 - (l) risk assessment and management strategy; and
 - (m) fire response; and
 - (n) camping controls, including shower and ablutions facilities and medical response.
- (9) Copies of applicable approvals and certifications, for example—
 - (a) a permit under the *Liquor Act 1992* if the consumption of liquor is to

be permitted; and

- (b) a certified electrical safety report of a qualified electrician; and
- (c) a certified structural safety report for all temporary construction work; and
- (d) if applicable—a fireworks licence issued by the Department of Natural Resources and Mines; and
- (e) a fire and emergency evacuation plan certified and approved by the Queensland Fire and Emergency Services Authority; and
- (f) a certificate for each amusement ride (if any) issued by Workplace Health and Safety Queensland; and
- (g) a temporary road closure approval; and
- (h) a special event permit issued under the *Transport Operations (Road Use Management – Accreditation and Other Provisions) Regulation 2015*.

4. Additional criteria for the granting of an approval

- (1) The prescribed activity for which the approval is sought must not unduly interfere with the proper use of the local government controlled area or road.
- (2) There must be a public demand for the prescribed activity in respect of which the approval is sought.
- (3) The physical characteristics of the local government controlled area or road must be suitable for the prescribed activity.
- (4) The prescribed activity must not cause undue nuisance, inconvenience or annoyance to—
 - (a) the occupier of any land which adjoins the location of the prescribed activity; or
 - (b) vehicular traffic; or
 - (c) pedestrian traffic.
- (5) The prescribed activity must not have a detrimental effect on the amenity of the surrounding area.
- (6) If the prescribed activity is the driving or leading of animals to cross a road—the driving or leading of the animals to cross the road must not unduly interfere with the proper use of the road or create a safety hazard for users of the road.
- (7) If the prescribed activity is the depositing of goods or materials on a local government controlled area or road—the depositing of the goods or materials on the local government controlled area or road must not unduly interfere with the usual use or the amenity of the local government controlled area or road.

- (8) If the prescribed activity is the holding of a public place activity on a local government controlled area or road—
 - (a) the undertaking of the prescribed activity must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding area; and
 - (b) there must be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and
 - (c) adequate provision must exist for the disposal of waste generated by the undertaking of the prescribed activity; and
 - (d) adequate provision must exist for people and (if relevant) vehicles to enter and leave the site of the prescribed activity.
- (9) In addition, if the prescribed activity is the holding of the public place activity of street performing on a local government controlled area or road, the undertaking of the prescribed activity—
 - (a) must contribute to a sense of place, or provide entertainment and thought provoking experiences to tourists and members of the public; and
 - (b) make a contribution to the cultural life of the local government area by reflecting styles, values and the issues of society at large; and
 - (c) must not interfere with pedestrian or vehicular traffic, or the conduct of business; and
 - (d) must not occur within a 10m radius of premises which incorporate a footpath dining facility, or licensed premises, during the business hours of the premises, except with the prior written consent of the person responsible for the operation of the premises.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require that the approval holder—
 - (a) limit the activities authorised by the approval to 1 or more of—
 - (i) a single specified location;
 - (ii) a number of specified locations;
 - (iii) a specified area;
 - (iv) a number of specified areas; and
 - (b) limit the activities to specified days and times; and

- (c) limit the activities to—
 - (i) a specified period of time; or
 - (ii) specified periods of time; and
- (d) produce the approval for inspection on demand by an authorised person; and
- (e) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
- (f) give the local government specified indemnities and take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
- (g) take specified measures to ensure that the activities authorised by the approval do not cause environmental harm or environmental nuisance; and
- (h) if the approval authorises the approval holder to use a specified part of a local government controlled area or road for the undertaking of the activity — pay a specified rental to the local government at specified intervals; and
- (i) submit the undertaking of the activity, including any vehicle or premises used in the undertaking of the activity, for inspection by an authorised person; and
- (j) prominently and permanently display at a specified location each of—
 - (i) the approval number granted by the local government in numbers not less than 50mm in height; and
 - (ii) the name and address of the approval holder in letters not less than 75mm in height; and
- (k) if the approval relates to an activity on a road—give a written indemnity to each of the State and the local government; and
- (l) display specified warning notices for the safety of users of the local government controlled area or road; and
- (m) limit the undertaking of the prescribed activity so that it does not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or
 - (iii) detrimentally affect the efficiency of the road network in which the activity is undertaken; and
- (n) limit the undertaking of the prescribed activity so that it does not detrimentally affect the amenity of the neighbourhood in which the

- prescribed activity is undertaken; and
- (o) ensure that the undertaking of the prescribed activity does not create a safety risk; and
- (p) at all times keep and maintain all facilities and equipment used in the undertaking of the prescribed activity—
 - (i) in good working order and condition; and
 - (ii) in a clean and sanitary condition; and
- (q) if the undertaking of the prescribed activity involves a temporary road closure—
 - (i) give public notice of the temporary road closure, for example, by the publication of notice of the temporary road closure in a newspaper circulating generally in the local government area of the local government; and
 - (ii) at least 7 days prior to the temporary road closure, inform persons residing, occupying or operating a business adjacent to the place at which the prescribed activity is to be undertaken or road to be closed, in writing, by letterbox drop, of the approximate prescribed activity/road closure date and time, the nature and scale of the prescribed activity, and (if applicable) adequate arrangements for the persons to enter or exit their property by vehicle for the duration of the prescribed activity or road closure.
- (2) If the prescribed activity is the driving or leading of animals to cross a road, the conditions of the approval may also require that the approval holder—
 - (a) restrict the number of animals that may be driven or led across the road; and
 - (b) not conduct the prescribed activity in a manner which is, or may be, a risk to road safety.
- (3) If the prescribed activity is the depositing of goods or materials on a local government controlled area or road, the conditions of the approval may also require that the approval holder—
 - (a) deposit the goods or materials—
 - (i) in a specified manner; and
 - (ii) for only 1 or more specified periods; and
 - (b) limit the deposit of the goods or materials to—
 - (i) a specified area; and
 - (ii) only 1 or more specified periods; and

- (c) if the goods or materials are deposited on a footpath—keep and maintain a clear unobstructed pedestrian corridor—
 - (i) of a specified width depending on the density of pedestrian traffic; and
 - (ii) during 1 or more specified periods; and
 - (d) only use, for the purposes of the deposit of the goods or materials, a structure which is—
 - (i) of safe construction; and
 - (ii) in good condition and repair; and
 - (iii) securely fixed to the land on which the prescribed activity is undertaken; and
 - (e) remove the goods or materials, and any structure used for the purposes of the depositing of the goods or materials, at a specified time, or after a specified period.
- (4) If the prescribed activity is the holding of a public place activity prescribed under a subordinate local law, the conditions of the approval may also require that the approval holder—
- (a) provide specified facilities and amenities; and
 - (b) provide specified illumination for the purposes of the undertaking of the prescribed activity and take specified measures to reduce light spillage from the undertaking of the prescribed activity; and
 - (c) take specified measures to reduce noise emission from the undertaking of the prescribed activity; and
 - (d) provide specified equipment, or take specified measures, to reduce adverse effects of the undertaking of the prescribed activity on the surrounding neighbourhood to acceptable levels; and
 - (e) not discharge trade waste generated by the undertaking of the prescribed activity otherwise than in accordance with an approval under the *Water Supply (Safety and Reliability) Act 2008*; and
 - (f) for waste generated by the undertaking of the prescribed activity—
 - (i) only dispose of the waste—
 - (A) in a safe and sanitary manner; and
 - (B) in a manner which maintains the site of the prescribed activity and its surrounds in a clean, tidy, sanitary and hygienic condition; and
 - (ii) not dispose of the waste—

- (A) so as to attract pests; or
 - (B) into a water course; or
 - (C) at another location other than a location properly intended for the receipt of the waste; and
 - (g) keep and maintain in and about the area identified in the approval, adequate waste disposal facilities, for example, bins, and be responsible for the removal of all waste from the waste disposal facilities at such intervals as an authorised person may direct; and
 - (h) not place or display any sign or device advertising the undertaking of the prescribed activity in the area identified in the approval otherwise than in accordance with an approval of the local government for example, under *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011* which authorises the use of the area for that purpose.
- (5) In addition, if the prescribed activity is the holding of the public place activity of street performing, the conditions of the approval may also require that the approval holder—
- (a) limit the undertaking of the prescribed activity to specified days and times; and
 - (b) limit the duration of each street performance; and
 - (c) schedule a minimal interval between each street performance; and
 - (d) not undertake the prescribed activity in front of premises which are used for the undertaking of a business activity during the business hours of the premises, except with the prior written consent of the person responsible for the operation of the premises; and
 - (e) ensure that the undertaking of the prescribed activity does not cause undue obstruction to pedestrian or vehicular traffic, for example, by obstructing pedestrian or vehicular traffic at the entrance to a shop or building; and
 - (f) remove specified goods or materials, and any structure, which are used for the purposes of the undertaking of the prescribed activity at a specified time, or after a specified period, for example, daily; and
 - (g) in the undertaking of the prescribed activity—not use any device or thing as a means of amplification of the street performing without the prior written consent of the local government; and
 - (h) if the local government has granted an approval in respect of the undertaking of a specific event or activity on a local government controlled area or road, for example, a street festival—not undertake the prescribed activity for the duration of the event or activity in the vicinity of the place at which the event or activity is being undertaken, without the prior written consent of the local government; and

- (i) not sell, or offer or expose for sale, any goods or services which are directly or indirectly related to the undertaking of the prescribed activity unless authorised under the conditions of an approval for a prescribed activity.

7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirement stated.		

Schedule 2 Categories of approval that are non-transferable

Section 6

Each approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

Schedule 3 State-controlled roads to which the local law applies

Section 7

No State-controlled roads listed.

Schedule 4 Dictionary

Section 4

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

footpath has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

goods includes wares, merchandise, chattels, money, stone, timber, metal, fluid and any other article, substance or material whatsoever and also includes an animal.

premises means the premises used in the undertaking of the prescribed activity.

public place activity see schedule 1, section 1(2).

road has the meaning given in the authorising local law.

sanitary convenience has the meaning given in the *Environmental Protection Act 1994*.

street performance see street performing.

street performing means a musical, theatrical or other type of performance undertaken by a person —

- (a) to entertain the public; and
- (b) seeking voluntary reward for the performance.

structure has the meaning given in the *Local Government Act 2009*.

trade waste has the meaning given in the *Water Supply (Safety and Reliability) Act 2008*.

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

waste has the meaning given in the *Environmental Protection Act 1994*.

This and the preceding 15 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011

Meeting Date: 18 June 2019

Attachment No: 15

Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

- (1) The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).
- (2) The activity named in schedule 1, section 1 is a prescribed activity for the purposes of section 5(b) of the authorising local law.

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 4 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), (4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and

- (b) prescribes the matters specified in this section for the prescribed activity.¹¹²
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.
 - (3) For section 6(4) of the authorising local law, it is declared that the prescribed activity named in section 1 of schedule 1 is a category 1 activity.
 - (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
 - (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
 - (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
 - (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
 - (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
 - (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.

6 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Part 3 Application to State-controlled roads

7 State-controlled roads to which the local law applies – authorising local law, schedule 1

¹¹² Section 103(4) of the TORUM Act relevantly provides that under a local law, a local government may—

- (a) allow a vehicle to park contrary to an indication on an official traffic sign regulating parking by time or payment of a fee, if the vehicle displays a permit issued by the local government; and
- (b) define the persons that may be issued with a permit (as distinct from an approval).

The local government has defined the persons that may be issued with a permit (as distinct from an approval) under *Local Law No. 5 (Parking) 2011*. *Local Law No. 1 (Administration) 2011* is a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws and provides for miscellaneous administrative matters. *Local Law No. 1 (Administration) 2011* provides for consistent and comprehensive processes for the local government to grant and regulate approvals (as distinct from permits) to undertake prescribed activities. The activity identified in schedule 1, section 1 is a prescribed activity. *Local Law No. 1 (Administration) 2011*, schedule 1 defines approval to include, relevantly, a permit. Each category of permit identified under *Local Law No. 5 (Parking) 2011* is an approval for the purposes of *Local Law No. 1 (Administration) 2011*.

For the purposes of the definition of *road* in schedule 1 of the authorising local law, the State-controlled roads listed in schedule 3 are the roads to which the authorising local law applies unless otherwise provided in the local law.

Schedule 1 Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee

Section 5

1. Prescribed activity

Parking contrary to an indication on an official traffic sign regulating parking by time or payment of a fee.

2. Activities that do not require an approval under the authorising local law

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) The name and contact details of the applicant.
- (2) A description of the type and make of the vehicle.
- (3) The registration number of the vehicle and the date of expiry of the registration.
- (4) Details of the registered owner of the vehicle.
- (5) Details of why the applicant requires the approval.
- (6) The period during which the applicant requires the approval.
- (7) If the application is for a works zone parking permit—
 - (a) details of the specified part of the road adjacent to the site of the proposed building or construction work which the applicant proposes will be declared as a works zone; and
 - (b) evidence that the applicant intends undertaking the building or construction work at the site during the term of the permit.
- (8) If a community service organisation is applying for a community service organisation parking permit—details of off-street parking that is, or could reasonably be, made available for use by persons undertaking activities for or on behalf of the community service organisation on land of which the community service organisation is the owner or the occupier.
- (9) If the application is for a tourist vehicle parking permit—
 - (a) details of—
 - (i) if the tourist vehicle is a horse drawn vehicle—the horses to be used in the undertaking of the prescribed activity, including the condition and fitness of the horses and the address where the horses are normally stabled; and

- (ii) the passenger carrying capacity of the tourist vehicle; and
 - (iii) lighting and warning devices attached to the tourist vehicle; and
 - (iv) the proposed hours of operation of the prescribed activity; and
 - (v) the name, address and telephone number of each person who will be driving the tourist vehicle, including details of their experience in operating such tourist vehicles; and
- (b) a statement by the owner of the tourist vehicle that the tourist vehicle complies with the *Transport Operations (Road Use Management Act) 1995*.

4. Additional criteria for the granting of an approval

The local government may only grant a community service organisation parking permit to a community service organisation if it is satisfied that off-street parking that is, or could reasonably be, made available for use by persons undertaking activities for or on behalf of the community service organisation at the premises of the community service organisation is not adequate.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require the approval holder to—
- (a) affix the approval to, or exhibit the approval on, a specified part of the vehicle identified in the approval facing outwards so that it is clearly visible to a person outside the vehicle; and
 - (b) if the approval holder requests the issue of a replacement approval—complete a statutory declaration detailing the facts and circumstances of the loss, destruction or damage of the original approval; and
 - (c) enter into an agreement with the local government to indemnify the local government against claims (including claims made against the approval holder by the local government) for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the use of a vehicle under the approval; and
 - (d) if the approval holder is a business—take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
 - (e) take specified measures to reduce the impact of the activities authorised by the approval so that the activities do not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or

- (iii) detrimentally affect the efficiency of the road network in which the activity is undertaken.
- (2) Also, the conditions of a resident parking permit may require that the approval holder—
 - (a) only use the permit in respect of the parking of a vehicle identified in the permit at the location identified in the permit which must be—
 - (i) the road adjacent to the residence identified in the permit; or
 - (ii) the one or more segments of road in close proximity to the residence identified in the permit; and
 - (b) only use the permit whilst the holder resides at the residence identified in the permit.
- (3) Also, the conditions of a works zone parking permit may—
 - (a) specify the part of the road to which the permit relates; and
 - (b) require the approval holder to pay a prescribed fee, as determined by the local government, for the installation of official traffic signs, or other signs and markings, as determined by the local government to be appropriate, to identify the boundaries of the works zone identified in the permit; and
 - (c) require that the approval holder not park a vehicle within the works zone except while the vehicle is being loaded or unloaded in connection with the building or construction work to which the permit relates; and
 - (d) require that materials of any kind not be stacked, placed or otherwise left on the road or footpath (either within or outside of the works zone); and
 - (e) require that a vehicle not be parked, loaded or unloaded or that other operations be carried out, in a manner which obstructs pedestrian movement along a footpath within or adjacent to the works zone.
- (4) The conditions of a visitor parking permit may—
 - (a) require that the approval holder only use the permit in respect of the parking of a vehicle at the locations identified in the permit which must be—
 - (i) the road adjacent to the residence identified in the permit; or
 - (ii) the one or more segments of road in close proximity to the residence identified in the permit; and
 - (b) require that the permit must only be used by a person visiting or attending at the residence identified in the permit; and
 - (c) specify that the visitor parking permit is not specific to any particular

vehicle.

- (5) The conditions of a tourist vehicle parking permit may—
- (a) require that the tourist vehicle used in the undertaking of the prescribed activity must be kept in a condition which is clean, safe and fit for the conveyance of passengers; and
 - (b) require that the person driving the tourist vehicle must be in a clean and presentable condition; and
 - (c) limit the operation of the prescribed activity by reference to specified hours and specified days; and
 - (d) require that the name, address and telephone number of the holder of the permit is prominently and permanently displayed on both sides of the tourist vehicle; and
 - (e) if the tourist vehicle is a horse drawn vehicle—
 - (i) require that the driver of the horse drawn vehicle undertaking the prescribed activity must, at all times, be close enough to the vehicle to be able to maintain adequate control over the vehicle and the horse; and
 - (ii) require that the driver of the horse drawn vehicle ensure that appropriate measures are taken to—
 - (A) prevent manure dropping onto a road; and
 - (B) remove any manure that drops onto a road; and
 - (C) ensure that no overloading of the vehicle occurs; and
 - (f) require the holder of the permit to give specified indemnities and take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the permit.

7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Schedule 2 Categories of approval that are non-transferable

Section 6

Every approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

Schedule 3 State-controlled roads to which the local law applies

Section 7

List of State-controlled roads—

- (a) Lawrie Street, Gracemere;
- (b) Campbell Street, Wandal;
- (c) Wandal Road, Wandal.

Schedule 4 Dictionary

Section 4

community service organisation parking permit see Subordinate Local Law No. 5 (Parking) 2011, schedule 4.

resident parking permit see Subordinate Local Law No. 5 (Parking) 2011, schedule 4.

tourist vehicle see Subordinate Local Law No. 5 (Parking) 2011, schedule 4.

tourist vehicle parking permit see Subordinate Local Law No. 5 (Parking) 2011, schedule 4.

visitor parking permit see Subordinate Local Law No. 5 (Parking) 2011, schedule 4.

works zone parking permit see Subordinate Local Law No. 5 (Parking) 2011, schedule 4.

This and the preceding 11 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

726618_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011

Meeting Date: 18 June 2019

Attachment No: 16

Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.16 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 3 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and
 - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.
- (3) For section 8(2)(a) of the authorising local law, the documents and materials that

must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.

- (4) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (5) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (7) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (8) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.
- (9) For section 12 of the authorising local law, in Table 1 of schedule 1—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

6 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Schedule 1 Carrying out works on a road or interfering with a road or its operation

Section 5

1. Prescribed activity

Carrying out works on a road or interfering with the road or its operation (*Local Government Act 2009*, section 75(2)).

2. Activities that do not require an approval under the authorising local law

No activities stated.

3. Documents and materials that must accompany an application for an approval

- (1) Full details of the proposed works or interference including plans and specifications.
- (2) Details of all building work and other work to be carried out under the approval.
- (3) Details of the time and place at which the prescribed activity will be undertaken.
- (4) The proposed term of the approval.
- (5) The impact, if any, of the prescribed activity on pedestrian or vehicular traffic.
- (6) The materials, equipment and vehicles to be used in the undertaking of the prescribed activity.
- (7) Plans and specifications detailing—
 - (a) the relevant part of the road that is to be used for the undertaking of the prescribed activity; and
 - (b) the proposed location of each structure and item of equipment to be used in the undertaking of the prescribed activity; and
 - (c) the type and location of any utility, service or infrastructure to be used in the undertaking of the prescribed activity.
- (8) A copy of each policy of insurance of the applicant which is applicable to the undertaking of the prescribed activity including, without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20,000,000.00.

4. Additional criteria for the granting of an approval

The carrying out of the work or interference with the road or its operation must not—

- (a) result in—

- (i) harm to human health or safety; or
- (ii) property damage or loss of amenity; or
- (iii) nuisance; or
- (iv) obstruction of vehicular or pedestrian traffic; or
- (v) environmental harm; or
- (vi) environmental nuisance; or
- (b) adversely affect the amenity of the area in which the prescribed activity is to be undertaken.

5. Conditions that must be imposed on an approval

No conditions prescribed.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may—
 - (a) require compliance with specified safety requirements; and
 - (b) regulate the time within which the prescribed activity must be carried out; and
 - (c) specify standards with which the prescribed activity must comply; and
 - (d) require the approval holder to—
 - (i) carry out specified additional work such as earthwork and drainage work; and
 - (ii) take out and maintain public liability insurance as specified by the local government and produce documentary evidence of the insurance to the local government before commencement of the prescribed activity; and
 - (iii) give the local government specified indemnities; and
 - (iv) maintain structures erected or installed, or vegetation planted, under the approval, in good condition; and
 - (v) remove a structure erected or installed, under the approval, at the end of a stated period; and
 - (vi) exhibit specified signage warning about the conduct of the prescribed activity; and
 - (vii) provide a bond to the local government.
- (2) The conditions of an approval may require the approval holder to take specified measures to—

- (a) prevent harm to human health or safety of persons involved in, or affected by, the undertaking of the prescribed activity; and
- (b) prevent loss of amenity or nuisance resulting from the undertaking of the prescribed activity; and
- (c) ensure that the undertaking of the prescribed activity does not cause unsafe movement or obstruction of vehicular or pedestrian traffic; and
- (d) ensure that the works are carried out strictly in accordance with the information submitted to the local government; and
- (e) minimise obstruction or inconvenience to the public by, for example, carrying out the work during a specified period or in a specified manner so as to avoid undue inconvenience to the public; and
- (f) locate existing services, including utility services, situated in the vicinity of the area which is the subject of the work, prior to the commencement of the work and comply with the requirements of service providers; and
- (g) ensure that pedestrian and vehicular traffic is controlled in accordance with the requirements of part 3 of the Manual of Uniform Traffic Control Devices; and
- (h) give notice to emergency services, bus and taxi operators and garbage collection service providers, as appropriate, prior to the commencement of the works; and
- (i) if required by the local government—install scaffolding at the site of the works in a specified manner; and
- (j) ensure that scaffolding is located as required by the local government and, generally, located so as not to detrimentally impact on the safety and movement of vehicles on any road; and
- (k) install 1 or more barriers adjacent to the site of the works which are capable of—
 - (i) safely containing all building materials within the site of the works; and
 - (ii) preventing public use and access; and
- (l) ensure pedestrian and vehicular safety including, but not limited to, the installation and use of barricades, safety lighting, warning devices and other approved measures for providing for adequate pedestrian and vehicular access; and
- (m) ensure that access to all services, including local government services, for example water valves, fire hydrants, manholes and access pits is maintained at all times; and
- (n) if the prescribed activity requires the temporary closure of a road—give prior notice to adjoining and affected owners and occupiers of

land and maintain the access of affected and adjoining owners and occupiers of land; and

- (o) monitor and restrict water usage associated with the undertaking of the prescribed activity; and
- (p) ensure the cleaning of each area of road, and adjacent buildings and land which are affected by the undertaking of the prescribed activity; and
- (q) ensure that the approval for the undertaking of the prescribed activity is available for inspection on demand by an authorised person; and
- (r) in the undertaking of the prescribed activity, ensure that all plant and equipment is used strictly in accordance with relevant manufacturers' specifications; and
- (s) ensure the removal of all hoardings and footpath closure devices and the resumption of normal road and footpath conditions; and
- (t) reinstate the site at which the prescribed activity is undertaken to its original condition at no cost to the local government within a specified period; and
- (u) reimburse the local government in respect of all costs and expenses associated with repairs and reinstatement work which are a direct or indirect consequence of the undertaking of the prescribed activity in accordance with the requirements of the approval; and
- (v) ensure that an unobstructed pedestrian corridor or footpath having a width of not less than 1.5m is maintained at all times for pedestrian access and that no barrier or construction materials encroach onto the corridor or footpath area at any time whilst the prescribed activity is being undertaken; and
- (w) if the work relates to the installation of bait stations within the footpath—
 - (i) ensure that the bait stations are flush with the surface of the footpath and that any surface breakage or chipping around any bait station is reinstated; and
 - (ii) deliver to the local government an as constructed plan of a specified size which accurately details the location of each bait station; and
- (x) if the prescribed activity is to be undertaken on a State-controlled road—obtain relevant approvals from the State in respect of the undertaking of the prescribed activity prior to the commencement of the prescribed activity; and
- (y) record, and deliver to the local government on a daily basis, details of—
 - (i) the location and time of erection and removal of road work

signage; and

- (ii) the occurrence of any adverse incident incidental to the undertaking of the prescribed activity; and
- (z) ensure that the prescribed activity is not undertaken during peak periods on high volume roads in urban areas and, if works continue overnight, measures to ensure that appropriate long term signage and delineation layout is implemented; and
- (aa) prepare a traffic control management plan for the undertaking of the prescribed activity, obtain the approval of the local government for the plan and, subject to approval of the plan, implement the plan in accordance with the conditions of the approval; and
- (ab) ensure the installation of specified hoardings adjacent to the site of the prescribed activity; and
- (ac) if the prescribed activity is to be undertaken over an awning—ensure that the structural integrity of the awning is assessed and certified by an engineer as capable of supporting or containing plant, workers, tools and materials used above the awning and produce a copy of the engineer’s certification prior to the commencement of the prescribed activity; and
- (ad) if the undertaking of the prescribed activity involves a temporary road closure—
 - (i) give public notice of the temporary road closure, for example, by the publication of notice of the temporary road closure in a newspaper circulating generally in the local government area of the local government; and
 - (ii) at least 7 days prior to the temporary road closure, inform persons residing, occupying or operating a business adjacent to the prescribed activity location or road to be closed, in writing, by letterbox drop, of the approximate prescribed activity/road closure date and time, the nature and scale of the proposed activities, and (if applicable) adequate arrangements for them to enter or exit their property by vehicle for the duration of the activity or road closure; and
- (ae) reimburse the local government all costs and expenses incurred by the local government which directly or indirectly relate to damage sustained to any road or footpath paving or underlying footpath slab which are a direct or indirect consequence of the undertaking of the prescribed activity; and
- (af) ensure that all trees, shrubs and other vegetation which are affected, or may be affected, by the prescribed activity are retained and not damaged; and
- (ag) ensure that no chemical type material, oil, paint, bituminous product, fuel, cement, concrete or the like is placed or dumped on any tree,

shrub or other vegetation as a direct or indirect consequence of the undertaking of the prescribed activity; and

- (ah) ensure that in the undertaking of the prescribed activity, no tree, shrub or other vegetation on a local government controlled area or road is removed, modified or disturbed, including the disturbance of any root system within the drip line, in the absence of an approval of the local government; and
- (ai) if any tree, shrub or other vegetation is damaged as a direct or indirect consequence of the undertaking of the prescribed activity—ensure the replacement of the damaged tree, shrub or other vegetation; and
- (aj) if the undertaking of the prescribed activity affects a designated parking space—prior to the commencement of the prescribed activity, obtain from the local government an approval in respect of the use of the designated parking space; and
- (ak) ensure that the undertaking of the prescribed activity complies with erosion and sediment control requirements of the local government, for example—
 - (i) the construction of sediment fences, earth berms and temporary drainage designed to prevent sediment being transported to any adjoining land, road or drainage system; and
 - (ii) all disturbed areas must be mulched or turfed and grassed as soon as practicable during the undertaking of the prescribed activity; and
 - (iii) measures must be put in place to prevent vehicles used in the undertaking of the prescribed activity tracking sediment and other pollutants onto any road during the undertaking of the prescribed activity; and
 - (iv) any road or drainage system affected by the undertaking of the prescribed activity must be reinstated; and
 - (v) stockpiles of topsoil, sand, aggregate, spoil and other material capable of being moved by the action of wind or running water must be stored clear of any drainage path, with appropriate measures to prevent entry onto any road or drainage system; and
- (al) if the approval authorises the approval holder to use a specified part of a road for the undertaking of the prescribed activity — pay a licence fee to the local government at specified intervals.

7. Term of an approval

- (1) The term of an approval must be determined by the local government having regard to the information submitted by the applicant.
- (2) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1 Application requirement	Column 2 Individuals or organisations that are third party certifiers	Column 3 Qualifications necessary to be a third party certifier
No application requirement stated		

Schedule 2 Categories of approval that are non-transferable

Section 6

Every approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

Schedule 3 Dictionary

Section 4

building work has the meaning given in the *Building Act 1975*.

environmental harm has the meaning given in the *Environmental Protection Act 1994*.

environmental nuisance has the meaning given in the *Environmental Protection Act 1994*.

structure has the meaning given in the *Local Government Act 2009*.

This and the preceding 11 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering With a Road or its Operation) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

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Chief Executive Officer

726617_1

LOCAL LAW MAKING PROCESS

Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011

Meeting Date: 18 June 2019

Attachment No: 17

Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011

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Part 1 Preliminary

1 Short title

This subordinate local law may be cited as *Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011*.

2 Purpose and how it is to be achieved

- (1) The purpose of this subordinate local law is to supplement *Local Law No. 1 (Administration) 2011* which provides for a legal and procedural framework for the administration, implementation and enforcement of the local government's local laws, subordinate local laws and other regulatory powers, and for miscellaneous administrative matters.
- (2) The purpose is to be achieved by providing for—
 - (a) various matters regarding the granting of approvals for prescribed activities; and
 - (b) further specification of the definitions relevant to various prescribed activities.
- (3) In particular, the purpose of this subordinate local law is to supplement the legal and procedural framework for the prescribed activity named in schedule 1, section 1.

3 Authorising local law

The making of the provisions in this subordinate local law is authorised by *Local Law No. 1 (Administration) 2011* (the **authorising local law**).

4 Definitions

- (1) Particular words used in this subordinate local law have the same meaning as provided for in the authorising local law.
- (2) The dictionary in schedule 3 defines particular words used in this subordinate local law.

Part 2 Approval for prescribed activity

5 Matters regarding the prescribed activity—Authorising local law, ss 6(3), (4), 8(2)(a), 9(1)(d), 10(3), 12, 13(a), 14(1)(a)

- (1) Schedule 1—
 - (a) names a prescribed activity in section 1; and
 - (b) prescribes the matters specified in this section for the prescribed activity.
- (2) For section 6(3) of the authorising local law, it is declared that section 6(2) of the authorising local law does not apply to the particular activities stated in section 2 of schedule 1.
- (3) For section 6(4) of the authorising local law, it is declared that the prescribed

activity named in section 1 of schedule 1 is a category 1 activity.

- (4) For section 8(2)(a) of the authorising local law, the documents and materials that must accompany an application for approval for the prescribed activity are stated in section 3 of schedule 1.
- (5) For section 9(1)(d) of the authorising local law, the local government may only grant an approval for the prescribed activity if it is satisfied the proposed operation and management of the activity would be consistent with the additional criteria prescribed in section 4 of schedule 1.
- (6) For section 10(3) of the authorising local law, the conditions that must be imposed on an approval for the prescribed activity are stated in section 5 of schedule 1.
- (7) For section 10(3) of the authorising local law, the conditions that will ordinarily be imposed on an approval for the prescribed activity are stated in section 6 of schedule 1.
- (8) For section 13(a) of the authorising local law, the term of an approval for the prescribed activity is provided for in section 7 of schedule 1.
- (9) For section 14(1)(a) of the authorising local law, the further term for renewal or extension of an approval for the prescribed activity is provided for in section 8 of schedule 1.
- (10) For section 12 of the authorising local law, in Table 1 of schedule 1—
 - (a) column 1 lists the application requirements for which the local government may accept as evidence the certificate of a third party certifier; and
 - (b) column 2 lists the individuals or organisations that are declared to be third party certifiers for the corresponding application requirement in column 1; and
 - (c) column 3 lists the qualifications that are necessary for an individual or organisation to be a third party certifier for the corresponding application requirement in column 1.

6 Approvals that are non-transferable—Authorising local law, s 15(2)

For section 15(2) of the authorising local law, it is declared that the categories of approval listed in schedule 2 are non-transferable.

Schedule 1 Use of a vehicle on an airside area

Section 5

1. Prescribed activity

Use of a vehicle on an airside area

2. Activities that do not require an approval under the authorising local law

No activities stated.

3. Documents and materials that must accompany an application for an approval

(1) If the application relates to an airside driving authority—

- (a) applicant details; and
- (b) driver's licence details, and a copy of the licence; and
- (c) aviation security identification card details, and a copy of the card;
- (d) company endorsement; and
- (e) applicant declaration; and
- (f) ADA category details; and
- (g) radio telephone licence details, and a copy of the licence; and
- (h) airside driver training evidence; and
- (i) completed airside driver training questionnaire.

(2) If the application relates to an Aeronautical Radio Operator Certificate—

- (a) applicant details; and
- (b) company endorsement; and
- (c) vehicle details (including registration number, make, model, year, GVM and tonne); and
- (d) AVP category details; and
- (e) AVP requirements; and
- (f) insurance details and proof of coverage; and
- (g) completed indemnity and release in the form required by the local government.

4. Additional criteria for the granting of an approval

(1) The grant of the approval must be consistent with the objects of *Local Law*

No. 7 (Aerodromes)2011.

- (2) An approval must not be granted for the use of a vehicle on an airside area unless a current airside vehicle permit for the vehicle is produced to the local government.
- (3) An approval must not be granted for the use of a vehicle on an airside area by a person unless the person is the holder of a current airside driving authority and the authority is produced to the local government.

5. Conditions that must be imposed on an approval

The approval holder must, whilst undertaking the prescribed activity, comply with the requirements of the aerodrome manual prepared by the local government for the aerodrome under the *Civil Aviation Safety Regulations 1998 (Commonwealth)*, part 139.

6. Conditions that will ordinarily be imposed on an approval

- (1) The conditions of an approval may require the approval holder to—
 - (a) affix the approval to, or exhibit the approval on, a specified part of the vehicle identified in the approval facing outwards so that the approval is clearly visible to a person outside the vehicle; and
 - (b) if the approval holder requests the issue of a replacement approval—complete a statutory declaration detailing the facts and circumstances of the loss, destruction or damage of the original approval; and
 - (c) enter into an agreement with the local government to indemnify the local government against claims (including claims made against the approval holder by the local government) for personal injury (including death) and damage to property (including economic loss) arising by, through or in connection with the use of a vehicle under the approval; and
 - (d) if the approval holder is a business—take out and maintain insurance against personal injury and property damage resulting from the activities authorised by the approval; and
 - (e) take specified measures to reduce the impact of the activities authorised by the approval so that the activities do not—
 - (i) create a traffic nuisance; or
 - (ii) increase an existing traffic nuisance; or
 - (iii) detrimentally affect the efficiency of the airside area on which the activity is undertaken.
- (2) The conditions of an approval may require that the approval holder—
 - (a) limit the activities authorised by the approval to—
 - (i) a specified area; or

- (ii) a number of specified areas; and
- (b) limit the activities to specified days and times; and
- (c) limit the activities to—
 - (i) a specified period of time; or
 - (ii) specified periods of time; and
- (d) take specified measures to protect the safety of persons who may be involved in, or affected by, the activities authorised by the approval; and
- (e) take specified measures to ensure that the activities authorised by the approval do not cause a nuisance; and
- (f) ensure that the vehicle used in the operation of the prescribed activity is, at all times, maintained—
 - (i) in good working order and condition; and
 - (ii) in a clean and sanitary condition; and
- (g) produce to an authorised person on demand—
 - (i) a current airside vehicle permit; and
 - (ii) a current airside driving authority.

7. Term of an approval

- (1) The term of an approval may be assessed by an authorised person having regard to the information submitted by the applicant.
- (2) However, an authorised person may fix the term for an approval if it is desirable to do so—
 - (a) to provide common expiry dates for approvals; or
 - (b) for some other reason.
- (3) The term of the approval must be specified in the approval.

8. Term of renewal of an approval

- (1) The term for which an approval may be renewed or extended must be determined by the local government having regard to the information submitted by the approval holder.
- (2) If the local government grants the application, the local government must specify in the written notice, the term of the renewal or extension.

Table 1 – Third party certification

Column 1	Column 2	Column 3
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Application requirement	Individuals or organisations that are third party certifiers	Qualifications necessary to be a third party certifier
No application requirements stated		

Schedule 2 Categories of approval that are non-transferable

Section 6

Every approval for the prescribed activity named in schedule 1, section 1 is non-transferable.

Schedule 3 Dictionary

Section 4

aerodrome manual has the meaning given in the *Civil Aviation Safety Regulations 1998 (Commonwealth)*, part 139.

airside area has the meaning given in *Local Law No. 7 (Aerodromes) 2011*.

airside driving authority has the meaning given in the civil aviation safety laws (including the aerodrome manual).

airside vehicle permit has the meaning given in the civil aviation safety laws (including the aerodrome manual).

vehicle has the meaning given in the *Transport Operations (Road Use Management) Act 1995*.

This and the preceding 8 pages bearing my initials is a certified copy of the consolidated version of *Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011* adopted in accordance with the provisions of section 32 of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of (*insert the date of the relevant resolution of Council*) 2019.

.....
Chief Executive Officer

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LOCAL LAW MAKING PROCESS

Local Law (Repealing) Local Law (No. 1) 2019

Meeting Date: 18 June 2019

Attachment No: 18

Local Law (Repealing) Local Law (No. 1) 2019

Contents

1	Short title.....	2
2	Commencement	2
3	Local law repealed.....	2
4	Expiration.....	2

1 Short title

This local law may be cited as *Local Law (Repealing) Local Law (No. 1) 2019*.

2 Commencement

This local law commences on the date notice of the making of the local law is published in the gazette.

3 Local law repealed

This local law repeals *Local Law No. 6 (Bathing Reserves) 2011*.

4 Expiration

This local law expires on the day after notice of the making of the local law is published in the gazette.

This and the preceding page bearing my initials is a certified copy of *Local Law (Repealing) Local Law (No. 1) 2019* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of *(insert the date of the relevant resolution of Council)* 2019.

.....
Chief Executive Officer

LOCAL LAW MAKING PROCESS

Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019

Meeting Date: 18 June 2019

Attachment No: 19

Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019

Contents

1	Short title.....	2
2	Commencement	2
3	Subordinate local law repealed	2
4	Expiration.....	2

1 Short title

This subordinate local law may be cited as *Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019*.

2 Commencement

This subordinate local law commences on the date notice of the making of the subordinate local law is published in the gazette.

3 Subordinate local law repealed

This subordinate local law repeals *Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011*.

4 Expiration

This subordinate local law expires on the day after notice of the making of the subordinate local law is published in the gazette.

This and the preceding page bearing my initials is a certified copy of *Subordinate Local Law (Repealing) Subordinate Local Law (No. 1) 2019* made in accordance with the provisions of the *Local Government Act 2009* by Rockhampton Regional Council by resolution dated the day of *(insert the date of the relevant resolution of Council)* 2019.

.....
Chief Executive Officer

LOCAL LAW MAKING PROCESS

Schedule of Anti-Competitive Provisions

Meeting Date: 18 June 2019

Attachment No: 20

SCHEDULE OF ANTI COMPETITIVE PROVISIONS INCLUDED IN THE LOCAL LAWS AND SUBORDINATE LOCAL LAWS AND REASONS FOR THEIR INCLUSION

Name and number of local law	Details of anti-competitive provisions
Commercial Use of Local Government Controlled Areas and Roads (Amendment) Subordinate Local Law (No. 1) 2019	Subordinate local law – section 3 (Amendment of schedule 1).
Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019 (formerly referred to as Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2018)	Subordinate local law sections 5(2), (5), (6) and (7) and 6.
Animal Management (Amendment) Subordinate Local Law (No. 1) 2019	Subordinate local law – section 4 (Amendment of schedule 1). Subordinate local law – section 5 (Amendment of schedule 2). Subordinate local law – section 7 (Amendment of schedule 4). Subordinate local law – section 8 (Amendment of schedule 5).
Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019	Subordinate local law – section 3 (Amendment of schedule 1).
Community and Environmental Management (Amendment) Local Law (No. 1) 2019	Local law section 7 (Amendment of section 10). Local law section 8 (Amendment of section 13).
Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019	Subordinate local law section 5 (Amendment of schedule 1).

The identified anti-competitive provisions were retained in full in the public interest, because:-

- (a) the benefit of these provisions to the community as a whole outweighs the cost; and
- (b) the most appropriate way of achieving the objectives of the relevant local laws is by restricting competition in the way provided in these provisions,

having regard to the local government duty of good rule and local government of its local government area.

LOCAL LAW MAKING PROCESS

Public Interest Test Report – Animal Management

Meeting Date: 18 June 2019

Attachment No: 21

PUBLIC INTEREST TEST REPORT**ANIMAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2019 (AUTHORISING LOCAL LAW - LOCAL LAW NO. 2 (ANIMAL MANAGEMENT) 2011) AND KEEPING OF ANIMALS (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2019 (AUTHORISING LOCAL LAW - LOCAL LAW NO. 1 (ADMINISTRATION) 2011)**

A public interest test has been conducted as part of the National Competition Policy reforms on anti-competitive provisions identified in proposed Animal Management (Amendment) Subordinate Local Law (No. 1) 2019 (in conjunction with the authorising local law, Local Law No. 2 (Animal Management) 2011) and Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2019 (in conjunction with the authorising local law, Local Law No. 1 (Administration) 2011). The public interest test has been conducted against the principles and objectives set by the Competition Principles Agreement which were outlined in the public interest test plan. A copy of the public interest test plan is attached.

The public interest test report has been prepared in accordance with guidelines issued by the Department of Local Government called up by regulation under the *Local Government Act 2009*.

RESULTS OF CONSULTATION PROCESS

Consultation with the public and key stakeholders occurred over a three week period. An advertisement was placed in the local paper at the commencement of the consultation period advising of the review and calling for submissions. Notices were posted on notice boards within the local government area during the consultation period. Direct notification of the review was sent to all key stakeholders.

Submissions received and arguments presented (if any) are annexed to this Public Interest Test Report.

REASSESSMENT OF ALTERNATIVES

The consultation process results show that both alternatives, negative licensing and town planning scheme, are still considered to be realistic alternatives to the current permit regime.

POSITIVE AND NEGATIVE IMPACTS ON STAKEHOLDERS FROM MOVING TO ALTERNATIVE

Negative licensing:

Stakeholder	Impact	Weighting
Local government	Cost to local government to establish new regime (modifying local law/advising existing permit holders etc). This is a once off cost.	Low negative (-1)
	Saving in resources from no longer having to process permit applications	Low positive (+1)
	Loss of permit application fees. Fees set to cover some of the administrative. However, current fee is not high so loss would not be substantial.	Low negative (-1)
	Increased risk of exposure to public liability claims. Possible claims of neglect in duty of care to public.	Low negative (-1)
	Increased enforcement costs.	Low negative (-1)
	Loss of flexibility - standards would only be able to be adjusted by amending the local law	Moderate negative (-3)
		<u>Overall - Moderate/high negative</u>
Business	Existing business Lower operating costs - no permit application fee applicable but would not result in a huge saving.	Low positive (+1)
	Increased penalties for non-compliance with standards of local law.	Low negative (-1)
	Standards would be known.	Low positive (+1)
	Increase in competition but not assessed as being substantial as population is stable in the area and market not likely to support further operators.	Low negative (-1)
	Potential new business Reduced barrier to entry to market but as population stable not large potential for increased operators.	Low positive (+1)
	Standards would be known.	Low positive (+1)
		<u>Overall - Low positive</u>
Consumers	Price reduction through greater competition and reduced operating costs passed on from operators. However, saving not likely to be substantial.	Low positive (+1)
	Increase in choice of operator. But not huge potential for growth so impact low.	Low positive (+1)
	Increase in health risks. Because the local government's power to cancel a permit is removed it would not be able to move quickly to stop an operator found to be not complying with standards set under the local law.	Moderate negative (-3)
		<u>Overall - Low/moderate negative</u>

Animal Interest Groups (if any)	Potentially an increase in monitoring role but some uncertainty as to degree of impact.	Low negative (-1) Overall - Low negative
Neighbours	Greater responsibility to take complaints to Council Increased risk to health, amenity and occurrence of nuisances	Low negative (-1) Moderate negative (-3) Overall - Moderate negative

Town planning:

Stakeholder	Impact	Weighting
Local government	Saving in resources from no longer having to process permit applications Loss of permit application fees. Fees set to cover some of the costs of administering the local law. However, current fee is not high so loss would not be substantial. Increased enforcement costs: Would have to go to the Planning and Environment Court Decrease in red tape - no duplication in local laws and planning scheme	Low positive (+1) Low negative (-1) Low negative (-1) Low positive (+1) Overall - Neutral
Business	Existing business Lower operating costs - no permit application fee applicable but would not result in a huge saving. Potential for increased penalties for non-compliance with standards of local law. Potential new business Reduced barrier to entry to market but as population stable not large potential for increased operators.	Low positive (+1) Low negative (-1) Overall - Neutral Low positive (+1) Overall - Low positive
Consumers	Price reduction through greater competition and reduced operating costs passed on from operators. However, saving not likely to be substantial. Increase in choice of operator. But not huge potential for growth so impact low. Increase in health risks. The local government's power to enforce standards will be via court action only.	Low positive (+1) Low positive (+1) Moderate negative (-3) Overall - Low negative
Animal Interest Groups (if any)	Potentially an increase in monitoring role but some uncertainty as to degree of impact.	Low negative (-1) Overall - Low negative
Neighbours	Opportunity to provide submissions when a new business is seeking approval.	Low positive (+1) Overall - Low positive

SUMMARY OF NET IMPACTS ASSOCIATED WITH ALTERNATIVE

In summary, comparison of the alternatives provides the following information:

Alternative	Local Government	Business	Consumers	Animal Interest Groups	Neighbours
Negative licensing	Moderate negative impact Removing the permit regime reduces the local government's ability to control the businesses and hence may expose public to health risks and decreases in amenity.	Low positive impact Positive impacts of reduced operating costs and reduction in entry to market are offset by increased penalties for non-compliance.	Low/moderate negative impact Decrease in price for services is likely to be nominal while the increase in health risks is potentially substantial due to numbers of consumers.	Low negative impact Potential for an increased monitoring role - eg new businesses do not need to contact the council first, therefore, new businesses may begin operation without the council's knowledge.	Moderate negative impact Greater responsibility to take complaints to council and if standards aren't met there is a greater risk of decrease in health and amenity.
Town planning	Neutral impact Red tape reduction and savings in resources should offset the loss of fees and greater enforcement costs.	Low positive impact Reduced barrier to entry - however this is not seen as being a large benefit given that the permit fees are not substantial.	Low negative impact There is the potential for lower costs but this may be offset by operators not meeting standards.	Low negative impact Potential for a greater monitoring role.	Low positive There will be opportunity to provide submissions about any new proposals.

Overall, the analysis of costs and benefits has determined there would a net cost in moving to a negative licensing regime. The only stakeholder group to obtain any benefits from the change to negative licensing would seem to be the operators and this benefit to them is quite low. Therefore, the permit regime should not be changed to a negative licensing regime.

With respect to repealing the anti-competitive provisions from the local law and relying on the town planning scheme, the analysis of costs and benefits has determined that there may be a negligible benefit to the community as a whole. Costs to both the Council and the operators may be reduced. If standards are enforced by the Council there should be no decrease in amenity nor increase in health and safety risks.

RECOMMENDATIONS

Each possible anti-competitive provision reviewed is an anti-competitive provision and should be retained in its current form in the public interest.

LOCAL LAW MAKING PROCESS

Public Interest Test Report – Local Government Controlled Areas and Roads

Meeting Date: 18 June 2019

Attachment No: 22

PUBLIC INTEREST TEST REPORT**COMMERCIAL USE OF LOCAL GOVERNMENT CONTROLLED AREAS AND
ROADS (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2019
(AUTHORISING LOCAL LAW – LOCAL LAW NO. 1 (ADMINISTRATION) 2011)**

A public interest test has been conducted as part of the National Competition Policy reforms on anti-competitive provisions identified in the subordinate local law identified in schedule 1. The public interest test has been conducted against the principles and objectives set by the Competition Principles Agreement which were outlined in the public interest test plan.

The public interest test report has been prepared in accordance with guidelines issued by the Department of Local Government and called up by regulation under the *Local Government Act 2009*.

RESULTS OF CONSULTATION PROCESS

Consultation with the public and key stakeholders occurred over a three week period. An advertisement was placed in the local paper at the commencement of the consultation period advising of the review and calling for submissions. Notices were posted on notice boards within the local government area during the consultation period. Direct notification of the review was sent to all key stakeholders.

Submissions received and arguments presented (if any) are annexed to this Public Interest Test Report.

POSITIVE AND NEGATIVE IMPACTS ON STAKEHOLDERS FROM MOVING TO ALTERNATIVES

Positive and negative impacts on stakeholders from moving to alternatives are particularised in the schedule to this report as follows:-

Commercial Use of Local Government Controlled Areas and Roads — See Schedule 2

Installation of Advertising Devices — See Schedule 3

SUMMARY OF NET IMPACTS ASSOCIATED WITH ALTERNATIVES

An analysis of the costs and benefits of moving to an identified alternative is detailed in the following schedule.

Commercial Use of Local Government Controlled Areas and Roads — See Schedule 2

Installation of Advertising Devices — See Schedule 3

PUBLIC INTEREST TEST REPORT RECOMMENDATION

For the prescribed activity of the commercial use of local government controlled areas and roads, each possible anti-competitive provision reviewed is an anti-competitive provision and should be retained in its current form in the public interest because:-

- (a) the benefit of the provisions to the community as a whole outweighs the costs; and
- (b) the most appropriate way of achieving the objectives of the relevant local law is by restricting competition in the way provided in the provisions,

having regard to the local government duty of good rule and local government of its local government area.

SCHEDULE 1 —SUBORDINATE LOCAL LAW IN WHICH POSSIBLE ANTI-COMPETITIVE PROVISIONS IDENTIFIED

Authorising local law – Local Law No. 1 (Administration) 2011

Commercial Use of Local Government Controlled Areas and Roads (Amendment)
Subordinate Local Law (No. 1) 2019, and in particular, section 3 (Amendment of schedule 1).

SCHEDULE 2 — COMMERCIAL USE OF LOCAL GOVERNMENT CONTROLLED AREAS AND ROADS

Positive and negative impacts on stakeholders from moving to alternatives

Local Government	Existing and Potential Business	Consumers	Community Groups
Establishment costs of changing from a licence based system to a negative licensing based system such as Council time, redrafting costs, cost of community/business education programs. This is a one-off expense and therefore impact is considered to be low - low negative impact (-1) .	Increased potential of non-compliance costs under a negative licensing regime eg. fines. There is a potential that minimum standards under the negative licensing regime will be misinterpreted and result in non-compliance penalties. The level of non-compliance is expected to be minimal and the impact is therefore considered to be low - low negative impact (-1) .	Increase in market competition between existing and potential business creating innovation, efficiencies and types of product service. Consumers will receive the benefits from increased competition through price, product availability and product/business choice. The expected level of competition in the long term is expected to stabilise and any benefits received by the change is expected to be low - low positive impact (+1) .	Risk of unsafe vending too high if not controlled by local government in some way. Under a negative licensing regime, as opposed to a licence based system (conventional regime) the risk of non-compliance is greater. However, local government can still take enforcement action and therefore impact is considered to be low - low negative impact (-1) .
Increase in level of monitoring required to enforce local law from one temporary employee to one permanent full-time employee. The cost borne by this change is minimal and therefore the impact is considered to be low - low negative impact (-1) .	Increase in market competition between existing and potential business creating a reduction in profit margin and removal of price padding. In the short term, it is expected that significant change will occur in market distribution, power and price. However, in the long term, it is expected that the market will stabilise and therefore the impact is considered to be low - low negative impact (-1) .		Increase in cost borne for environmental damage by community. Due to the increased risk in non-compliance some of the costs from environmental damage (including public nuisance) may be borne by the community. Minimum standards under a negative licensing regime will ensure that this transfer of costs will be negligible and therefore the change will be a low negative impact (-1) .

Local Government	Existing and Potential Business	Consumers	Community Groups
Potential for non-compliance by outside vendors at the risk of road users and community. The potential for non-compliance is higher under a negative licensing regime and local government is likely to receive more complaints. The impact is considered to be moderate - moderate negative impact (-3) .	Removal of licence regime means savings for existing and potential businesses in not having to prepare and submit licence applications. There is also a saving from removal of licence fees. However, these cost represent a small portion of overall operating expenses and therefore the impact is considered to be low - low positive impact (1) .		
Unable to regulate the impact on the environment by regulating the number of vendors. Regulation of vendors will be restricted to minimum standards outlined under the negative licensing regime. The level of control available will be reduced marginally. The impact is considered to be low impact - low negative impact (-1) .	Removal of restrictions on business ownership, that is, level and number of operations. Business is no longer restricted to the level and type of operations under the licence system. Standards will still need to be met under a negative licensing regime and therefore the change is considered to be low - low positive impact (+1) .		
The specific conditions required for each type of roadside vendor creates complexity under a negative licensing regime. The level and type of business including the various products sold require different minimum standards which will ultimately create a complex local law. This will be a moderate negative impact (-3) .			
Loss of fees paid for licences and renewals. Fee structure was in place to cover administrative costs of the local law. This is considered to be a low negative impact (-1) .			

Local Government	Existing and Potential Business	Consumers	Community Groups
Application and processing for licences will no longer apply. Staff will be required to maintain the negative licensing regime which is a more efficient framework to operate. This will be a low positive impact (+1) .			
Higher fines apply under a negative licensing regime. Local government will recover some costs from higher fines but as court action is usually a last resort in terms of enforcement, the impact is considered to be low - low positive impact (+1) .			
-8	+1	+1	-2

Summary of net impact associated with alternatives

In summary, analysis of the costs and benefits of moving to the alternative provides the following information:

Alternative	Local Government	Business - both existing and potential	Consumers	Community/ Conservation Groups
Negative licensing Current existing local law is a licence based system. The alternative is to convert the licence process to a negative licensing regime.	Moderate/High Negative Impact The increased risk of non-compliance and potential for the maintenance of a complex local law under a negative license regime far outweighs any benefit received from reducing application processing .	Low Positive Impact Removal of the restriction on commercial use of local government controlled areas and roads results in an increase in competition, reduction in costs and removal of restrictions on business ownership.	Low Positive Impact Consumers will receive the benefits from increased competition through price, product availability and product/business choice. However, the higher enforcement costs of Council may be paid for by the general community.	Low Negative Impact Increase in the risk associated with environmental damage, aesthetic quality of the region and public health and safety.

Overall, the analysis of costs and benefits has determined there would be a net cost to the community as a whole in moving to a negative licensing regime.

There are benefits which would accrue to both business and consumers under a negative licensing regime. Potential business would benefit from removal of the barrier to entry to the market and both existing and potential business would benefit from a reduction in operating costs. Consumers would benefit from increased competition in the market.

However, these positive impacts are offset by increased costs for Council in enforcing compliance under the negative licensing regime. These costs are substantial and could be passed on to the community. Because there is the potential for non-compliance to be greater under a negative licensing regime there may be negative impacts on the environment, amenity and public health and safety.

SCHEDULE 3 — INSTALLATION OF ADVERTISING DEVICES

POSITIVE AND NEGATIVE IMPACTS ON STAKEHOLDERS FROM MOVING TO ALTERNATIVE

negative impacts	Conservation Interest Groups	Community/ Consumers/ Home owners	Existing and Potential Business	Government
	Details of Impacts	Details of Impacts	Details of Impacts	Details of Impacts
		Potential impact from non-compliance will result in a decrease in quality of life from visual pollution it is expected to have a moderate impact on the community and a high impact on home owners residing in business areas. (-5)	Increased costs in professional fees to ensure that erected signs specifically comply with local government standards. This cost was previously paid through the application fee at a subsidised rate. This increase in costs is not expected to be significant over the life of the business and a majority of professional fees paid is already required under current local law. Overall the impact is expected to be moderate. (- 3)	Increased risk of non-compliance by business when exhibiting advertising. Council has no control over the initial design and construction of physical advertising. An increased level of risk will be borne by Council in non-compliance. For advertising in the community the magnitude of non-compliance can be high. Overall, the impact is moderate. (-3)
		Decrease in level of safety provided to community because of a decrease in the quality standard of physical advertising. This will have a low impact on the community overall but a significant impact on home owners near advertising and members of the public working near signs. (-1)	Potential for deterioration of relationships between business and local government. Local government action against business for non-compliance - business resisting action because structure is already built. Though this impact is only a potential impact, it is expected to increase in importance over the longer term, therefore it is considered to be a moderate impact. (-3)	Establishment costs - change in local law so that the definition of permitted advertisement includes all classifications and attending criteria for approving/rejecting applications which currently exist, and thereby includes those advertisements in negative licensing regime. These costs occur once and are not material to the overall costs of local government. For this reason the impact is considered low. (-1)

	Conservation Interest Groups	Community/ Consumers/ Home owners	Existing and Potential Business	Government
	Details of Impacts	Details of Impacts	Details of Impacts	Details of Impacts
			<p>Increase in responsibility for business to comply with standards.</p> <p>Business will now have the responsibility for complying with the standards set in the local law, whereas previously local government ensured compliance through the permit regime. The onus of responsibility now resides with business and is therefore considered to be a moderate impact. (-3)</p>	<p>Reduction in application and penalty fee revenue. Fees received is immaterial to the overall revenue received by local government. Local government does not rely on revenue received from such fees in operations and is considered surplus to local government needs. The impact will be moderate. (-3)</p>
			<p>Potential for misuse of environment.</p> <p>There is potential for business to abuse accepted environmental standards. It is expected that this will not occur and is considered a low impact. (- 1)</p>	

	Conservation Interest Groups	Community/ Consumers/ Home owners	Existing and Potential Business	Government
	Details of Impacts	Details of Impacts	Details of Impacts	Details of Impacts
positive impacts			<p>Reduction in paperwork and time from removal of application/approval process.</p> <p>Business will no longer have to pay application fees or lose time waiting for permits to be approved.</p> <p>Application fees represented less than 1% of turnover of a business in a year and significantly less than total business capital worth. The impact is considered low. (- 1)</p>	<p>Reduction in processing applications requires the restructuring of staff duties and time. The decrease in time spent approving applications will be applied to the inspection of advertising. Some job redesign will be necessary and is therefore a moderate impact. (-3)</p>

DETERMINE NET COMMUNITY BENEFIT

In summary comparison of the alternatives provides the following information:

Alternative	Government	Business	Community/ Consumers	Conservationists
Negative licensing Current existing local law is a combination of negative licensing and permits. The alternative is to convert the permit process to become part of the negative licensing process.	Moderate Negative Impact The increased risk of non-compliance and potential for damaged relationships between parties far outweighs any benefit received from reducing application processing requirements. A financial loss would result.	Moderate Negative Impact Removal of the restriction on advertising results in a transfer of responsibility in environmental management to business and an increase in the level of risk in non-compliance. The standard of advertising will remain, the only benefit being a monetary/time reduction in application process.	Moderate Negative Impact The risk of non-compliance will result in a decrease in environmental and public health/safety standards. This outweighs any benefits to the stakeholders in removing restrictions on advertising.	No Impact There are no changes in the level of environmental protection.

The regulatory alternative of full negative licensing regulation is not expected to result in an overall benefit to the community. The current local law ensures that the community will not pay costs associated with exhibiting advertising in certain places resulting in increased visual pollution and decrease in public health and safety standards. Businesses are still able to compete effectively in the market with the imposition of existing restrictions.

The level of restriction on competition under the current regulatory arrangement is low compared with the impacts under the alternative arrangement. Full negative licensing is not considered a viable alternative because of the increased risk associated with non-compliance. The current local law only requires application and approval for the exhibition of advertisement in cases where the public health and safety and visual pollution aspects are highest. In other cases, advertisements are governed by a negative licensing regime.

Overall, while the provisions reviewed are clearly anti-competitive the benefits to the community of retaining them outweigh the costs and provide the most appropriate way of achieving the objectives of the local

LOCAL LAW MAKING PROCESS

Public Interest Test Report - Community and Environmental Management

Meeting Date: 18 June 2019

Attachment No: 23

PUBLIC INTEREST TEST REPORT**COMMUNITY AND ENVIRONMENTAL MANAGEMENT (AMENDMENT) LOCAL LAW (NO. 1) 2019 AND COMMUNITY AND ENVIRONMENTAL MANAGEMENT (AMENDMENT) SUBORDINATE LOCAL LAW (NO. 1) 2019**

A public interest test has been conducted as part of the National Competition Policy reforms on anti-competitive provisions identified in proposed Community and Environmental Management (Amendment) Local Law (No. 1) 2019 and Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2019. The public interest test has been conducted against the principles and objectives set by the Competition Principles Agreement which were outlined in the public interest test plan. A copy of the public interest test plan is attached.

The public interest test report has been prepared in accordance with guidelines issued by the Department of Local Government. The guidelines have been applied by regulation under the *Local Government Act 2009*.

RESULTS OF CONSULTATION PROCESS

Consultation with the public and key stakeholders occurred over a three week period. An advertisement was placed in the local paper at the commencement of the consultation period advising of the review and calling for submissions. Notices were posted on notice boards within the local government area during the consultation period. Direct notification of the review was sent to all key stakeholders.

Submissions received and arguments presented (if any) are annexed to this Public Interest Test Report.

REASSESSMENT OF ALTERNATIVES

Following assessment of the results of the consultation process it is considered that no grounds were advanced to support the introduction of another regulatory or non-regulatory alternative. It is considered that the introduction of an alternative control mechanism would have severe negative impacts on the community in general.

No submission contained any supporting grounds which identified a benefit to the community by establishing an alternative control.

RECOMMENDATIONS

Each possible anti-competitive provision reviewed is an anti-competitive provision and should be retained in its current form in the public interest.

11.3 LOCAL LAW DELEGATIONS FROM COUNCIL TO CHIEF EXECUTIVE OFFICER

File No: 4107
Attachments: 1. Limitations to the Exercise of Powers[↓](#)
Authorising Officer: Tracy Sweeney - Manager Workforce and Governance
Author: Allysa Brennan - Coordinator Legal and Governance

SUMMARY

Council approval is sought to delegate the exercise of powers to the Chief Executive Officer pursuant to the suite of local and subordinate local laws listed within the report.

OFFICER'S RECOMMENDATION

THAT:

1. Council resolves as per section 257 of the *Local Government Act 2009* to delegate to the Chief Executive Officer the exercise of all powers contained within the following local and subordinate local laws that were gazetted 14 December 2018 –
 - (a) Local Law No. 8 (Waste Management) 2018;
 - (b) Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011;
 - (c) Subordinate Local Law No. 1.6 (Operation of Accommodation Parks) 2018;
 - (d) Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011;
 - (e) Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011; and
 - (f) Subordinate Local Law No. 1.13 (Undertaking Regulated Activities Regarding Human Remains) 2011;

These powers must be exercised subject to any limitations contained within Attachment 1; Limitations to the Exercise of Power. All prior resolutions delegating the same powers are repealed.
2. Pending the making of the proposed local and subordinate local laws being published in the gazette, Council, as per section 257 of the *Local Government Act 2009*, resolves to delegate to the Chief Executive Officer the exercise of all powers contained within the following local and subordinate local laws –
 - (a) Local Law No. 2 (Animal Management) 2011;
 - (b) Local Law No. 3 (Community and Environmental Management) 2011;
 - (c) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;
 - (d) Local Law No. 5 (Parking) 2011;
 - (e) Local Law No. 7 (Aerodromes) 2011;
 - (f) Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;
 - (g) Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;
 - (h) Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2019;
 - (i) Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;
 - (j) Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011;
 - (k) Subordinate Local Law No. 1.15 (Parking Contrary to an Indication on an Official

Traffic Sign Regulating Parking by Time or Payment of a Fee) 2011;

- (l) Subordinate Local Law No. 1.16 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011;
- (m) Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011;
- (n) Subordinate Local Law No. 2 (Animal Management) 2011;
- (o) Subordinate Local Law No. 3 (Community and Environmental Management) 2011;
- (p) Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2019; and
- (q) Subordinate Local Law No. 5 (Parking) 2011

These powers must be exercised subject to any limitations contained within Attachment 1; Limitations to the Exercise of Power. All prior resolutions delegating the same powers are repealed.

COMMENTARY

The Local Law Review Project is nearing completion with 'Stage One' laws gazetted 14 December 2018 and 'Stage Two' laws being tabled at the Council meeting today. Relevantly, delegation to the CEO of the exercise of all powers contained within the new suite of laws is sought. Once delegated, powers will then sub-delegated by CEO to relevant positions within Council.

Ideally, once new/amended laws are ratified, specific and detailed powers within each of the local and subordinate local laws are delegated to CEO as soon as possible. As Council may recall, this was the case for the delegation of powers within the primary local law; *Local Law No. 1 (Administration) 2011* which were endorsed by Council at the previous Council meeting at 4 June 2019. However, due to the large number of laws contained within Council's local law suite that were amended as part of the Local Law Review Project, and subsequently the number of specific powers within each of those laws, this report seeks the delegation of 'blanket' powers (i.e. all powers) relevant to the laws detailed within the Officer's Recommendation. The delegation of 'blanket' powers as opposed to 'specific' powers is effectively a 'cover all bases' approach to mitigate risk. In the coming months, specific and detailed powers for each of the individual laws will be presented to Council and the 'blanket' powers that are being sought to be delegated today, repealed.

Whilst this 'blanket' type delegation is not ideal, it is necessary in the short term to allow Council officers to continue to work within and enforce our newly revised local laws and will ultimately allow Council's new suite of laws to be enacted without delay.

BACKGROUND

Without powers being delegated to the CEO and subsequently sub-delegated to relevant positions, Council operations would be impeded significantly as separate resolutions would be required to allow decisions to be made for a vast number of operational activities that are undertaken on a daily basis.

PREVIOUS DECISIONS

The Local Laws listed within Recommendation Item No. 1, and *Local Law No. 1 (Administration) 2011*, were endorsed by Council at the meeting 11 December 2018.

Specific and detailed powers for *Local Law No. 1 (Administration) 2011* were then delegated to CEO at the meeting 4 June 2019. Sub-delegation of these powers to positions is currently in progress.

LEGISLATIVE CONTEXT

Section 257 of the *Local Government Act 2009* allows Council to delegate its powers to one or more individuals or standing committees, including to the CEO. Pursuant to section 257(4)

of the *Local Government Act 2009* a delegation to the CEO must be reviewed annually by Council.

To further streamline the decision making process, section 259 of the *Local Government Act 2009* allows the CEO to sub-delegate the powers (including those delegated to him by Council) to another Council position where appropriate.

Once Council has delegated powers as contained within this report, all prior resolutions delegating the same powers are repealed.

LEGAL IMPLICATIONS

Important legal principles which apply to the delegation proposal set out in this report are:

- Council at all times retains power to revoke the delegation. Accordingly, Council retains ultimate control.
- Council, as delegator, has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations. However, the delegated power cannot be unduly fettered.
- The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.

CORPORATE/OPERATIONAL PLAN

The revision of the powers associated with the revised local laws aligns with Council's Operational Plan 2018-2019 Action 5.2.1.1 - *Work with stakeholders to identify policies and delegations required to support Local Laws as adopted by Council.*

CONCLUSION

The delegation to CEO of Council powers is sought to align with Council's new suite of local laws. Once Council has resolved to delegate to the CEO the exercise of powers, subject to any limitations contained in Attachment 1, the sub-delegates will be given blanket delegations according to their respective areas of responsibility subject to the same general conditions and, where appropriate, specific limitations.

LOCAL LAW DELEGATIONS FROM COUNCIL TO CHIEF EXECUTIVE OFFICER

Limitations to the Exercise of Powers

Meeting Date: 18 June 2019

Attachment No: 1

Limitations to the Exercise of Power

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3. The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.

11.4 COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

File No:	12660
Attachments:	1. Delegations Register - Plumbing and Drainage Act 2018 <u>↓</u> 2. Delegation Register - Plumbing and Drainage Regulation 2019 <u>↓</u>
Authorising Officer:	Tracy Sweeney - Manager Workforce and Governance
Author:	Allysa Brennan - Coordinator Legal and Governance

SUMMARY

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

OFFICER'S RECOMMENDATION

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:
 1. Attachment 1 – Delegation Register – *Plumbing and Drainage Act 2018*; and
 2. Attachment 2 – Delegation Register - *Plumbing and Drainage Regulation 2019*
2. These powers must be exercised subject to any limitations contained in schedule 2 of the Delegation Register attached to the report.

COMMENTARY

LGAQ, with the assistance of King and Company Solicitors have identified powers under the new:

1. *Plumbing and Drainage Act 2018* ('the new Act'); and
2. *Plumbing and Drainage Regulation 2019* ('the new Regulation').

Subsequently, the Delegation Registers containing the legislative powers for the new Act and Regulation has been prepared for Council's consideration and are attached to this report.

The new Act is due to commence on 1 July 2019 and will replace the *Plumbing and Drainage Act 2002*. The new Regulation is due to commence on 1 July 2019 and will replace the *Standard Plumbing and Drainage Regulation 2003*. The new Act and Regulation establishes a new legislative framework for plumbing and drainage in Queensland.

To assist with the streamline implementation of the new Act and Regulation and transition from the *Plumbing and Drainage Act 2002* and *Standard Plumbing and Drainage Regulation 2003*, LGAQ has provided delegable powers. Existing delegations under the *Plumbing and Drainage Act 2002* (the old Act) and *Standard Plumbing and Drainage Regulation 2003* (the old Regulation) will remain in place as there are transitional arrangements under the new Act for applications made under the old Act and old Regulation and that means the old Act and old Regulation may continue to apply in some circumstances.

BACKGROUND

Without powers being delegated to the CEO and subsequently sub-delegated to relevant positions, Council operations would be impeded significantly as separate resolutions would be required to allow decisions to be made for a vast number of operational activities that are undertaken on a daily basis.

In relation to the legislation listed, with the assistance of King and Company Solicitors through the LGAQ Delegation Service, LGAQ has developed delegation registers following a comprehensive review of State legislation impacting on Local Government.

LEGISLATIVE CONTEXT

Section 257 of the *Local Government Act 2009* allows Council to delegate its powers to one or more individuals or standing committees, including to the CEO. Pursuant to section 257(4) of the *Local Government Act 2009* a delegation to the CEO must be reviewed annually by Council.

To further streamline the decision making process, section 259 of the *Local Government Act 2009* allows the CEO to sub-delegate the powers (including those delegated to him by Council) to another Council position where appropriate.

LEGAL IMPLICATIONS

Important legal principles which apply to the delegation proposal set out in this report are:

- Council at all times retains power to revoke the delegation. Accordingly, Council retains ultimate control.
- Council, as delegator, has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations, however, the delegated power cannot be unduly fettered.

The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.

CONCLUSION

This report includes Delegation Registers for the new *Plumbing and Drainage Act 2018* and *Plumbing and Drainage Regulation 2019* incorporating sections to be delegated from the Council to the CEO. These Delegation Registers are new and the powers haven't been previously delegated to the CEO.

Once Council has resolved to delegate to the CEO, the exercise of powers contained in schedule 1 of the Delegation Registers attached to this report subject to any limitations contained in schedule 2 of the Delegation Registers, the sub-delegates will be given specific delegations according to their respective areas of responsibility subject to the same general conditions and, where appropriate, specific limitations.

COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

Delegations Register – Plumbing and Drainage Act 2018

Meeting Date: 18 June 2019

Attachment No: 1

Delegations Register – Plumbing and Drainage Act 2018

Under section 257 of the Local Government Act 2009, **ROCKHAMPTON REGIONAL COUNCIL** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2. All prior resolutions delegating the same powers are repealed.

Schedule 1

Section of PLDA	Entity Power Given To	Title	Description
Section 90(1)(d)	Local Government	Part 4 – Legal Proceedings Division 1 – General	Power to start a prosecution for an offence against the Act.
Section 135(1)	Local Government	Part 6 – Role of Local Governments Division 2 – Administrative Matters	Power to administer the Act within Council's area.
Section 136	Local Government	Part 6 – Role of Local Governments Division 2 – Administrative Matters	Power to monitor grey water use facilities prescribed by regulation, in Council's area.
Section 137	Local Government	Part 6 – Role of Local Governments Division 2 – Administrative Matters	Power to monitor on-site sewage facilities prescribed by regulation in Council's area.
Section 139(1)	Local Government	Part 6 – Role of Local Governments Division 3 – Plumbing and Drainage Inspectors	Power to appoint an authorised person as an inspector under the Act.
Section 142(a)	Local Government	Part 6 – Role of Local Governments Division 3 – Plumbing and Drainage Inspectors	Power to advise the commissioner of each appointment of an inspector made by Council.
Section 142(b)	Local Government	Part 6 – Role of Local Governments Division 3 – Plumbing and Drainage Inspectors	Power to give the commissioner a list of Council's inspectors as at 1 July in each year.
Section 143(1)	Local Government	Part 6 – Role of Local Governments Division 4 – Enforcement by Local Governments	Power, in the circumstances set out in subsection (1) to give a person who carried out plumbing or drainage work an enforcement notice.
Section 143(2)	Local Government	Part 6 – Role of Local Governments Division 4 – Enforcement by Local Governments	Power to, in the circumstances set out in subsection (2), give the owner of premises an enforcement notice.
Section 144	Local Government	Part 6 – Role of Local Governments Division 4 – Enforcement by Local Governments	Power to give a show cause notice before giving an enforcement notice.
Section 149(2)	Local Government	Part 6 – Role of Local Governments Division 4 – Enforcement by Local Governments	Power, in the circumstances set out in subsection (1), to- (a) do anything reasonably necessary to ensure the enforcement notice is complied with; and (b) recover any reasonable costs and expenses incurred in doing so as a debt.
Section 150	Local Government	Part 6 – Role of Local Governments Division 4 – Enforcement by Local Governments	Power to give the responsible person for plumbing or drainage work an action notice.

Schedule 2

Limitations to the Exercise of Power	
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.

COUNCIL DELEGATIONS TO CHIEF EXECUTIVE OFFICER

Delegation Register - Plumbing and Drainage Regulation 2019

Meeting Date: 18 June 2019

Attachment No: 2

Delegations Register – Plumbing and Drainage Regulation 2019

Under section 257 of the Local Government Act 2009, **ROCKHAMPTON REGIONAL COUNCIL** resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2. All prior resolutions delegating the same powers are repealed.

Schedule 1

Section of PLDR	Entity Power Given To	Title	Description
Section 16(1)	Person	Part 4 – Treatment Plant Approvals and Related Matters Division 1 – Applications	Power to apply to the chief executive for a treatment plant approval.
Section 16(2)	Holder	Part 4 – Treatment Plant Approvals and Related Matters Division 1 – Applications	Power to apply to the chief executive to amend a treatment plant approval.
Section 17(3)	Applicant	Part 4 – Treatment Plant Approvals and Related Matters Division 1 – Applications	Power to give the chief executive the information asked for under subsection (2).
Section 24(2)	New Holder	Part 4 – Treatment Plant Approvals and Related Matters Division 2 – Duration and Transfer of Approvals	Power, as the new holder, to give the chief executive notice of the transfer in the approved form.
Section 26(2)	Local Government	Part 4 – Treatment Plant Approvals and Related Matters Division 3 – Inspecting Approved Treatment Plants	Power to comply with a notice issued by the chief executive under subsection (1)
Section 27(c)	Owner of Premises	Part 4 – Treatment Plant Approvals and Related Matters Division 3 – Inspecting Approved Treatment Plants	Power, as the owner of premises, to consent to the entry of the premises to carry out the inspection of the treatment plant.
Section 29(1)	Holder of a Treatment Plant Approval	Part 4 – Treatment Plant Approvals and Related Matters Division 4 – Cancellation of Approvals	Power, as the holder of a treatment plant approval, to make written representations about the show cause notice to the chief executive.
Section 34(1)	Holder of an Existing Treatment Plant Approval	Part 4 – Treatment Plant Approvals and Related Matters Division 5 – Special Provisions for Existing Treatment Plant Approvals	Power, as the holder of an existing treatment plant approval, to apply to the chief executive to renew the approval.
Section 41	Local Government	Part 5 – Permits Division 2 – Permits Issued by Local Governments Subdivision 2 – Local Government Declarations About Permit Work	Power, where Council makes a fast-track work declaration or fast-track opt-out declaration, to:– (a) publish the declaration on Council's website; (b) give a copy of the declaration to the chief executive; (c) if Council is a participating local government for a distributor retailer – give a copy of the declaration to the distributor retailer; (d) ensure a copy of the declaration may be inspected, free of charge, at Council's public office.
Section 45(2)	Local Government	Part 5 – Permits Division 2 – Permits Issued by Local Governments Subdivision 4 – Processing Applications	Power, in a circumstance listed in subsection (1), to give the applicant an information request.
Section 46	Local Government	Part 5 – Permits Division 2 – Permits Issued by Local Governments Subdivision 4 – Processing Applications	Power to consider each properly made application and decide to:– (a) approve the application with or without conditions; or (b) refuse the application.
Section 48	Local Government	Part 5 – Permits Division 2 – Permits Issued by Local Governments Subdivision 4 – Processing Applications	Power, where Council decides to approve an application, to:– (a) issue a permit, or an amended permit, to the applicant; and (b) give a copy of the permit, or amended permit, to each entity listed in subsection (b).
Section 50(2)	Local Government	Part 5 – Permits Division 2 – Permits Issued by Local Governments Subdivision 4 – Processing Applications	Power, in a circumstance listed in subsection (1), to give an information notice about the decision.
Section 59(3)	Local Government	Part 5 – Permits Division 4 – Effect and Duration of Permits	Power, where Council has issued a permit and has not given a final inspection certificate for the work carried out under the permit at least 3 months before the permit is to end, to give notice of the day the permit is to end to the entities listed in subsection (3).

Section of PLDR	Entity Power Given To	Title	Description
Section 67(2)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 2 – Inspecting Work Under Permits Subdivision 1 – Inspecting Work Under Permit Issued by Local Government	Power in the circumstances listed in the subsection (1), to allow the responsible person to give a covered work declaration for the work.
Section 68(3)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 2 – Inspecting Work Under Permits Subdivision 2 – Inspecting Work Under Permit Issued by Public Sector Entity	Power to inspect the work if the public sector entity asks Council to inspect the work under subsection (2).
Section 69(2)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 3 – Alternatives to Local Government Inspections Subdivision 1 – Declarations for On-site Sewage Work	Power to, instead of inspecting on-site sewage work, allow an appropriate person to give Council an on-site sewage work declaration.
Section 75(2)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 4 – Assessment & Compliance Procedures Subdivision 2 – Minor Plan Amendments	Power, in the circumstances identified in subsection (1), to amend the approved plan so that it correctly represents the work carried out under the permit.
Section 83(1)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 5 – Inspection & Final Inspection Certificates Subdivision 2 – Certificates Given by Local Government	Power to give an inspection certificate for the work to the responsible person for the work.
Section 84(1)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 5 – Inspection & Final Inspection Certificates Subdivision 2 – Certificates Given by Local Government	Power to give a final inspection certificate for the work to the responsible person for the work.
Section 86(1)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 5 – Inspection & Final Inspection Certificates Subdivision 2 – Certificates Given by Local Government	Power to give a copy of the final inspection certificate to the entities listed in subsection (1).
Section 86(3)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 5 – Inspection & Final Inspection Certificates Subdivision 2 – Certificates Given by Local Government	Power, where Council receives a notice under subsection (2), to comply with the notice.
Section 87(3)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 5 – Inspection & Final Inspection Certificates Subdivision 2 – Certificates Given by Local Government	Power, where Council is taken under subsection (2) to have decided to refuse to give an inspection certificate or final inspection certified, to give an information notice about the decision.
Section 98(3)	Local Government	Part 6 – Inspecting, Enforcing & Certifying Permit Work & Notifiable Work Division 7 – Requirements for Action Notices	Power, where Council considers that a responsible person has not complied with the action notice, to give a copy of the notice to the owner of the premises.
Section 101	Local Government	Part 7 – Installation, Maintenance & Related Matters	Power to establish a program for – (a) registering each testable backflow prevention device installed at premises in Council's area; (b) monitor the maintenance and testing of each device.

Section of PLDR	Entity Power Given To	Title	Description
Section 107(2)	Local Government	Part 7 – Installation, Maintenance & Related Matters	Power, in the circumstances listed in subsection (1), to:– (a) remove the obstruction or fix the damage; and (b) fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and (c) recover as a debt from each owner, the owner's share of the cost.
Section 108(2)	Local Government	Part 7 – Installation, Maintenance & Related Matters	Power, in the circumstances listed in subsection (1), to require by notice to the owner of the old building and the owner of the new building:– (a) the owner of the old building to change the affected vents; and (b) the owner of the new building to pay the owner of the old building the reasonable cost of changing the affected vents.
Section 112	Local Government	Part 8 – Registers Division 2 – Registers Kept by Local Governments	Power to keep a register containing each document listed in subsection (1).
Section 113	Local Government	Part 8 – Registers Division 2 – Registers Kept by Local Governments	Power to keep a register containing each notice given to Council under section 102(2) or 103(3).
Section 114	Local Government	Part 8 – Registers Division 2 – Registers Kept by Local Governments	Power to keep a register containing each service report for a greywater use facility or on-site sewage facility given to Council under section 106.
Section 115(1)	Local Government	Part 8 – Registers Division 2 – Registers Kept by Local Governments	Power to keep a register containing a copy of each show cause notice and enforcement notice given by Council.
Section 115(2)	Local Government	Part 8 – Registers Division 2 – Registers Kept by Local Governments	Power to remove a notice mentioned in subsection (1) from the register if the premises to which the notice relates are demolished or removed.
Section 116	Local Government	Part 8 – Registers Division 2 – Registers Kept by Local Governments	Power, in relation to each register kept under part 8, division 2, to allow a person to:– (a) inspect the register, free of charge, at Council's public office; or (b) buy a copy of an entry in the register for not more than the reasonable cost of producing the copy.

Schedule 2

Limitations to the Exercise of Power	
1	Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, the delegate in exercising delegated power in relation to that matter, will only commit the Council to reasonably foreseeable expenditure up to the amount allocated.
2	The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge adversely affects, or is likely to adversely affect, the Council's relations with the public at large.
3	The delegate will not exercise any delegated power in relation to a matter which has already been the subject of a resolution or other decision of the Council (including a policy decision relating to the matter).
4	The delegate will not exercise any delegated power in a manner, or which has the foreseeable affect, of being contrary to an adopted Council policy or procedure.
5	The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6	The delegate will not exercise any power which cannot lawfully be the subject of delegation by Council.

11.5 PROJECT DELIVERY MONTHLY REPORT - MAY 2019

File No: 7028
Attachments: 1. Project Delivery Monthly Report - May 2019 [↓](#)
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Andrew Collins - Manager Project Delivery

SUMMARY

Monthly reports on the projects currently managed by Project Delivery.

OFFICER'S RECOMMENDATION

THAT the Project Delivery Monthly Report for May 2019 be received.

COMMENTARY

The project delivery section submits a monthly project report outlining the status of the capital projects.

The following projects have a one page capital monthly report outlining progress against time and budget.

- A. CBD Cultural Precinct – New Art Gallery and Demolition of East Street Buildings
- B. Mount Morgan Fireclay Caverns
- C. South Rockhampton Flood Levee

PROJECT DELIVERY MONTHLY REPORT - MAY 2019

Project Delivery Monthly Report – May 2019

Meeting Date: 18 June 2019

Attachment No: 1

PROJECT DELIVERY – MONTHLY REPORT

Reporting Month	May 19
Project	CBD Cultural Precinct – New Art Gallery and Demolition of East St Building
Project Number	1070714 / 1076600 / 1076941
Project Manager	Andrew Collins
Council Committee	Community Services

PROJECT SCOPE

The project is the design and construction of a new Art Gallery and the demolition of two buildings to link East Street. The New Art Gallery is proposed to be a three (3) storey structure with around 4700m² gross floor area built over 212 and 214 Quay Street sites and a section of 220 Quay Street for a delivery dock. The building would include a double volume exhibition spaces, retail and café spaces, flexible multipurpose areas, administration, storage and back of house areas.

PROJECT MILESTONES

ITEM	TARGET DATE		COMMENTARY
	ORIGINAL	REVISED	
Project Planning	February 17		Project Plan compiled. Concept designs and business case completed. Development Approvals lodged.
Design Development	June 17		Construction and tender documentation underway.
Procurement	April 19		Short listed companies invited to price.
Construction	July 19		

FINANCIAL PROFILE

The combine total budget for the design, construction and demolition works proposed is listed in the table below. The Art Gallery construction budget is (subject to funding) \$31.5M with a \$2M commitment for this financial year.

	Project Life				Current Year			
	Total Budget	Actual to date	Committals	Remaining Budget	Budget	Actual to date	Committals	Remaining Budget
Expenditure	\$34,600,000 (incl design & Demolition of East Street)	\$3,156,356	\$129,185	\$31,314,459	\$3,698,566	\$1,662,948	\$129,185	\$1,364,223
External Funding	\$2,000,000							

PROJECT STATUS

The following was completed in May on the project:

- Tenderers working through the pricing stage of procurement. Tenders close 12 June 2019.
- Work on the Demolition of the East Street properties finalised, final Building Approval inspection completed and certification issued.
- Ergon infrastructure. Further planning with Ergon, RRC and contractor is underway. Target date to commence work is the 19 June 2019.

PROJECT DELIVERY – MONTHLY REPORT

Reporting Month	May 19
Project	Mount Morgan Fireclay Caverns
Project Number	1129165
Project Manager	Andrew Collins
Council Committee	Community Services

PROJECT SCOPE

The current project scope is to confirm access into the Fireclay Caverns to assess for the safe reopening to the public.

PROJECT MILESTONES

ITEM	TARGET DATE		COMMENTARY
	ORIGINAL	REVISED	
Project Planning	November 18		Risk assessments, safe working method statement and a deed of access processed.
Procurement	November 18		Cardno procured based on previous commission by the state.
Construction			To be determined.

FINANCIAL PROFILE

Budget allocation needs to be confirmed.

	Project Life				Current Year			
	Total Budget	Actual to date	Committals	Remaining Budget	Budget	Actual to date	Committals	Remaining Budget
Expenditure	\$0	\$29,925	\$0	-\$29,925	\$0	\$29,925	\$0	-\$29,925
External Funding								

PROJECT STATUS

During the month of May the following has occurred:

- A council report has been compiled for delivery to Council in early June. Council will consider funding the planning and scoping of this project as part of the 2019-20 budget.

PROJECT DELIVERY – MONTHLY REPORT

Reporting Month	May 19
Project	South Rockhampton Flood Levee
Project Number	1031086 / 1128758 / 1128761 / 1128762 / 1128763 / 1128764 / 1128765 / 1128766 / 1128767
Project Manager	Andrew Collins
Council Committee	Infrastructure

PROJECT SCOPE

The proposed project is to design and construct the South Rockhampton Flood Levee. The levee is 8.8 kilometres long, running from the Rockhampton CBD to the Bruce Highway at Upper Dawson Road. It will protect an area of 724 hectares and over 1500 residential, commercial, industrial and rural parcels of land.

PROJECT MILESTONES

ITEM	TARGET DATE		COMMENTARY
	ORIGINAL	REVISED	
Project Planning	August 17		Work recommenced on project in August 2017.
Design Development	January 18		Early Works design packages nearing completion.
Land Acquisition	November 17		Process underway.
Procurement	June 18		EOI closed.
Construction	September 18		Work has been completed on a component of the early works stormwater package.

FINANCIAL PROFILE

Council has allocated \$9.7M for the project. Construction costs for Early Works packages are being priced as the designs are completed. * Please note total budget subject to funding

	Project Life				Current Year			
	* Total Budget	Actual to date	Committals	Remaining Budget	Budget	Actual to date	Committals	Remaining Budget
Expenditure (Combined Project Numbers)	\$80,000,000	\$3,354,113	\$1,719,733	\$74,737,420	\$6,100,000	\$2,938,997	\$1,719,733	\$1,441,270
External Funding								

PROJECT STATUS

Current project status as follows:

- EAR has been lodged with the State and the approval and consultation process is well underway. Consultation process to end 21 June 2019.
- Peer review has been completed by a third party.
- Public Utility Providers are currently working on designs for alterations for their assets.
- No objections were received for the NIR's that have been lodged.
- Currently monitoring submissions to State Government during exhibition period.

11.6 CQ CRANE HIRE GOLD RUSH HILL SPRINT 2019 - SPONSORSHIP PROPOSAL

File No: 12535
Attachments: 1. Estimated Income and Expenditure (in confidential)
Authorising Officer: Tony Cullen - General Manager Advance Rockhampton
Author: Annette Pearce - Manager Tourism, Events and Marketing

SUMMARY

Council has received correspondence regarding an opportunity to sponsor the '2019 CQ Crane Hire Gold Rush Hill Sprint' for the 2nd year running.

OFFICER'S RECOMMENDATION

THAT Council sponsors the 2019 'CQ Crane Hire Gold Rush Hill Sprint' event and agree to provide sponsorship contribution to the value of \$10,000 (plus GST) cash and in-kind support as outlined in the report.

COMMENTARY

Central Queensland Motor Sporting Club Inc (CQMSCI) are hosting for a 2nd year running the 2019 'CQ Crane Hire Gold Rush Hill Sprint' on the Mount Morgan Range on 13 – 14 July 2019. (CQMSCI) applied for a Community Assistance Grant but due to the volume of participants and spectators and the fact that it is also an interstate event with economic benefit for the region the application has been forwarded to Advance Rockhampton for sponsorship consideration.

Event

CQMSCI states that this event is Australia's longest hill climb car race. In 2018 the CQ Crane Hire Goldrush Hillsprint became a classic event on the Australian Motor Sport calendar. The 2 kilometre long, 12 metre wide hot-mix bitumen and the 24 corners challenged the best drivers. For the 2018 event the entrants were capped to 100 teams plus 5 wildcards and the event attracted over 1600 spectators.

CQMSCI state that this year the event will run over 2 days and there is an increased intake of 248 nominated entrants, this number will be reduced to 150 teams. On average each team brings a pit crew of 4, with expected 600 team members attending the event. Teams are travelling from as far as New South Wales and Northern Territory for the event. CQMSCI anticipates that most of the team members will be staying in the Rockhampton Region from Friday to Sunday. Last year the event generated approximately one million dollars to the region (as per Advance Rockhampton's report).

No liquor will be sold during the event, and CQMSCI is working with Mount Morgan Promotion and Development Inc and the Mount Morgan Rodeo to provide food vendors to supply food and drinks services on the day. Bouldercombe Pony Club will be helping with car parking and ticket sales.

Sponsorship

See attachment 1.

CQMSCI has requested cash sponsorship of \$25,000 from Council for the event.

Opportunity

The opportunity exists to assist this follow up event in 2019 through a sponsorship agreement. Advance Rockhampton puts forward the following opportunity to the value of 15,000.

Cash Sponsorship (plus GST)	\$10,000
Event Support	\$2,500
Marketing Support	\$2,500

In return for Councils sponsorship, the following elements will be negotiated:

- Logo placement and branding on all relevant publications, communication and marketing material
- Event launch invites
- Onsite branding including but not limited to Signage on site, street banners and core flutes

CONCLUSION

CQ Crane Hire Gold Rush Hill Sprint provides a wide variety of economic and community benefits for the Rockhampton Region. It is part of the wider tourism and events strategy that is being developed to evolve Rockhampton region into the events Destination for Queensland.

11.7 FINANCE POLICIES FOR REVIEW**File No:** 5237**Attachments:**

1. Draft Investment Policy [↓](#)
2. Draft Rates Concession Policy (track changes) [↓](#)

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer**Author:** Alicia Cutler - Chief Financial Officer

SUMMARY*Chief Financial Officer presenting reviewed finance policies to Council for adoption.***OFFICER'S RECOMMENDATION**

1. THAT the Investment Policy be adopted in accordance with Section 191 of Local Government Regulation 2012.
2. THAT the Rates Concession Policy be adopted in accordance with Part 10 of Local Government Regulation 2012.

COMMENTARY

The following policies are presented to Council for adoption. A summary of these policies and the changes are provided below:

Investment Policy – this policy applies to the investment of surplus funds of Council.

This policy is adopted annually by Council, there has been no changes made.

This policy is Required under S. 191 of the Local Government Regulation 2012, and states that the policy must outline:

- The objectives and overall risk philosophy and
- Procedures for achieving the goals related to the policy.

Rates Concession Policy – this policy applies to the investment of surplus funds of Council.

Major Amendments:

- Removal of the Caravan Park Rates Concession.
- Increase of the amount of rebate for Pensioners from a maximum of \$250 to \$260 each year.
- Increase to the amount of rebate for Cat 5, 6 & 7 Sporting Clubs and Cat 9 Not for Profit/Charitable Organisations.
- Increase of the amount of rebate for CBD commercial properties with mixed residential use from a maximum of \$2000 to \$2200 each year.

This policy provides concessions under Part 10 of the Local Government Regulation 2012.

FINANCE POLICIES FOR REVIEW

Draft Investment Policy

Meeting Date: 18 June 2019

Attachment No: 1

INVESTMENT POLICY

STATUTORY POLICY



1 Scope

This policy applies to the investment of surplus funds in accordance with category one investment power under Part 6 of the *Statutory Bodies Financial Arrangements Act 1982* and the *Statutory Bodies Financial Arrangements Regulation 2007*.

2 Purpose

The purpose of this policy is to provide Council with a contemporary Investment Policy based on an assessment of risk within the legislative framework of the *Statutory Bodies Financial Arrangements Act 1982*. This includes:

- (a) Investing Council funds not immediately required for financial commitments;
- (b) Maximising earnings from authorised investments after assessing counterparty, market and liquidity risks;
- (c) Actively managing the net debt position with core surplus funds; and
- (d) Ensuring appropriate records are kept and adequate internal controls are in place to safeguard public funds.

3 Related Documents

3.1 Primary

Local Government Act 2009

Local Government Regulation 2012

3.2 Secondary

Statutory Bodies Financial Arrangements Act 1982

Statutory Bodies Financial Arrangements Regulation 2007

Investment Register

4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council	Rockhampton Regional Council.

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Employee	Local government employee: (a) The CEO; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
QTC	Queensland Treasury Corporation
SBFAA	<i>Statutory Bodies Financial Arrangements Act 1982</i>
SBFAR	<i>Statutory Bodies Financial Arrangements Regulation 2007</i>
Treasurer	State Government Treasurer

5 Policy Statement

5.1 Authority for Investment

Investment of Council funds is in accordance with the relevant power of investment under the *SBFAA* and *SBFAR* and their subsequent amendments and regulations.

Investment officers manage the investment portfolio not for speculation, but for investment and in accordance with this Investment Policy. Investment officers avoid transactions that might harm confidence in Council.

5.2 Ethics and Conflicts of Interest

Investment officers and employees shall refrain from personal activities that conflict with the proper execution and management of Council's investment portfolio. This includes activities that would impair the investment officers' ability to make impartial decisions.

This policy requires that investment officers and employees disclose to the CEO any conflict of interest that could be related to the investment portfolio.

5.3 Investment Objectives

Council's overall investment objective is to invest funds at the most advantageous rate of interest available at the time, for that investment type, and in a way that it considers the most appropriate given the circumstances.

In priority, the order of investment activities is preservation of capital, maintenance of liquidity and return on investments.

5.3.1 Preservation of Capital

Preservation of capital is the principal objective of the investment portfolio. Investments are performed in a manner to ensure security of principal of the overall portfolio. This includes managing credit and interest rate risk within given risk management parameters and avoiding transactions that would prejudice confidence in Council or its associated entities.

5.3.1.1 Credit Risk

Council evaluates and assesses credit risk prior to investment. Credit risk is the risk of loss due to the failure of an investment issuer or guarantor. The investment officer minimises credit risk in the investment portfolio by pre-qualifying all transactions including the brokers/securities dealers they do business with, diversify the investment portfolio and limit transactions to secure investments.

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5.3.1.2 Interest Rate Risk

Investment officers seek to minimise the risk of a change in the market value of the investment portfolio because of a change in interest rates. This is achieved by considering the cash flow requirements of Council and structuring the investment portfolio accordingly. This avoids having to sell securities prior to maturity in the open market. Secondly, interest rate risk can be limited by investing in shorter term securities.

5.3.2 Maintenance of Liquidity

The investment portfolio maintains sufficient liquidity to meet all reasonably anticipated operating cash flow requirements of Council, as and when they fall due, without incurring significant transaction costs due to being required to sell an investment.

For these purposes, illiquid investments are defined as investments that are not publicly traded in sufficient volume to facilitate, under most market conditions, prompt sale without severe market price affect. Examples include:

- (a) Investment in private placements;
- (b) A security that is not supported or priced by at least two approved brokers/securities dealers;
- (c) Sub investment grade (that is, a lower than rating BBB- (standard and poors or equivalent), and in most cases, BBB rated investments; and
- (d) Unrated securities.

5.3.3 Return on Investments

The investment portfolio is expected to achieve a market average rate of return and take into account Council's risk tolerance and current interest rates, budget considerations and the economic cycle. Any additional return target set by Council will also consider the risk limitations, prudent investment principles and cash flow characteristics identified in this policy.

5.4 Authorised Investments (as per SBFAA)

Section 44(1) of the SBFAA provides Council with the power to invest in authorised investments which include:

- (a) Deposits with a financial institution;
- (b) Investment arrangements accepted, guaranteed or issued by or for the Commonwealth or a State or a financial institution;
- (c) Other investment arrangements secured by investment arrangements accepted, guaranteed or issued by or for the Commonwealth or a State or a financial institution;
- (d) Investment arrangements, managed or offered by Queensland Investment Corporation or QTC, prescribed under a regulation for this paragraph;
- (e) An investment arrangement with a rating prescribed under a regulation for this paragraph; and
- (f) Other investment arrangements prescribed under a regulation for this paragraph.

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5.5 Prohibited Investments

This policy prohibits any investment carried out for speculative purposes. The following investments are prohibited:

- (a) Derivative type investments (excluding floating rate notes);
- (b) Principal only investments or securities that provide potentially nil or negative cash flow;
- (c) Stand alone securities issued that have underlying futures, options, forward contracts and swaps of any kind; and
- (d) Securities issued in currencies other than Australian dollars.

5.6 Portfolio Investment Parameters

The amount invested with institutions or fund managers should not exceed the following percentage ranges of average annual funds invested. When placing investments, consideration is given to the relationship between credit rating and interest rate.

Long Term Rating (Standard and Poors)	Short Term Rating (Standard and Poors)	Individual Counterparty Limit	Total Limit
AAA to AA-	A1+	Maximum 30%	No Limit
A+ to A-	A1	Maximum 20%	Maximum 50%
BBB+ to BBB-	A2	Maximum 10%	Maximum 30%
QTC Cash Management Fund		No Limit	No Limit

5.6.1 Maturity

The maturity structure of the portfolio reflects the maximum term to maturity of one year.

5.6.2 Liquidity Requirement

Given the nature of the funds invested, no more than 20% of the investment portfolio is in illiquid securities and at least 10% of the portfolio can be called at no cost or will mature within a maximum of seven days.

5.7 Internal Controls

The Chief Financial Officer establishes internal controls and processes to ensure investment objectives are met and investment portfolios are protected from loss, theft or inappropriate use. The established processes include the regular update of the Investment Register, the preparation of a monthly reconciliation report and a quarterly compliance report. As a minimum the internal controls address the following:

- (a) Approved banks;
- (b) Portfolio performance;
- (c) Compliance and oversight of investment parameters;
- (d) Maintenance and safekeeping of investment records, and
- (e) Delegation of control.

5.8 Breaches

Any breach of this policy is reported to the Deputy Chief Executive Officer/General Manager Corporate Services and rectified within seven days of the breach occurring.

Where Council holds an investment that is downgraded below the minimum acceptable rating level, as prescribed under regulation for the investment arrangement, Council shall, within 28 days after the change becomes known to Council, either obtain Treasurer approval for continuing the investment arrangement or sell the investment arrangement.

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FINANCE POLICIES FOR REVIEW

Draft Rates Concession Policy (track changes)

Meeting Date: 18 June 2019

Attachment No: 2

RATES CONCESSION POLICY

COMMUNITY POLICY



1 Scope

This policy applies to any ratepayer seeking rebates and concessions for rates and/or charges.

2 Purpose

The purpose of this policy is to identify target groups and establish guidelines to assess requests for rates and charges concessions in order to alleviate the impact of rates and charges, particularly in relation to not-for-profit/charitable organisations and ratepayers with an approved government pension.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

Body Corporate and Community Management Act 1997

Local Government Act 2009

Local Government Regulation 2012

~~Caravan Park Rates Concession Application Form~~

CBD Commercial Property Rates Concession Application Form

Owner-Occupied Rates Concession Application Form

Pensioner Rate Subsidies Form Council and State Government Schemes

Revenue Policy

Revenue Statement

Waste and Recycling Collection Services Policy

Waste and Recycling Collection Services Procedure

Waste Charges Rebate Form

4 Definitions

To assist in interpretation, the following definitions apply:

CBD	Central Business District
CBD Mixed Use Category One Property	<p>A property:</p> <p>(a) Within the defined CBD area rated in Category One (commercial/light industry) and has a mixed use of commercial and residential; and</p> <p>(b) That is an existing property.</p>

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Council	Rockhampton Regional Council
Existing Property	A property as at 1 July 2018: (a) Within the defined CBD area rated in Category One (commercial/light industry); and (b) Has a mixed use of commercial and residential.
Ratepayer	As defined in the <i>Local Government Regulation 2012</i> , a person who is liable to pay rates or charges.
Rates and charges	As defined in the <i>Local Government Act 2009</i> , are levies that a local government imposes: (a) On land; and (b) For a service, facility or activity that is supplied or undertaken by: (i) The local government; or (ii) Someone on behalf of the local government (including a garbage collection contractor, for example).
Region	Rockhampton Regional Area defined by the Local Government Areas of Queensland.

5 Policy Statement

Rate and/or charges concessions are considered for the following ratepayer categories, noting that Council's prompt payment discount is calculated on gross rates prior to concession.

5.1 Approved Government Pensioners

The Queensland Government Pensioner Rate Subsidy Scheme is directed to the elderly, invalid or otherwise disadvantaged citizens of the community whose principal or sole source of income is a pension or allowance paid by Department of Human Services or the Department of Veterans' Affairs.

Unless stated otherwise, the terms and conditions of the Queensland Government Pensioner Rate Subsidy Scheme will apply to the application of the Council subsidy.

5.1.1 Eligibility

The following ratepayers are eligible for a concession/subsidy:

- (a) A holder of a Queensland "Pensioner Concession Card" issued by Department of Human Services or the Department of Veterans' Affairs; or
- (b) A holder of a Queensland "Health Card – For All Conditions" (Gold Card) issued by the Department of Veterans Affairs; or
- (c) A person receiving a Widow's Allowance; and
- (d) Is the owner or life tenant (either solely or jointly) of the property which is his/her principal place of residence; and
- (e) Has, either solely or jointly with a co-owner, the legal responsibility for the payment of rates and charges which are levied in respect of the property.

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5.1.2 Applications for Concessions

Applications for concessions are considered during the rating period (that is, half year). Applications received after the date of levy are considered only from the commencement of the current rating period. Rebates are not granted retrospectively without prior approval from the State Government Concessions unit.

A completed Pensioner Rates Subsidies Form must be submitted. A new application is required when a change of address occurs.

5.1.3 Amount of Rebate

Approved ratepayers whose property in which they reside is located within the Region, may be entitled to a rebate of 20% (to a maximum of \$2~~65~~0 each year) on all rates levied in respect of each eligible property, excluding environment separate charge, special rates/charges, water consumption charges and rural and state fire levies/charges.

Should a person be entitled to only part of the State subsidy, because of part ownership of the property, or other relevant reason, the Council rebate would be similarly reduced.

5.2 Not-For-Profit/Charitable Organisations

Rate concessions are available to approved organisations whose objectives do not include the making of profit and who provide services to their membership and the community.

5.2.1 Eligibility

To be eligible, the not-for-profit/charitable organisation – an incorporated body must:

- (a) Not include the making of profit in its objectives;
- (b) Not charge a fee for service;
- (c) Be located within the Region and the majority of its members reside in the Region;
- (d) Not receive income from gaming machines and/or from the sale of alcohol in an organised manner (for example, bar with regular hours of operation with permanent liquor license);
- (e) Be the owner, lessee or life tenant of the property and is the incorporated bodies main grounds/base/club house or residence;
- (f) Either solely or jointly with a co-owner, have the legal responsibility for the payment of rates and charges which are levied in respect of the property; and
- (g) Not be a religious body or entity or educational institution recognised under State or Federal statute or law.

Should an applicant only have part ownership of the property, the Council concession is similarly reduced.

5.2.2 Applications for Concessions

Eligibility for a concession is assessed by Council annually prior to the issue of the first rate notice each financial year (generally June/July). Organisations not automatically provided with a concession, and believe they meet the relevant criteria, may apply at any time. If an application is approved by Council, concessions are applied from the beginning of the current rating period (concessions are not applied retrospectively).

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5.2.3 Amount of Rebate

The amount of rebate applied to eligible organisations are as follows:

(a) Category One – Surf Life Saving Organisations

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap – N/A

(b) Category Two - Showground Related Organisations

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap – N/A

(c) Category Three – Kindergartens

Rebate Level General Rates – 50%
 Rebate Level Road Network Separate Charge – 50%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Environment Separate Charge – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ 1,000.00

(d) Category Four – Charitable Organisations Benefiting the Aged/Disadvantaged

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – 0%
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ 1,000.00 for Service Charges only

(e) Category Five – Sporting Clubs and Associations – Without Liquor and Gaming Licenses

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – ~~50~~55%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – ~~50~~55%
 Rebate Level Waste Charges – ~~50~~55%
 Cap - \$ ~~2,000,000.00~~ 4,000.00 for Service Charges only

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(f) Category Six – Sporting Clubs and Associations – With Liquor Licenses but No Gaming Licenses

Rebate Level General Rates – ~~50~~100%
 Rebate Level ~~Road Network~~ Separate Rates/Charges – ~~50~~100%
~~Rebate Level Environment Separate Charge – 0%~~
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – ~~50~~55%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – ~~50~~55%
 Rebate Level Waste Charges – ~~50~~55%
 Cap - \$ ~~2,000.00~~ 4,000.00

(g) Category Seven – Sporting Clubs and Associations situated on highly valued leasehold land – With Liquor Licenses but No Gaming Licenses

Rebate Level General Rates – ~~75~~85%
 Rebate Level Road Network Separate Charge – 75%
 Rebate Level Environment Separate Charge – 0%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ ~~1,000.00~~ 2,000.00 for Service Charges only
 Applies to Assessment Number 105813 – Rockhampton Bowls Club only.

(h) Category Eight – Sporting Clubs and Associations – With Liquor and Gaming Licenses

Rebate Level General Rates – 0%
 Rebate Level Separate Rates/Charges – 0%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 0%
 Rebate Level Water Consumption Charges – 0%
 Rebate Level Sewerage Charges – 0%
 Rebate Level Waste Charges – 0%
 Cap – N/A

(i) Category Nine - All Other Not-For- Profit/Charitable Organisations

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 50%
 Rebate Level Water Consumption Charges – Charged at residential rates
 Rebate Level Sewerage Charges – 50%
 Rebate Level Waste Charges – 50%
 Cap - \$ ~~2,000.00~~ 3,000.00 for Service Charges only.

(j) Category Ten - Rural Fire Brigade

Rebate Level General Rates – 100%
 Rebate Level Separate Rates/Charges – 100%
 Rebate Level Special Rates/Charges – 0%
 Rebate Level Water Access Charges – 100%
 Rebate Level Water Consumption Charges – 100%
 Rebate Level Sewerage Charges – 100%
 Rebate Level Waste Charges – 100%
 Cap - N/A

NOTE: Sewerage charges are not levied in respect of public amenities blocks that are locked

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and controlled by clubs.

5.3 General Rate Rebates

In accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, the properties where 100% rebate of general rates applies may be exempted from payment of general rates in lieu of the provision of a rebate.

5.4 Permits to Occupy Pump Sites and Separate Pump Site Assessments

Council will grant rebates on the following basis for those assessments that only contain pump sites and where the land area is 25 square meters or less:

- (a) Separate Charges – 100% rebate
- (b) General Rates – Maximum rebate of \$600.00.

5.5 Water Consumption Charges

Council will grant a rebate on the following basis for the following assessments:

- (a) 237107 – Gracemere Lakes Golf Club
- (b) 237109 – Gracemere Bowling Club

Water Consumption Charges – 50% rebate.

5.6 Lot 1 South Ulam Rd, Bajool

Council will grant a rebate on the following basis for the following assessment:

146963-2 – being Lot 1 South Ulam Rd, Bajool (L1 MLG80014 Parish of Ultimo)

- (a) General Rate 100%
- (b) Road Network Charge 100%
- (c) Environment Separate Charge 100%

5.7 Limit in Increases in Rates and Charges

For the ~~2019-2020~~~~2018-19~~ financial year Council will not be resolving to limit any increases in rates and charges.

~~5.8 — General Rate Concession for Caravan Parks~~

~~Council will grant a concession of general rates for those assessments potentially impacted by the opening of free camping sites. Council recognises the importance of the tourism drive market and the extra value caravan parks offer.~~

~~5.8.1 — Eligibility~~

~~To be eligible properties must have a land use code of “49 — Caravan Parks” and must disclose the number of tent and caravan park sites available for itinerant use. They must also advise the number of ensuite sites. Sites where an ensuite is provided are not eligible.~~

~~5.8.2 — Applications for Concession~~

~~Eligibility for this concession is assessed by Council annually prior to the issue of the first rate notice each financial year (generally June/July). Ratepayers not automatically provided with the concession may apply by submitting a Caravan Park Rates Concession Application Form at any time. If an application is approved by Council, concessions are applied from the beginning of the current rating period (concessions are not applied retrospectively).~~

~~5.8.3 — Amount of Rebate~~

~~A rebate amount of \$20 per annum will be provided per eligible site, and capped at \$2,000 per annum.~~

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5.9.5.8 Rockhampton CBD Commercial Properties with Mixed Residential Use

The purpose of this concession is to encourage inner city residential living and reduce vacancies in the Rockhampton CBD by providing an incentive for commercial property owners within the defined CBD area (as per Appendix A - Rockhampton CBD Extent) to utilise unoccupied commercial space for residential purposes. Residential purposes is defined as any space constructed and permitted for residential use and occupied by the owner or tenant as a residence.

Council will consider granting a concession of up to ~~\$2,000~~ \$2,200 per annum or a maximum of 75% of the general rate whichever is the lesser for a CBD mixed use category one property. The concession is primarily intended to facilitate the adaptation of established vacant commercial spaces, particularly above ground floor, to residential use.

5.9.15.8.1 Conditions

The following conditions apply:

- (a) The residential component should not be vacant longer than six months within the financial year;
- (b) Verification of use may be provided by a registered real estate agent or through pre-arranged inspection by a Council officer; and
- (c) Properties receiving the concession must advise Council if the residential use is discontinued.

The rates concession may be subject to reversal if the above conditions are not adhered to.

5.9.25.8.2 Applications for Concession

To apply a completed CBD Commercial Property Rates Concession Application Form must be submitted and will be subject to approval by Council.

Applications for concessions will be considered during the rating period (that is, half year). Applications received after the date of levy will be considered only from the commencement date of the current rating period (concessions are not applied retrospectively).

5.105.9 Leased Council Vacant Land

Council will grant rebates of 100% of the general rate and separate charges on vacant land owned or held by Council as trustee if the land is leased to another person and the land is not used for any business or commercial/industrial purpose.

In accordance with Chapter 4, Part 10 of the *Local Government Regulation 2012*, properties where 100% rebate of general rates and separate charges apply may be exempt from the payment of general rates and separate charges in lieu of the provision of a rebate.

5.115.10 Waste Rebates for Multi-Residential Unit Developments

The purpose of this concession is to waive the waste/recycling charge where it has been deemed by Council impractical for Council to provide waste and recycling collection services to a multi-residential unit development consisting of six or more individual attached or semi attached premises or units for which a community title scheme exists under the *Body Corporate and Community Management Act 1997*.

Council may grant a concession of 100% of the waste/recycling charge for each multi-residential unit or units for which a community title scheme exists.

5.11.15.10.1 Applications for Concession

To apply a completed Waste Charges Rebate Form must be submitted and will be subject to approval by Council.

Applications will be considered during the rating period (that is, half year). The concession may be applied retrospectively for the full financial year where the service has not been provided in accordance with this policy and the Waste and Recycling Collection Services

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Policy and Procedure.

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) Annually in accordance with the Revenue Statement;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

7 Responsibilities:

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Legal and Governance



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Reviewed Date:		Page No:	Page 8 of 9



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Adopted/Approved:	DRAFT	Department:	Corporate Services
Version:	13	Section:	Finance
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11.8 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2019**File No:** 8148**Attachments:**
1. **Income Statement May 2019**[↓](#)
2. **Key Indicator Graphs May 2019**[↓](#)**Authorising Officer:** Ross Cheesman - Deputy 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 May 2019.

OFFICER'S RECOMMENDATION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 May 2019 be 'received'.

COMMENTARY

The attached financial report and graphs have been compiled from information within Council's Finance One system. The reports presented are as follows:

1. Income Statement (Actuals and Budget for the period 1st July 2018 to 31 May 2019), Attachment 1.
2. Key Indicators Graphs, Attachment 2.

The attached financial statement provides Council's position as it nears the end of the 2018/19 financial year. As at 31 May 2019 results should be at 91.7% of the revised budget. The year to date percentages quoted within this report are based on the Draft Revised Budget which is presented for adoption in a separate report.

The following commentary is provided in relation to the Income Statement:

Total Operating Revenue is reported at 97% of revised budget. Key components of this result are:

- ☐ Net Rates and Utility Charges are at 98% of budget. It is anticipated that rates and utility charges will achieve budget as some water consumption notices are still be issued for 18/19 year.
- ☐ Private and Recoverable works are at 81% of revised budget. A significant portion of private works originally budgeted in 2018/19 has now been deferred to the 2019/20 year.
- ☐ Grants, Subsidies & Contributions are at 104% of budget. Some of Council's grants are paid in full earlier on in the year resulting in higher than expected revenues during the year. Additionally, Council was successful in some smaller grant applications during the year which had not been budgeted for.
- ☐ Interest revenue is ahead of budget at 93% and based on current trends will slightly exceed budget at end of financial year.
- ☐ Other income is higher than budgeted due to insurance claim proceeds received during the year.
- ☐ All other revenue items are in proximity to the revised budget.

Total Operating Expenditure is at 94% of the revised budget with committals, or 89% of budget without committals. Key components of this result are:

- Committals are impacting the results of several Expenditure Account Groups. In some cases a number of annual committals have been raised for services and materials. Percentages for Expenditure Account Groups with and without committals is as follows:

Account Group	With committals	Without committals
Employee costs	90%	90%
Contractors & Consultants	109%	82%
Materials & Plant	95%	80%
Asset Operational	96%	91%
Administrative expenses	107%	92%
Depreciation	91%	91%
Finance costs	89%	89%
Other expenses	99%	99%
Total Expenses	94%	89%

- The majority of Expenditure Account Groups are within proximity of budget year to date when committals are excluded.
- Contractors & Consultants is at 82% of revised budget when committals are excluded. Contractors – Other are underspent and this trend is across Council.
- Materials and Plant is at 80% without committals. This result is influenced by the level of Private and Recoverable works being undertaken as the majority of the associated costs are budgeted against this account group. A significant portion of private works originally budgeted in 2018/19 has now been deferred to the 2019/20 year.

The following commentary is provided in relation to capital income and expenditure, as well as investments and loans:

Total Capital Income is at 83% of revised budget. The majority of capital revenue budgeted to be received in 2018/19 is from grants and subsidies and is tied to performance obligations. As Council progresses through the year and meets performance milestones, grants are claimed.

Total Capital Expenditure is at 80% of the budget without committals. This represents an actual spend of \$9.2M for the month of May. A large portion of capital projects are underway with \$24.0M of committals raised.

Total Investments are approximately \$62.0M as at 31 May 2019.

Total Loans are \$109.8M as at 31 May 2019 with final loan payments for 2018/19 to be paid in June.

CONCLUSION

Total operational revenue is ahead of budget at 97% mostly due to the second levy of General Rates and Utility Charges for the year being raised. Operational expenditure is approximately in line with budget at 94% when committed expenditure is included.

The capital program saw \$9.2M spent during May of a \$123.6M revised capital budget program. It is anticipated that capital expenditure will increase during June as a number of large projects are near completion.

SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2019

Income Statement May 2019

Meeting Date: 18 June 2019

Attachment No: 1



Income Statement
For Period July 2018 to May 2019
91.7% of Year Gone

	Adopted Budget	Revised Budget	YTD Actual	Commitments	YTD Actuals (inc commitments)	% of Revised Budget
	\$	\$	\$	\$	\$	
OPERATING						
Revenues						
Net rates and utility charges	(145,182,957)	(145,912,957)	(142,063,542)	0	(142,063,542)	98%
Fees and Charges	(24,840,946)	(22,876,119)	(20,979,048)	323	(20,978,725)	92%
Private and recoverable works	(15,859,497)	(9,499,174)	(7,679,903)	0	(7,679,903)	81%
Rent/Lease Revenue	(3,072,340)	(3,072,340)	(3,002,162)	0	(3,002,162)	98%
Grants Subsidies & Contributions	(7,431,709)	(8,517,727)	(8,823,979)	0	(8,823,979)	104%
Interest revenue	(1,581,517)	(1,899,095)	(1,765,197)	0	(1,765,197)	93%
Other Income	(4,224,705)	(4,663,032)	(4,820,691)	1,615	(4,819,076)	103%
Total Revenues	(202,199,762)	(196,440,445)	(189,734,520)	1,937	(189,732,583)	97%
Expenses						
Employee costs	78,847,831	76,041,201	68,458,876	234,406	68,693,282	90%
Contractors & Consultants	17,227,336	16,053,039	13,206,587	4,338,058	17,544,645	109%
Materials & Plant	21,058,807	15,454,847	12,434,458	2,302,600	14,737,059	95%
Asset Operational	20,349,070	20,317,305	18,487,733	999,449	19,487,183	96%
Administrative expenses	14,406,616	12,557,483	11,529,546	1,872,117	13,401,663	107%
Depreciation	52,553,886	52,759,139	48,043,448	0	48,043,448	91%
Finance costs	6,804,535	6,804,535	6,068,196	0	6,068,196	89%
Other Expenses	1,204,503	1,259,503	1,248,115	4,138	1,252,253	99%
Total Expenses	212,252,384	201,246,851	179,476,960	9,750,769	189,227,729	94%
Transfer / Overhead Allocation						
Transfer / Overhead Allocation	(8,287,308)	(9,748,722)	(8,151,069)	0	(8,151,069)	84%
Total Transfer / Overhead Allocation	(8,287,308)	(9,748,722)	(8,151,069)	0	(8,151,069)	84%
TOTAL OPERATING POSITION (SURPLUS)/DEFICIT	1,765,314	(4,942,316)	(18,408,629)	9,752,707	(8,655,923)	175%
CAPITAL						
Total Developers Contributions Received	(1,814,000)	(1,107,245)	(348,799)	0	(346,799)	31%
Total Capital Grants and Subsidies Received	(29,017,883)	(37,206,257)	(31,349,157)	0	(31,349,157)	84%
Total Proceeds from Sale of Assets	0	(900,000)	(900,000)	0	(900,000)	100%
Total Capital Income	(30,831,883)	(39,213,502)	(32,595,956)	0	(32,595,956)	83%
Total Capital Expenditure	131,162,196	123,605,743	98,779,429	24,012,358	122,791,787	99%
Net Capital Position	100,330,314	84,392,242	66,183,473	24,012,358	90,195,831	107%
TOTAL INVESTMENTS			62,037,087			
TOTAL BORROWINGS			109,764,784			

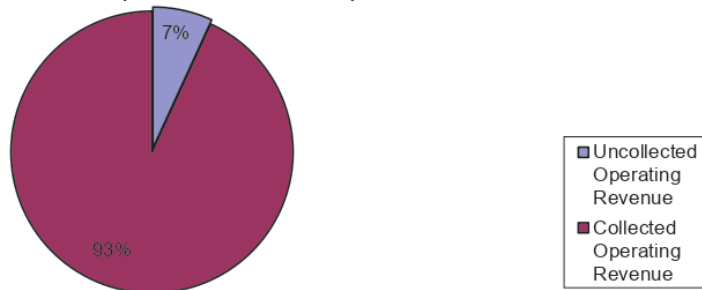
SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 MAY 2019

Key Indicator Graphs May 2019

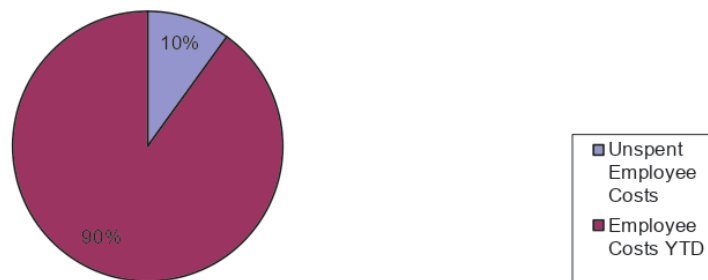
Meeting Date: 18 June 2019

Attachment No: 2

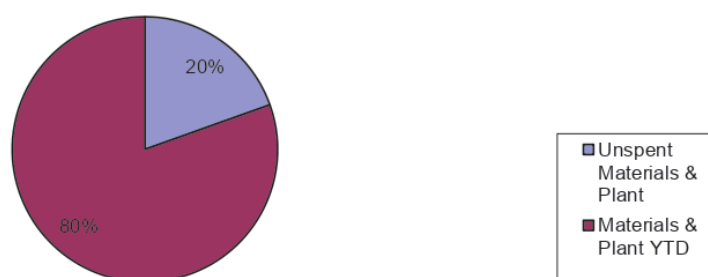
Operating Revenue
(Excluding Net Rates and Utility Charges)
(91.7% of Year Gone)

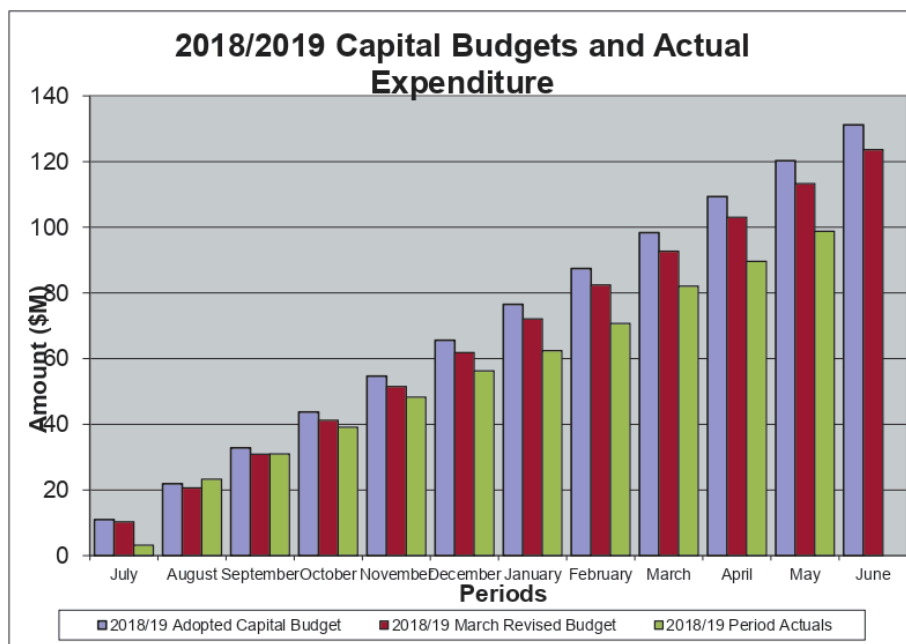
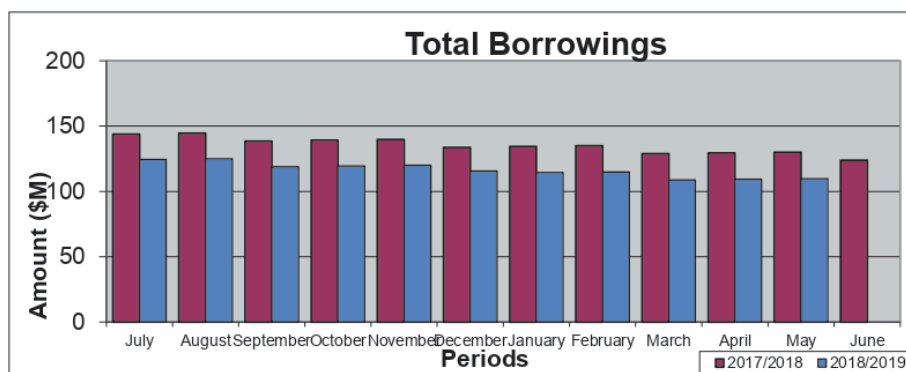
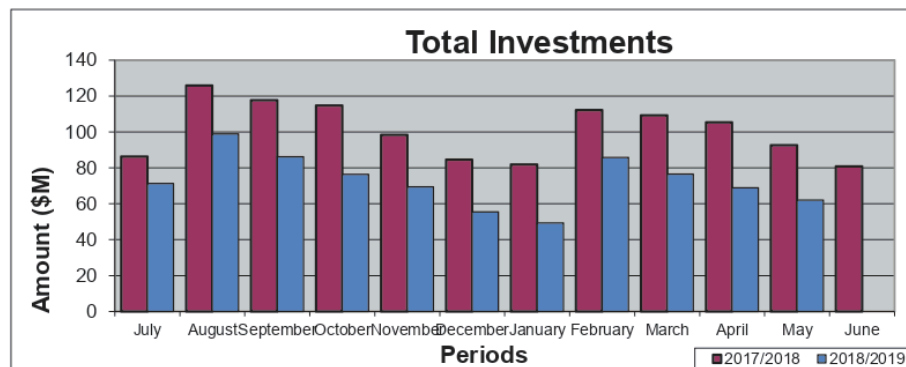


Operating Employee Costs
(91.7% of Year Gone)



Operating Materials & Plant
(91.7% of Year Gone)





**11.9 CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT
MAY 2019****File No:** 1392**Attachments:**

1. CTS Monthly Report May - 2019 [↓](#)
2. ES Monthly Report - May 2019 [↓](#)
3. Finance Monthly Report - May 2019 [↓](#)
4. SP Monthly Report - May 2019 [↓](#)

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The monthly operations report for the Corporate Services Department as at 31 May 2019 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Corporate Services Departmental Operations Report as at 31 May 2019 be "received".

COMMENTARY

It is recommended that the monthly operations report for Corporate Services Department as at 31 May be received.

CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT MAY 2019

CTS Monthly Report May - 2019

Meeting Date: 18 June 2019

Attachment No: 1

MONTHLY OPERATIONS REPORT

CORPORATE AND TECHNOLOGY SERVICES

PERIOD ENDED MAY 2019



1. Operational Summary

Information Services:

The Financials, Supply Chain and Recordkeeping (ECM) systems upgrade is proceeding as scheduled for Go-Live on 1 July. Some important dates leading into Go-Live and beyond:

- **21 June 2019** – last date for receipt of supplier invoices for payment in June.
- **25 June 2019** – last supplier payment run for June.
- **27 to 30 June 2019** - Financials, Supply Chain and Recordkeeping offline for upgrade.
- **1 July 2019** - Financials, Supply Chain and Recordkeeping live post upgrade.
- **4 July 2019** – first scheduled supplier payment for July.

Fleet:

The 2018/19 capital renewal program is nearing completion, with a few new assets still on order as we approach the EOFY. These are expected to be delivered through July and August. It is noted that some asset renewals have been deliberately held until now so as to combine with next year's program to save on procurement costs.

Plant hire activity remains strong supported by the significant construction activity underway.

Delivery of the communications shelter for the new Pinnacle Mountain site has been delayed due to sub-contractor manufacturing delays, the amended works schedule has delivery to site late July with works to be completed by early August.

Property & Insurance:

Coordinator Property & Insurance working on the South Rockhampton Flood Levee (SRFL) project with respect to property acquisitions and land dealings with the Department Natural Resources, Mines & Energy (DNRME).

SmartHub:

Early May SmartHub hosted one of the Advance Qld HotDesQ Round 3 Participants, Amaury Wiest, founder of France based startup Sunbirds who is currently based at River City Labs in Brisbane. Sunbirds have created a unique autonomous aircraft that harvests solar energy to fly ten times longer and farther than other drones. Designed for ultra-long-range missions in extreme environments, Sunbirds' solution is the perfect decision-making tool for organisations and people who manage large remote areas. Amaury gave a presentation about his startup displaying one of their SB4 model drones, followed by Q&A and one-on-one mentoring sessions with 5 of our SmartHub members.

Marni McGrath of Evans Edwards Accountants held a lunch session for our SmartHub members and the wider business community, to shared practical tips on tax minimisation strategies to help businesses identify how they can reduce the amount of tax they are paying leading up to the end of financial year.

The Rockhampton Angel Network held their May monthly meeting upstairs in Customs House. Brisbane Angel, Simon Horne of Angelloop shared information about Angel Investing with the attendees followed by pitches from two startup companies, SuperDraft and Experimental.

Steve Grant, SmartHub Member and founder of iHelp Business Coaching was the May SmartHub Lunch & Learn presenter. Steve provided our attendees with valuable information about business practices and ways you can easily make changes in your business operations to save money and increase cash flow.

The topic experts we hosted for our Turbo-Traction Program during May were:

- Phil Martin – Founder Bitplex – MVP Building;
- Chris Lorang – CEO Moonsure – Business Model Creation;
- Tamara Loehr – Founder Content2Convert – Secure your first 100 customers;
- Sean Restorick-Barton – Associate Law Squared – Legal administration; and
- Marni McGrath – Principal Evans, Edwards & Assoc. – Accounting administration.

Our participants are working hard on progressing their business ideas with some of them already making sales and engaging with customers.

The Facebook HubLive interviews with SmartHub members and contributors to building our business community have continued weekly to help promote the activity in the space, allow for storytelling about elements required to run a successful business and how the use of technology can improve business processes and efficiency.

The event spaces are continuing to be utilised frequently with bookings for private meetings, workshops and functions by members, program partners, external parties and other units within Council.

Enquiries and submissions for SmartHub Membership continue to be received and reviewed by the RRC SmartHub Working Group – currently 69 members.








2. Customer Service Requests



Response times for completing customer requests in this reporting period for May are within the set timeframes.

	Balance B/F	Completed in Current Month	Current Month NEW Request		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Accounts Payable Enquiry	0	0	0	0	0	0	2	0.00	1.00	0.91	0.56
Insurance: Mower / Slasher / Whipper / Snipper	2	2	1	0	0	0	90	0.00	10.43	12.68	14.54
Insurance: Personal Accident / Injury	1	1	0	0	0	0	120	0.00	4.00	23.71	105.87
Insurance: Public Liability / Property Damage Public Property	5	4	5	2	1	0	90	11.00	7.40	9.70	10.20
Leased Premises – General Enquiry	0	0	0	0	0	0	5	0.00	2.50	0.83	0.00

3. Capital Projects


Details of capital projects not reported regularly to Council or a particular Committee in other project specific report updates as at period ended May 2019 – 92% of year elapsed.

Project	Planned Start Date	Planned End Date	On Track	Budget Estimate	Life to date actual (incl committals)
Fleet Asset Renewal Program (CP440)	01/07/2018	30/06/2019		\$7,802,048	\$7,385,131
Comments	Capital renewal program is near completion. Some asset renewals have been deliberately held until now so as to combine with 19/20 program to save on procurement costs.				
IT Asset Renewal & Upgrade Program – excluding RAMP (CP230)	01/07/2018	30/06/2019		\$2,159,766	\$840,891
Comments					
RRC Asset Management Project RAMP (CP230)	22/01/2018	30/09/2019		\$2,564,457	\$2,671,891
Comments	Financials/Supply Chain/ECM release as "R1" scheduled for end of June 2019. Anticipated rollout of Asset and Work Management functions inclusive of Asset Accounting Functions scheduled - February 2020.				
Stage 3E Smart Technology	04/04/2019	30/06/2020		\$710,000	\$7,089 (18/19 actuals only)
Comments	Contracts finalised and equipment orders placed.				
Stage 3d Smart Technology – Victoria Parade – Fitzroy to Archer (CP235)	01/12/2016	01/03/2019		\$571,226 (18/19 budget allocation)	\$560,727
Comments	Project has reached practical completion.				
Stage 2 Smart Parking – Disability ePermit (CP235)	22/01/2018	14/12/2018		\$250,000	\$243,159
Comments	Project completed, final report was submitted and accepted by Smart Cities and Suburbs program.				
CCTV System Upgrade	01/07/2018	14/12/2018		\$184,000	\$184,283
Comments	Project has reached practical completion.				

In terms of scope, schedule and budget, the project is:		
		
on track	generally on track, with minor issues	off track

4. Operational Projects

As at period ended May - 92% of year elapsed

Project	Planned Start Date	Planned End Date	On Track	Budget Estimate	YTD Actual (inc committals)
Smart Hub Programming	01/07/2018	30/06/2019		\$230,263	\$223,692
YCA & YINC	Date 25/07/2018 – 27/07/2018, 06/09/2018 (Pitch Night) 22/10/2018, 23/10/2018 – completed 16/04/2019 17/04/2019 - completed	Young Change Agents Program (YCA) The YCA high school program (grades 7-12) is built as a train-the-trainer model for teachers and runs for two and half days. This is a cross-curricular program that encompasses elements of civics & citizenship, social studies, commerce, english, maths, drama, IT and art. Youth Incubator Program (YINC) YINC is Young Change Agents youth incubator program for selected alumni of the YCA program. YINC is a mix of masterclasses, activities, networking and group work including: - a cycle of prototyping and customer validation that allows teams to iterate their solutions in line with customer needs; - engagement with mentors to create confidence and a transfer of knowledge and skills; - exposure to industry experts, professionals and potential clients; - specific new learning topics including sales, partnerships, financing, marketing, legal, finance and risk; - showcases at the end of each 2 day session to allow teams to access support and/or reflect on their learnings.			
<u>Comments</u> The two day YINC program was held in the SmartHub Annex space with 12 primary and high school aged students participating. The 5 teams worked closely with YCA and SmartHub mentors to progress their social entrepreneurship ideas and were given the opportunity to showcase their achievements at the end of the second day to the rest of the participants and family members. Blake Harvey, General Manager Grid Planning and Optimisation for Energy Queensland, sponsors of the program gave a speech to the students and spoke to them about their ideas and what goals they have set themselves for the next 30, 60 and 90 days to keep progressing on their projects.					
Startup OnRamp	Dates to be confirmed. Possibly now late 2020.	The 12 session Startup Onramp program is for startup founders who are at the beginning of their startup journey, including those who currently have a day job and want to make the transition from <i>employee</i> to <i>startup founder</i> . The program comprises a two-hour workshop each week, two additional weekend sessions, plus weekly individual mentoring sessions and culminates in a pitch night in which all participants pitch their startup and share their learnings with fellow entrepreneurs.			
<u>Comments</u> The first OnRamp ran successfully from July to December 2018. Now that funding has been approved for Turbo-Traction Lab and that Gladstone and Yeppoon have confirmed that they are running this program this year, it is likely that we will wait until the second half of next year to proceed with another Startup Onramp Program.					

Corporate & Technology Services Monthly Operations Report

CQ METS Accelerator Program	21/01/2019 – 17/04/2019 – completed	This industry specific accelerator program will provide participants with the opportunity to test and build on their METS related product or service. A series of intensive workshops will focus on the fundamentals of customer development, value proposition canvas and problem-solution fit. This program is a collaboration between Council, METS Ignited Australia and the Queensland Government.
<p><u>Comments</u></p> <p>The CQ METS Accelerator Demo Night was held as a conclusion to the program which allowed our cohort to showcase their achievement, share lessons learnt and provide feedback. Sam Whitehill from the Department of State Development, Manufacturing, Infrastructure and Planning attended in addition to representatives from the Mining Industry which allowed participants the opportunity to make valuable connections and gain further insight as to how their businesses could service the METS sector. Overall the feedback was positive and participants found value in completing the program which was facilitated by Bill McKeague.</p>		
Startup Weekend and GovHack	<p>Date 26/07/2019-28/07/2019</p> <p>and 06/09/2019–08/09/2019</p>	<p>Startup Weekend 2019</p> <p>In just 54 hours, participants experience the highs, lows, fun, and pressure that make up life as a startup. They learn how to create a real company, meet great mentors, investors, co-founders, and sponsors who are ready to help turn their idea into an actual business with paying customers.</p> <p>GovHack 2019 (yearly)</p> <p>GovHack is an open data hackathon held across Australia. It's all about encouraging and celebrating people's technical and creative capacity with government for great outcomes, and building upon the social and economic value of Open Data published by government.</p>
<p><u>Comments</u></p> <p>The Startup Weekend Organising Committee held their first meeting. There was a requirement to change the date of the event to 26th – 28th July due to the Customs House function space being used for an event booking during the original date proposed. Marketing material and a Marcomms plan has now been prepared and is being approved by the sponsors, CQUniversity and Startup Capricorn before promotion will commence with registrations opening mid June. Meetings will continue fortnightly and increase to weekly closer to the event in July.</p>		
Turbo-Traction Lab	15/03/2019 – 30/06/2020	The Turbo-Traction Lab (TTL) is a hands on program designed to build a modern business in 80 days. The Australian Government, in conjunction with Bevan Slattery's Capital [b] and Council is funding this stage specific incubator program designed to allow both full time and part time founders to bootstrap their business. Founders will have an opportunity to gain significant traction in their global market with hands on assistance from world class experts in residence. As a fitting conclusion to the program, a selection of participants from the program will have the opportunity to travel to the USA for a week to experience the global marketplace, as well as meet startups and potential customers.
<p><u>Comments</u></p> <p>This month we have hosted topic experts Phil Martin (Building an MVP), Chris Lorang (Business Model Creation), Tamara Loehr (Securing your First 100 Customers), Sean Restorick-Barton (Administration-Law) and Marni McGrath (Administration-Accounting). The participants have been working closely with each of the experts to refine their business model and progress their business ideas with some of them already making sales and fulfilling orders for their products and services. Our TTL Expert in Residence, Daniel Johnsen oversees the entire program ensuring that the entrepreneurs are motivated and accountable for achieving the business goals that have been set.</p>		

5. Budget

Financial performance as expected for the reporting period.

	Adopted Budget	Revised Budget	EOM Commitments	YTD Actual	Commit + Actual	Var	On target 91.7% of Year Gone
	\$	\$	\$	\$	\$	%	
CORPORATE & TECHNOLOGY SERVICES							
<u><i>Fleet</i></u>							
Revenues	(283,000)	(283,000)	0	(326,242)	(326,242)	115%	✓
Expenses	11,900,948	11,900,948	537,461	10,482,873	11,020,334	93%	✗
Transfer / Overhead Allocation	(17,803,700)	(17,803,700)	0	(15,539,354)	(15,539,354)	87%	✗
Total Unit: Fleet	(6,185,752)	(6,185,752)	537,461	(5,382,723)	(4,845,263)	78%	✗
<u><i>Property & Insurance</i></u>							
Revenues	(439,352)	(439,352)	0	(497,205)	(497,205)	113%	✓
Expenses	3,554,418	3,689,133	19,725	3,534,218	3,553,944	96%	✗
Transfer / Overhead Allocation	9,171	9,171	0	7,250	7,250	79%	✓
Total Unit: Property & Insurance	3,124,237	3,258,952	19,725	3,044,264	3,063,990	94%	✗
<u><i>Corporate & Technology Management</i></u>							
Revenues	0	0	0	(1,117)	(1,117)	0%	✓
Expenses	664,420	664,420	18,943	568,147	587,090	88%	✓
Transfer / Overhead Allocation	555	555	0	3,643	3,643	657%	✗
Total Unit: Corporate & Technology Management	664,974	664,974	18,943	570,673	589,616	89%	✓
<u><i>Information Systems</i></u>							
Revenues	(22,500)	(22,500)	0	(28,232)	(28,232)	125%	✓
Expenses	7,205,775	7,205,775	332,015	7,443,591	7,775,606	108%	✗
Transfer / Overhead Allocation	19,768	19,768	0	20,082	20,082	102%	✗
Total Unit: Information Systems	7,203,043	7,203,043	332,015	7,435,441	7,767,456	108%	✗
<u><i>Procurement & Logistics</i></u>							
Revenues	0	0	0	(541)	(541)	0%	✓
Expenses	1,731,614	1,731,614	931	1,606,080	1,607,011	93%	✗
Transfer / Overhead Allocation	37,454	37,454	0	35,299	35,299	94%	✗
Total Unit: Procurement & Logistics	1,769,068	1,769,068	931	1,640,839	1,641,770	93%	✗
<u><i>Smart Hub Business</i></u>							
Revenues	(59,000)	(59,000)	0	(209,951)	(209,951)	356%	✓
Expenses	393,971	393,971	130,526	413,921	544,448	138%	✗
Transfer / Overhead Allocation	0	0	0	6,225	6,225	0%	✗
Total Unit: Smart Hub Business	334,971	334,971	130,526	210,195	340,722	102%	✗
Total Section: CORPORATE & TECHNOLOGY SERVICES	6,910,541	7,045,256	1,039,602	7,518,689	8,558,291	121%	✗

Corporate & Technology Services Monthly Operations Report

Comments

Fleet – Plant Hire Operations is now showing to be running in line with budget estimate following the correction of a journal error in the previous period (\$575,000 in internal revenue understated). Expenses are ahead of target due to block payment of vehicle registrations and insurance

Property & Insurance – Expenses ahead of budget refers to pre-paid rent for 175 East Street, Rates on Council owned properties and pre-paid insurance premiums.

Information Systems – Approximately \$1.8M expenditure refers to pre-paid subscription, maintenance and licensing fees.

6. Section Statistics

Safety Statistics

	Third Quarter		
	April	May	June
Number of Lost Time Injuries	1*	1	
Number of Days Lost Due to Injury	14	5	
Total Number of Incidents Reported	3	1	
Number of Incomplete Hazard Inspections	0	0	

- LTI occurred in February - was not confirmed as a LTI until late March.

Service Delivery

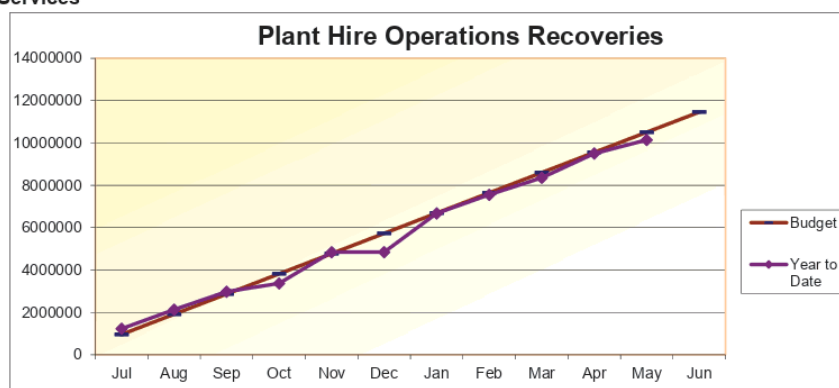
Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
IT support services provided within service levels outlined in the IT Service Catalogue.	95%	89%	Operational
Ensure availability of system up-time during core business hours (excluding planned outages).	99%	100%	Operational
Process records on the day of receipt as per Recordkeeping Charter.	95%	100%	Operational
Ensure supplier payments are made within stated trading terms – <u>7 days</u> .	90%	94%	Operational
Ensure top 100 suppliers by dollar value under formal purchasing agreements (contracts).	90%	97%	Operational
Maximise Council property occupancy rates.	98%	100%	Operational
Ensure tenanted properties in any month, have current lease agreements and public liability insurance.	80%	95%	Operational
Process insurance claims within procedural timeframes.	100%	100%	Operational
SmartHub Membership (Target 2018 - 20)	100	69	Operational

Liquor Permit Applications on Council Owned or Controlled Land

	April	May	June
Applications Received	8	7	
Applications Approved	9	8	
Applications Denied	0	0	

7. Whole of Council Reports and Statistics

Fleet Services



Plant Hire Operations Budget (Surplus)	\$11,463,100
Year to Date (Surplus)	\$10,143,915

Procurement & Logistics

Contracts Awarded for May – 7

Tender/ Contract No.	Contract Name	Awarded	Amount
13494	Strategic Assessment for Rockhampton Event Transport Management	Price Waterhouse Coopers	\$19,500
13251	Printing & Distribution of Animal, Water & Rates Notices	Forms Express Pty Ltd	SOR
13483	Preliminary Design & Modelling of Stormwater PFTI's	Water Modelling Solutions Pty Ltd	\$27,800
13472	Smart Technology Stage 3E	Stankey Electrics Contracting	\$688,000
13497	Bolsover St Streetscape Works between Derby & Cambridge Sts	Hendrie Constructions Pty Ltd	\$318,374
13198	Lakes Creek Road Landfill - Stage 1 Drainage	K & N Services (Qld) Kabra Pty Ltd	\$184,650
13475	Quay Lane Preliminary Electrical Works	Mark Bull Electrical	\$51,920

Tenders / quotes in progress - 37

Corporate & Technology Services Monthly Operations Report

**CORPORATE SERVICES
DEPARTMENT - MONTHLY
OPERATIONAL REPORT
MAY 2019**

ES Monthly Report - May 2019

Meeting Date: 18 June 2019

Attachment No: 2

MONTHLY OPERATIONS REPORT

FINANCE – ENVIRONMENTAL SUSTAINABILITY

PERIOD ENDED MAY 2019



1. Operational Summary

Environmental Sustainability Strategy

- Implementation of the annual action plan continues with all scheduled actions on track.
- The Sustainability Strategy Executive Group will meet again on 18 July 2019.

Bringing Nature Back Program

- Council has received the draft Natural Environment Study from Cardno and the report is currently under review by Strategic Planning and the Environmental Sustainability team.
- Community-based natural resource management works are continuing across a range of sites, with day to day coordination by the Parks Education Supervisor and technical input from the Environmental Sustainability Team. The dedicated tools and equipment trailer has arrived and is already in service, supporting activities by Jobs Queensland, Capricornia Catchments and Multicultural Development Australia. The new watering trailer (funded by Division 6 Councillor Capital) to support bush regeneration and canopy improvement projects on Council land is scheduled to arrive shortly.
- Council's Nature Photography Competition closed on 10 May 2019 with winners to be announced as part of the World Environment Day celebrations in early June 2019.
- Council launched the special local edition 'Rockhampton Regional Council Nature Play Passport' on 31 May 2019 in conjunction with Under 8s week and Romp in the Park. Copies of the Passport are available at Council's Customer Services Centre, Rockhampton Regional Libraries and the Visitor Information Centre. Class packs are also available to schools during the month of June.
- Preparations are underway to expand Council's free native plant program in time for National Tree Day in July.

Living Sustainably Program

- May's monthly theme for Council's Living Sustainably program was 'feeding your compost bin and worm farm'. The workshop was held at Rockhampton Regional Library and attracted 33 participants over two workshop sessions.
- Council's Sustainability in Action schools calendar competition remains open until 28 June 2019. Winning entries will feature in Council's 2020 Community Calendar.
- Grant agreements have been finalised for the first round of Environment and Sustainability projects under Council's Community Assistance Program. Works will shortly commence on Birdlife Capricornia's yellow chat habitat restoration works; Fitzroy Basin Association's Drain Buddies (source reduction) project; and Multicultural Development Australia's Tucker Time project.

Second Nature Program

- Staff submitted 11 applications for Council's second round of the Sustainability Seed Feed. Proposed initiatives have been shortlisted and will be endorsed by the Internal Sustainability Working Group before commencement. Each of the trial initiatives are designed to improve environment and sustainability outcomes in our operations, use our resources wisely and offer potentially scalable solutions beyond the trial period.
- The Internal Sustainability Working Group will meet again on 06 June 2019.

2. Customer Service Requests

Response times for completing customer requests in this reporting period for May are within the set timeframes.

3. Capital Projects

Details of capital projects not reported regularly to Council or a particular Committee in other project specific report updates as at period ended May – 92% of year elapsed.



Project	Planned Start Date	Planned End Date	On Track	Budget Estimate	YTD actual (incl committals)
No capital projects at this time.					




4. Operational Projects



As at period ended May – 92% of year elapsed.









Project	Planned Start	Planned End	On Track	Comment	Budget Estimate	YTD actual (inc com'tals)
Environmental Sustainability Strategy (ESS): Develop Council's Strategy with input from stakeholders: Stage 1 – Initial review (completed Jan 2018) Stage 2 – Visioning (completed Mar 2018) Stage 3 – Strategy development (completed Apr 2018) Stage 4 – Strategy validation (completed May 2018) Stage 5 – Consultation/adoption (completed Sep 2018) Stage 6 – Implementation (in progress)	Oct 17	Jun 19		Completed: <ul style="list-style-type: none"> Public consultation completed 13 July 2018. Community input considered by the Sustainability Strategy Executive Group on 31 Aug 2018. Council adopted Strategy on 25 Sep 2018. Council received the annual action plan and Q1 implementation progress report on 13 Nov 2018. Council received the Q2 progress update on 05 Feb 2019. Council received the Q3 progress update on 07 May 2019. 	\$0	\$0
Pathway 1 – Natural environment (partnerships and programs)						
Natural environment study: Identify and map priority natural assets for protection and enhancement. This work will replace the natural environment study completed in 2010 (covering the amalgamated regions) and will inform future works, identify areas for future development offsets and also inform the Planning Scheme.	Sep 18	Jun 19		<ul style="list-style-type: none"> Rapid urban canopy (i-Tree) assessment completed in Sep 2018. Cardno engaged to undertake Natural Environment Study in Feb 2019. Draft report received 30 May 2019. Outcomes subject to Leadership Team consideration and future Councillor workshop. 	\$65,000	\$65,000

Project	Planned Start	Planned End	On Track	Comment	Budget Estimate	YTD actual (inc om'tals)
Natural environment program - works: On-ground works projects to maintain and enhance key natural assets, green corridors and urban waterways in conjunction with key stakeholders and the community. The program may also provide catalyst funding to help address environmental projects on Council land.	Jul 18	Jun 19		<ul style="list-style-type: none"> Fraser Park bush regeneration works (Capricornia Catchments, Multicultural Development Australia and Capricorn Correctional Centre) – commenced Sep 2018 and progressing on track. Riparian restoration and native plant support at Council's Nursery (Multicultural Development Australia) – FY2018-19 Skilling Queenslanders for Work grant application submitted in April 2019, announcement pending. Springers Lagoon interpretive signage – commenced Oct 2018, with artwork and content completed in Dec 2018 and 50% of funding provided to support manufacture and installation. Pending finalisation by Parks and Marketing. Native plant program – plant purchases for National Tree / Emergency Services Day. Operational NRM trial commenced in April 2019 in conjunction with Parks, Jobs Queensland, Multicultural Development Australia and Capricornia Correctional Centre. Tools trailer received May 2019 and water trailer expected June 2019. 	\$50,000	\$45,000
Fish hotels: Fitzroy Basin Association (FBA) secured Australian government funding to install additional fish hotels at selected Lagoons. The ES Team is coordinating Council interests and Parks is providing in-kind support to this project via the Jobs Queensland crew and the use of the Green Waste Compound for assembly activities at the Rockhampton Botanic Gardens.	Apr 18	Sep 18		Completed: <ul style="list-style-type: none"> Water levels necessitated a change of installation location to Yeppen and Crescent Lagoons. Construction completed Jul 2018. Installation and media completed Aug 2018. 	FBA	FBA

Project	Planned Start	Planned End	On Track	Comment	Budget Estimate	YTD actual (inc com'tals)
Riparian study – Frenchmans and Thozets Creek: Regional Services has formed a cross-disciplinary Council team to explore opportunities for integrated floodplain management within the Frenchmans and Thozets Creek areas. The ES Team is part of the project team providing input to this study.	Mar 18	Jul 18		Completed: <ul style="list-style-type: none"> Final report received, project completed. Collaboratively exploring opportunities to support and fund proposed program of riparian works via grants and labour support. 	Regional Services	Regional Services
Pathway 2 – Empowering our community (external programs)						
Bringing Nature Back – engagement program: Long-term nature-based community engagement program, designed to bring nature back into the community's hearts, minds and everyday lives. Sponsored by the Australian Government as part of the <i>Building Better Regions – Community Investments Stream</i> . The Program will deliver a workshop series and engagement activities and tools that help the community to improve urban canopy cover in their own backyards, local streets, nearby creeks and on Council land.	Jul 18	Rolling		<ul style="list-style-type: none"> Tropicana - Council launched the Bringing Nature Back program at Tropicana in Oct 2018, with a native plant giveaway and a workshop program including over 25 different presenters, with more than 2,500 participants during the course of the day. Fraser Park – Community workshops delivered 24 Mar 2019. Nature Play passports – Local edition 'Rockhampton Regional Council Nature Play Passport' launched at Romp in the Park (under 8s week) on 31 May 2019. Nature Photography Competition closed 10 May 2019. Winners to be awarded June 2019. 	\$30,000 + \$19,990 grant	\$50,000
Living Sustainably program: Long-term behaviour change program designed to encourage the community to adopt a wide array of actions and behaviours that support Council's sustainability goals. The program will recognise and reward sustainability awareness and action in schools as part of the annual schools calendar competition, 2019 community calendar and a rolling monthly communications program that commenced in January 2019.	Jul 18	Rolling		<ul style="list-style-type: none"> Schools competition - Awarded the winners of the 'Sustainability in Action!' community calendar at Tropicana 2018. Calendars - Distributed the calendar to schools, Customer Service Centres, Councillors and participants in the CBD Christmas Fair. 	\$25,000 + \$10,000 RRWR contribution	\$34,000

Project	Planned Start	Planned End	On Track	Comment	Budget Estimate	YTD actual (inc om'tals)
				<ul style="list-style-type: none"> ecoBiz workshop - Facilitated EcoBiz workshop for community members and Council lessees to learn about water, waste and energy efficiencies (07 and 08 Oct 2018). Engagement program – Rolling program of monthly displays, workshops and e-newsletters in progress from Jan 2019. Schools calendar competition launched and scheduled to close 28 June 2019. Winners to be awarded at Tropicana 2019. 		
Community Assistance Program (environment and sustainability scheme): A grants program designed to support community-based environment and sustainability initiatives. Funds are administered as part of the Community Assistance Program to support a wide range of community workshops and on-ground activities.	Jan 19	Rolling		<ul style="list-style-type: none"> Council endorsed the proposed new Environment and Sustainability scheme on 11 Dec 18. Supporting documentation (including revisions to the existing web page, fact sheet, forms and acquittal reports) were finalised in Jan 2019. The first round of applications closed on 25 Mar 2019 and on 07 May 2019 Council resolved to provide funding of \$8690 to be shared across three organisations. 	\$10,000	\$8,690
Drains are for rain action learning kits: The Great Barrier Reef Marine Park Authority awarded Council a Reef Guardian Stewardship grant to encourage environmental initiatives in our local communities. As part of this grant, Council will develop an education resource kit to provide local schools across the Rockhampton Region with action learning opportunities focussed on waterway awareness and source reduction.	Jul 18	Jun 19		<ul style="list-style-type: none"> Resource materials nearing completion. Pending launch. 	\$1,700	\$2,000

Project	Planned Start	Planned End	On Track	Comment	Budget Estimate	YTD actual (inc com'tals)
Pathway 3 – Industry and infrastructure						
Clean growth choices for communities in transition: Queensland Government program designed to assist communities to become more resilient by acquiring new skills and technologies, mastering the transition to a low carbon technology and adapting to changing climate – all while creating the new jobs of tomorrow.	Aug 18	Jun 20		<ul style="list-style-type: none"> Attended Program start-up meeting in Brisbane Aug 2018. Contributed to initial desktop review in Sep/Oct 2018. Rockhampton based stakeholder workshops held 07 Nov 2018 and 11 Mar 2019. Working group activities continuing to progress key pathways. 	Transferred to Advance Rockhampton	Transferred to Advance Rockhampton
Sustainable Rockhampton Investment Fund: Supports projects that deliver both positive environmental outcomes and real operational savings for Council.	Jul 18	Jun 19		<ul style="list-style-type: none"> Fund procedure approved Nov 2018. Awaiting Glenmore Water Treatment Plant solar as the first project for consideration under the Fund. 	TBC	TBC
Pathway 4 – Council operations (corporate sustainability)						
Second Nature program: Council's internal sustainability engagement program has been designed to advance sustainability awareness and action within Council's operations. The Internal Sustainability Working Group champion sustainability initiatives across departments, act as a conduit for information and support sustainability action across the organisation.	Jul 18	Rolling		<ul style="list-style-type: none"> Facilitated EcoBiz workshop for Council officers to learn about water, waste and energy efficiencies (08 Oct 2018). Nov 2018 Working Group meeting rescheduled due to extreme weather conditions (heat and fire). Coordinated site visits and coaching activities for Council EcoBiz efficiencies cluster in Feb 2019. Working Group meeting held 07 Mar 2019, focussing on biodiversity (Mount Archer and Frenchmans Creek riparian corridors). Seed Fund applications closed on 29 Apr 2019, subject to review by the Working Group. Next Working Group meeting scheduled for 06 June 2019 focussed on waste theme. 	\$0	\$0

Project	Planned Start	Planned End	On Track	Comment	Budget Estimate	YTD actual (inc oom'tals)
Sustainability Seed Fund program: As a key part of the internal sustainability engagement program, seed fund initiatives provide the opportunity to trial staff-initiated sustainability projects that foster sustainable behaviour whilst improving Council's wise use of resources.	Feb 18	Rolling		2018-19 trial initiatives progressing as planned: <ul style="list-style-type: none"> • Composting at City Childcare Centre (delivered) • Black soldier fly trial at Zoo (delivered) • Transition to recycled paper (delivered) • Reusable coffee cups (delivered) • Office recycling across Council (delivered) • Energy efficient behaviour (pending) • Enhanced public place recycling at Zoo (delivered) • Transitioning to electronic forms (to be addressed via Learning Management System) • Nursery efficiencies (pending ecoBiz) 	\$20,000	\$20,000
Queensland Climate Resilient Councils (QCRC): The QCRC is a free three year Program which Council subscribed to in mid-2017. Led by LGAQ, in partnership with the Queensland Government, the Program is designed to strengthen Council decision-making processes to respond to climate change.	Feb 18	Dec 18		Completed: <ul style="list-style-type: none"> • Draft report received. • Climate related risks to be further considered in Council's operational plans and risk registers. 	\$0	\$0
Energy Action Plan: Council facilities and services consume a significant amount of energy. This plan aims to identify Council's key strategic opportunities to achieve cost savings, improve environmental sustainability and recognise wider economic and social benefits.	Apr 18	Dec 18		Completed: <ul style="list-style-type: none"> • Council endorsed the proposed Energy Action Plan on 11 Dec 18, along with the proposal for a solar installation at the Glenmore Water Treatment Plant. 	\$0	\$0

5. Budget

Financial performance is as expected for May – 92% of year elapsed.

End of Month Job Costing Ledger - (Operating Only) - CORPORATE SERVICES As At End Of May

Report Run: 07-Jun-2019 05:57:42 Excludes Nat Accs: 2802,2914,2917,2924

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$	Variance %	On target 91.7% of Year Gone
CORPORATE SERVICES							
FINANCE							
<i>Natural Resource Management</i>							
Revenues	0	0	0	(19,990)	(19,990)	0%	✓
Expenses	533,335	533,335	60,509	406,931	467,439	88%	✓
Transfer / Overhead Allocation	10,000	10,000	0	(4,280)	(4,280)	-43%	✓
Total Unit: Natural Resource Management	543,335	543,335	60,509	382,660	443,169	82%	✓
Total Section: FINANCE	543,335	543,335	60,509	382,660	443,169	82%	✓
Total Department: CORPORATE SERVICES	543,335	543,335	60,509	382,660	443,169	82%	✓
Grand Total:	543,335	543,335	60,509	382,660	443,169	82%	✓

Comments

Overall budget on target.

6. Section Statistics

Program/Activity	Date/s	Attendees
Completed activities		
Living Sustainably 'feeding your compost bin and worm farm': Monthly display and workshop at Rockhampton Regional Library	11 May 19	33
Nature Photography Competition: Community competition seeking photo entries from around the Rockhampton Region across five categories. Winners to be awarded as part of World Environment Day celebrations with displays at the Rockhampton Regional Library, Rockhampton Show and Tropicana	01 Apr – 10 May 19	170
Nature Passport Launch at Romp in the Park: Official launch of the Rockhampton Region's special local edition and associated competition for early learning centres	31 May 19	~2000
Upcoming activities		
'Sustainability in Action' Schools Calendar Competition: Community competition seeking photo entries from schools around the Rockhampton Region across the 12 sustainability themes to be highlighted in the 2020 Community Calendar. Winners to be awarded at Tropicana	23 Apr – 28 Jun 19	~40 schools
Nature Photography Competition display: Official winners presentation and local photo display supporting World Environment Day	03-24 Jun 19	~1000
Rockhampton Show Interactive activities at Council's Environmental Sustainability stall	13-15 Jun 19	~5000
Living Sustainably 'reducing plastic use and packaging': Monthly display and workshop at Rockhampton Regional Library	15 Jun 19	~50
Living Sustainably 'planting and learning about native plants': Monthly display and workshop at Rockhampton Regional Library	06 Jul 19	~50
National Tree Day / Emergency Services Day: Sustainability stall promoting Council's free native plant program and ways to ensure you plant the right plant in the right place for the right reasons	28 Jul 19	~5000
Living Sustainably 'reusing and upcycling materials': Monthly display and workshop at Rockhampton Regional Library	10 Aug 19	~50
Living Sustainably 'encouraging wildlife and wildlife habitat': Monthly display and workshop at Rockhampton Regional Library	14 Sep 19	~50
Tropicana 2019: Sustainable living festival, incorporating lead-in and lead-out activities, a number of themed zones, guest speakers, Nature Play and 'Uno's Garden'	13-15 Sep 19	~4000
Living Sustainably September school holiday activities: Major display and workshop series at Rockhampton Regional Library	21 Sep – 04 Oct 19	~500
Living Sustainably 'improving water use and water efficiency': Monthly display and workshop at Rockhampton Regional Library	12 Oct 19	~50
Living Sustainably 'recycling right with your yellow lid bin': Monthly display and workshop at Rockhampton Regional Library	09 Nov 19	~50
Living Sustainably 'green gift giving and festive decorations': Monthly display and workshop at Rockhampton Regional Library	07 Dec 19	~50

7. Whole of Council Reports and Statistics

No whole of Council statistics at this time.

V1 | Monthly Operations Report for Environmental Sustainability

8. Sustainability Events and Media Coverage



Living Sustainably Community Workshop (11 May 2019): Council's May workshop sessions attracted 33 participants to the Rockhampton Regional Library over two informative sessions. The sessions focussed on composting and worm farming and were coordinated by Council's Environmental Sustainability Team, with guest presenters Sharyn Lowth from Shazelle Services and Kelly Smith from Rockhampton Regional Waste and Recycling.



Living Sustainably Community Workshop (11 May 2019): Participants get hands on to learn about what makes good compost.



Nature Passport Launch at Romp in the Park (31 May 2019): Council launched its very own local edition Rockhampton Region Nature Play Passport during Under 8s Week at Romp in the Park held at Rockhampton Botanic Gardens. The 'Nature Play Passport to an Amazing Childhood' is a partnership with the Queensland Government that's all about getting kids (aged 3 - 12+) outside to run, jump, climb, splash, invent, imagine and play!



Nature Play Passports: The customised local edition Passports were developed in partnership with Nature Play QLD. The passport has 10 localised 'mission' pages, stickers, and suggestions on great places to go and things to do outdoors in our Region. Passports are available at Council's Customer Service Centres and Libraries, as well as the Visitor Information Centre.

CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT MAY 2019

Finance Monthly Report - May 2019

Meeting Date: 18 June 2019

Attachment No: 3

MONTHLY OPERATIONS REPORT

FINANCE

PERIOD ENDED MAY 2019



1. Operational Summary

Preparations and submissions for the 19/20 Budget are near complete.

Key Milestones met by end of May for Accounting Services. Asset Revaluations were posted and submitted to External Audit along with all position papers and Shell Financial Statements.

Customer Service has been busy with preparations for cash management at the Rockhampton Show.

2. Customer Service Requests

Response times for completing customer requests in this reporting period for May are within the set timeframes.



All Monthly Requests (Priority 3) Finance 'Traffic Light' report May 2019

	Balance B/F	Completed In Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)	
			Received	Completed								
Bookings Enquiry	1	0	1	1	1	0	5	<div><div></div></div>	<div><div></div></div> 0.00	<div><div></div></div> 2.60	<div><div></div></div> 2.23	3.24
Rates Searches	17	17	120	99	21	0	5	<div><div></div></div>	<div><div></div></div> 2.95	<div><div></div></div> 2.83	<div><div></div></div> 2.94	2.84
Rates Enquiry	0	0	47	44	3	0	3	<div><div></div></div>	<div><div></div></div> 0.86	<div><div></div></div> 0.97	<div><div></div></div> 0.99	0.73

3. Capital Projects

No Capital Projects

4. Operational Projects

As detailed in the Environmental Sustainability section report.

5. Budget

Financial performance as expected for the reporting period.

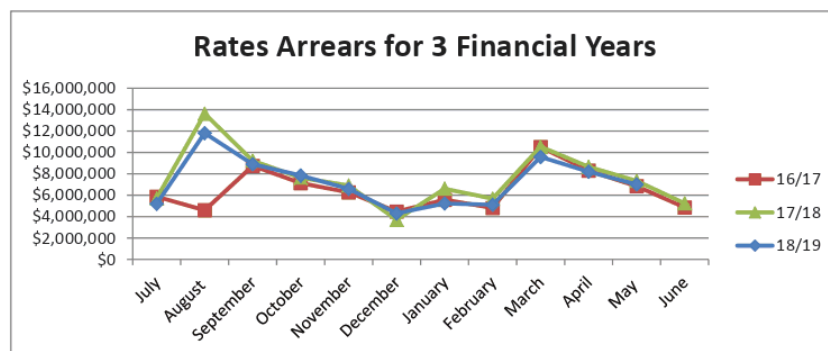
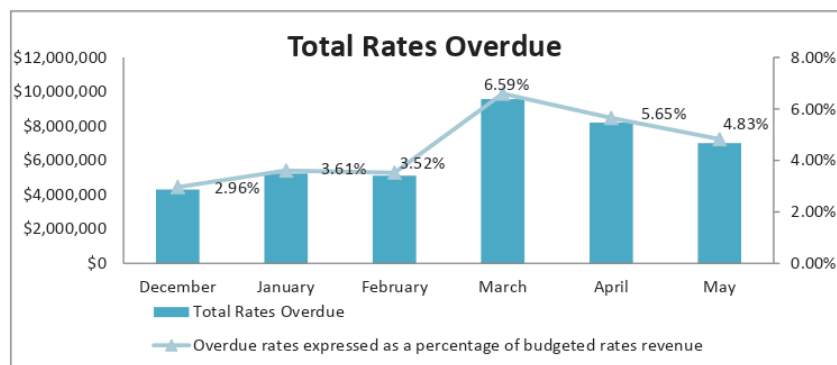
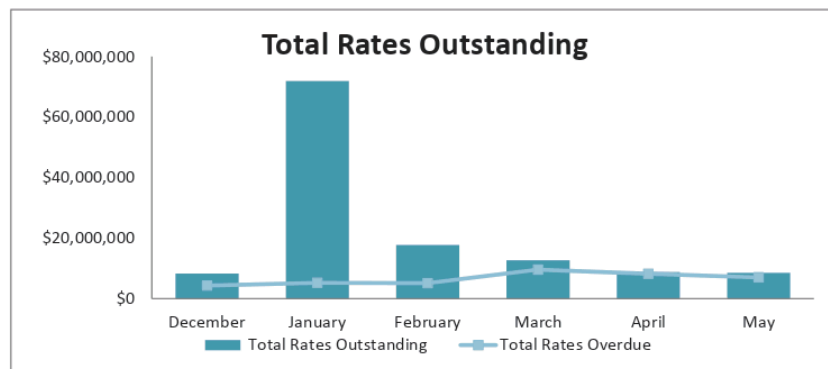
End of Month Job Costing Ledger - (Operating Only) - FINANCE							
As At End Of May							
Report Run: 07-Jun-2019 14:18:15 Excludes Nat Accts: 2802,2914,2917,2924							
	Adopted Budget	Revised Budget	YTD Revised Budget	YTD Actual	REMA Commitments	Commit - Actual	Variance
	\$	\$		\$	\$	\$	%
FINANCE							
<u>Finance Management</u>							
Expenses	553,292	553,292	587,184	342,631	157,529	500,160	62%
Transfer / Overhead Allocation	0	0	0	1,304	0	1,304	0%
Total Unit: Finance Management	553,292	553,292	587,184	343,936	157,529	501,464	62%
<u>Accounting Services</u>							
Expenses	1,654,564	1,654,564	1,516,683	1,206,412	20,000	1,226,412	73%
Transfer / Overhead Allocation	0	0	0	1,898	0	1,898	0%
Total Unit: Accounting Services	1,654,564	1,654,564	1,516,683	1,208,311	20,000	1,228,311	73%
<u>Financial Systems</u>							
Revenues	(1,143)	(1,143)	(1,048)	0	0	0	0%
Expenses	205,488	205,488	188,374	156,868	0	156,868	76%
Transfer / Overhead Allocation	600	600	550	0	0	0	0%
Total Unit: Financial Systems	204,957	204,957	187,877	156,868	0	156,868	77%
<u>Customer Service</u>							
Revenues	(200,988)	(200,988)	(184,239)	(181,256)	0	(181,256)	90%
Expenses	1,700,333	1,700,333	1,558,638	1,421,044	13,746	1,434,790	84%
Transfer / Overhead Allocation	0	0	0	(252)	0	(252)	0%
Total Unit: Customer Service	1,499,345	1,499,345	1,374,400	1,239,537	13,746	1,253,283	83%
<u>Rates & Revenue</u>							
Revenues	(452,834)	(452,834)	(415,088)	(564,443)	0	(564,443)	125%
Expenses	1,778,786	1,778,786	1,830,553	1,578,942	137,888	1,716,830	89%
Transfer / Overhead Allocation	750	750	680	0	0	0	0%
Total Unit: Rates & Revenue	1,326,701	1,326,701	1,215,143	1,014,499	137,888	1,152,387	79%
<u>Natural Resource Management</u>							
Revenues	0	0	0	(19,990)	0	(19,990)	0%
Expenses	533,335	533,335	498,890	408,831	88,509	487,339	79%
Transfer / Overhead Allocation	10,000	10,000	8,167	(1,280)	0	(1,280)	43%
Total Unit: Natural Resource Management	543,335	543,335	498,057	387,660	88,509	443,169	70%
Total Section: FINANCE	5,782,183	5,782,183	5,380,343	4,345,741	389,671	4,735,412	75%

Comments

Will be under budget due to staff vacancies by year end.

6. Section Statistics

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Unpaid rates and charges are managed in accordance with the Revenue Management Policy, achieving an overdue balance of less than 3% at its lowest point.	<3%	4.83% in May	Operational
Maintain the ratio of customer queries satisfied by Customer Service Officers, without referral to departments.	80%	78%	Operational
Customer Service Call Centre answering 75% of incoming calls within 45 seconds.	75%	75%	Adopted



7. Whole of Council Reports and Statistics

Safety Statistics

Nil to report

Customer Requests Completed Monthly & Top 5 Customer Requests

	July	August	September	October	November	December	January	February	March	April	May	June
Requests Logged	3388	4194	4183	3555	3023	2419	3573	3070	3411	3180	3878	
Same month Completed	2647	3168	3527	2852	2340	1867	2763	2314	2692	2343	2555	
% completed same month	78%	75%	84%	80%	77%	77%	77%	75%	78%	73%	65%	
Completed Total for Month	3263	3455	3745	3475	3584	2377	3417	3144	3389	2966	3493	
Total Pending	1889	2500	2942	3357	3293	3313	3456	3068	3215	3373	2062	
Top 5 Requests for Month	An/Dogr An/W and Fac Man W/Leak R/Bin	M/Maint An/Dogr W an/ni Fac Man W/Leak	M/Replace An/Dogr Fac Man W/Ani P/Gen	M/Replace Fac Man W/Ani W/Leak Amend Dog	Fac Man W/Ani T/Trim M/Bin W/Leak	Fac Man W/Ani T/Trim P k Gen M/Bin	O/Grown Fac Man P k Gen W/Ani T/Trim	Fac Man W/Ani W/Leak T/Trim P k Gen	Fac Man M/Maint W/Ani T/Trim Mist	An/W an Fac Man LL Gen W/Ani W/Leak M/Maint	LL Gen Fac Man W/Ani W/Leak B/Dog	

Total outstanding customer requests up to 3 months old:	1294
Total outstanding customer requests between 3 to 6 months old:	314
Total outstanding customer requests greater than 6 months old:	990*

* Meter Maintenance CR's

Conquest Work Order & Investigation Long Term up to 3 months old:	726
Conquest Work Order & Investigation Long Term between 3 to 6 months old:	163
Conquest Work Order & Investigation Long Term greater than 6 months old:	1173

Request Completed: Requested task or action has been completed (not just work order raised), or complaint has been investigated, action taken and correspondence finalised.

Conquest Work Order: A Work Order has been raised for maintenance, repair or future planned action.

Investigation Long Term: Requested task, action or complaint assigned to internal or external investigation, may include, but not limited to: Insurance, Planning, Legal, Civil or Domestic matter

Key:	T/Trim - Tree Trimming	Mist - Vector Misting	An/Dogr - Dog Registration Enquiry
	M/Maint - Meter Maintenance	Fac Man - Facilities Management	W/Leak - Water Leak
	Bin RRC - Replace Bin RRC	W/Ani - Wandering & Restrained Animal for Collection	O/Grown- Overgrown Lot

CORPORATE SERVICES DEPARTMENT - MONTHLY OPERATIONAL REPORT MAY 2019

SP Monthly Report - May 2019

Meeting Date: 18 June 2019

Attachment No: 4

MONTHLY OPERATIONS REPORT

STRATEGY & PLANNING

PERIOD ENDED MAY 2019



1. Operational Summary

Strategic Planning

- Public consultation for the major amendment to the Rockhampton Region Planning Scheme commenced on 15 April and was scheduled to conclude on 17 May 2019. The public consultation period has been extended until the 14 June 2019 in response to feedback from the community. As at 31 May 2019, eighty (80) submissions had been received.
- Project continuing to remove a portion of the Music Bowl site (Lot 2 RP 616767) from the State Environmental Management Register.
- PricewaterhouseCoopers (PwC) has been engaged to undertake the strategic assessment of event transport management for Rockhampton.
- The draft of the Natural Environment Study for the Rockhampton region was completed by Cardno with final comments from Council staff to be provided in June 2019.

Grant Applications

- Advice received on the 2019-21 Local Government Grants and Subsidy Program with \$776,000 secured for the South Rockhampton Recycled Water Scheme and Biosolids Management project. The Gavial Creek Bridge Replacement application was unsuccessful.
- Report submitted to Council to confirm Works for Queensland projects scopes;
- Compilation of future grant and funding programs into a funding calendar;
- Continuing review of the grant management process.
- Advice, drafting and support for grants applications listed below:

Grant Name	Description	Department	Amount	Closing Date
Celebrating Multicultural Queensland Program	Partnership project between Rockhampton Regional Council and the Chinese Association of Rockhampton	Advance Rockhampton	\$300,000 (\$100,000 per annum over 3 year period)	21 June 2019
2019-20 Get Ready Queensland	Project to develop resilience to disasters. Project specifications being developed.	Disaster Management, Regional Services	\$38,800	5 June 2019
Resource Recovery Industry	Project in development. Work with RRWR will be to get project 'grant ready' when next round is announced.	Rockhampton Regional Waste and Recycling	TBD	TBD

V1 | Monthly Operations Report for Section

Development Program (RRIDP)				
Festivals Australia	Mount Morgan Arts Workshops and Festival – advice on suitability. Will likely progress with grant application for a single activity with this grant. Sourcing grants for other activities.	Advance Rockhampton	TBD	September 2019 (closing date not yet announced for upcoming round)
	Food Hub – Dependent on location of commercial kitchen. Looking to fund activities, as well as kitchen fit-out.	Advance Rockhampton	TBD	

2. Customer Service Requests

Response times for completing customer requests in this reporting period for May are within the set timeframes.

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)		Avg Completion Time (days) Current Mth		Avg Completion Time (days) 6 Months		Avg Completion Time (days) 12 Months		Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed											
Strategic Planning Enquiry	1	1	45	45	0	0	3	●	0.42	●	0.68	●	0.85		0.50

3. Capital Projects

Details of capital projects not reported regularly to Council or a particular Committee in other project specific report updates as at period ended May.




Project	Planned Start Date	Planned End Date	On Track	Budget Estimate	YTD actual (incl committals)
No capital projects at this time.					

4. Operational Projects

As at period ended May – 90% of year elapsed



Project	Planned Start Date	Planned End Date	On Track	Comments	Budget Estimate	YTD actual (incl committals)
Rockhampton Aquaculture Industry Development Plan <i>Provide direction and facilitate the creation of aquaculture development in the Rockhampton Region</i>	Dec 2018	April 2019		Part funding of project led by Advance Rockhampton and strategic planning input into the project.	\$25,000.00	\$14,121.00
Removal of portion of Music Bowl site (Lot 2 RP 616767) from Environmental Management Register	Feb 2019	June 2019		Part 1 - Butler Partners have been engaged to undertake an environmental site assessment Part 2 – GHD have been engaged to undertake the required assessment audit. The scope has been expanded to include additional surface sampling. This will result in additional cost and time being required to remove the site from the EMR register.	\$10,384.00 \$63,000.00	\$2,046.00 \$6,309.60

Project	Planned Start Date	Planned End Date	On Track	Comments	Budget Estimate	YTD actual (incl committals)
Natural Environment Study Project initiated to commission an updated Natural Environment Study for the RRC local government area.	Dec 2018	June 2019		The final draft study has been provided for feedback. The leadership team will be briefed on 12 June 2019 prior to Council workshop in mid July 2019.	\$60,000.00 (Environmental Sustainability budget) any variations from S&P budget	\$53,000.00
Event Transport Management Strategic Assessment	May 2019	July 2019		PricewaterhouseCooper has been engaged to undertake this project. Inception meeting was held on 17 May 2019.	\$21,450.00	\$0.00
Rockhampton Region Planning Scheme – Major Amendment V2 Stage 1 – Planning and Preparation – completed Stage 2 – State Interest Review – completed Stage 3 – Public Consultation – commenced Stage 4 - Consideration by State Stage 5 - Adoption	Sept 2017	Dec 2019		Public consultation commenced 15 April 2019 and extended to 14 June 2019. To date, there have been 54 enquiries on the planning scheme amendment and 80 properly made submissions have been received.	In house	

5. Budget

Financial performance as expected for the reporting period.

	Adopted Budget \$	Revised Budget \$	YTD Revised Budget	YTD Actual \$	EUM Commitments \$	Commit + Actual \$	Variance %
STRATEGY AND PLANNING							
<u>Strategy and Planning</u>							
Revenues	(525)	(525)	(481)	0	0	0	0%
Expenses	912,075	912,075	836,070	515,164	44,878	564,042	57%
Transfer / Overhead Allocation	6,367	6,367	5,837	2,479	0	2,479	39%
Total Unit: Strategy and Planning	917,918	917,918	841,425	521,643	44,878	566,522	57%
Total Section: STRATEGY AND PLANNING	917,918	917,918	841,425	521,643	44,878	566,522	57%

Comments

Expenses remain under-budget largely due to Senior Strategic Planner position being vacant and recent appointment of Grants and Business Advisor position.

11.10 OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT - MAY 2019**File No:** 1830**Attachments:**

1. Office of the CEO and Office of the Mayor - Monthly Report - May 2019 [🔗](#)
2. Workforce and Governance - Monthly Report - May 2019 [🔗](#)

Authorising Officer: Evan Pardon - Chief Executive Officer**Author:** Tracy Sweeney - Manager Workforce and Governance

SUMMARY

The monthly operations report for the Office of the CEO Department as at 31 May 2019 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Office of the CEO Departmental Operations Report as at 31 May 2019 be "received".

COMMENTARY

The Office of the CEO Department includes the following sections:

- Office of the CEO and Office of the Mayor (Attachment 1)
- Workforce and Governance (Attachment 2)

Specific highlights from the reporting period as well as significant achievements and non-compliances have been detailed in the attachments.

General section and organisational performance statistics will be reported quarterly.

OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT - MAY 2019

**Office of the CEO and Office of the
Mayor - Monthly Report - May 2019**

Meeting Date: 18 June 2019

Attachment No: 1

MONTHLY OPERATIONS REPORT

OFFICE OF THE CEO & OFFICE OF THE MAYOR

PERIOD ENDED MAY 2019



1. Operational Summary

Office of the CEO

Directorate

- The Chief Executive Officer is a member of Local Government Reference Group to provide input to DLGRMA on proposed changes to Local Government legislation (Belcarra Stage 2).
- Budget discussions continue with adoption of Budget scheduled for 26 June 2019.
- Office of CEO staff heavily involved in Day of Action on 24 May 2019.

Committee Support

- Downloading of Council and Committee Agendas via One Drive working very well and no issues. Access restricted to Councillors and Leadership Team at this stage.
- Trial with Advance Rockhampton for electronic lodgement of Travel Proposal Forms via ECM will conclude at the end of June.
- Investigations progressing in relation to the use of Pathway for all travel requests.
- General Manager Advance Rockhampton has travelled to USA for BIO 2019 as per Council resolution.
- Domestic travel for staff and Councillors continues to be very busy with 60 Travel Proposal Forms processed in the month of May 2019.

Office of the Mayor

- Council added new engagements to the 'Engage Rockhampton Region' portal including South Rockhampton Flood Levee Ministerial Infrastructure Designation consultation, Kershaw Gardens survey, draft Advance Mount Morgan Strategy and Botanic Gardens survey. The consultation for the Planning Scheme Major Amendment was also extended.
- The Heritage Village Volunteer Consultation was held at the Heritage Village with approximately 80 volunteers attending the workshop and taking part in a facilitator-led engagement.
- A number of doorknocks were undertaken in Wackford Street in conjunction with Civil Operations staff on roadworks notifications.
- Support provided for the Budget Community Consultation workshops to be held at City Hall in June with invites sent out and the workshop designed.
- Assisted Fitzroy River Water in letterbox drops for Level One Water Restrictions in Mount Morgan and advertising in the Argus.
- On Friday, 24 May 2019, a 'Day of Action' was held in Rockhampton in support of the Adani Carmichael Mine project and resources sector. A body of work was also undertaken in preparation for the launch of the 'Fair Go For All Queenslanders' campaign and in support of the Queensland Parliamentary Petition.

Executive Support Unit

- There were no civic events undertaken in the reporting period, however preparations are underway for upcoming events for Council's volunteers, Talisman Sabre 2019 and international students across the Region.

2. Customer Service Requests



All Monthly Requests (Priority 3) Governance 'Traffic Light' report May 2019

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Media All Enquiries	0	0	0	0	0	0	5	● 0.00	● 6.00	● 4.00	0.00
Citizenship Request/Enquiry	0	0	0	0	0	0	5	● 0.00	● 0.33	● 0.33	0.33
Committee Support - Meetings/Agendas etc	0	0	0	0	0	0	2	● 0.00	● 0.00	● 0.00	0.00
CEO General Request	0	0	2	1	1	0	5	● 5.00	● 3.00	● 18.30	1.50
Councillor General Enquiry	3	3	5	4	1	0	5	● 5.50	● 9.21	● 9.72	4.70
Mayor's Personal (Mayor's General Info) DEPT USE	0	0	0	0	0	0	2	● 0.00	● 0.00	● 0.00	0.00

Service Standards Commentary

CEO Office

Current reporting period trending in accordance with established timeframes.

Media and Communication

During the reporting period, the Media and Communications Unit received 54 enquiries from media outlets with all response times completed in line with established timeframes. 35 of the 54 enquiries were received in response to proactive media releases from Council.

Executive Support

74 of 120 Pathway requests were logged by the Executive Support Unit on behalf of Councillors during the reporting period.

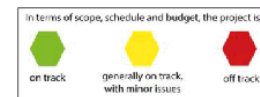
The outstanding Councillor General Enquiry request has since been completed.

3. Capital Projects

There are no capital projects scheduled for the Office of the CEO or the Office of the Mayor.

4. Operational Projects

As at period ended May 2019 – 91.7% of year elapsed.



Project	Planned Start Date	Planned End Date	On Track	Comment	Budget Estimate	YTD actual (incl committals)
Office of the CEO						
Travel and Conference Attendance Policy	April 18	June 2019		Review of existing policy in progress.	Labour	Labour
Office of the CEO						
Meeting Procedures Policy	July 18	April 2019		Amended Policy adopted by Council 16 April 2019.	Labour	Labour
Travel and Conference Attendance Policy	April 18	June 2019		Review of existing policy in progress.	Labour	Labour
Office of the Mayor						
Community Engagement Policy and Procedure		March 19		Report to Council on Community Engagement Policy and Procedure currently being finalised for presentation and consideration	Labour	Labour
Review of Council's Social Media Accounts	Feb 19	Sept 19		Implementation of a range of recommendations to improve engagement levels and resource efficiencies across Council's social media accounts is continuing.	Labour	Labour

5. Budget

Financial performance as expected for the reporting period.

End of Month Job Costing Ledger - (Operating Only) - OFFICE OF CEO							
As At End Of May							
Report Run: 01 Jun 2019 07:35:43 Excludes Nat Accts: 2802,2814,2817,2824							
	Adopted Budget	Revised Budget	FOM Commitments	YTD Actual	Commit + Actual	Variance	On target
	\$	\$	\$	\$	\$	%	91.7% of Year Goal
OFFICE CHIEF EXECUTIVE OFFICER							
CHIEF EXECUTIVE OFFICER							
<u>CEO Management</u>							
Expenses	510,840	510,840	0	510,053	510,053	101%	✗
Transfer / Overhead Allocation	0	0	0	131	131	0%	✗
Total Unit: CEO Management	510,840	510,840	0	510,184	510,184	101%	✗
Total Section: CHIEF EXECUTIVE OFFICER	510,840	510,840	0	510,184	510,184	101%	✗
WORKFORCE & GOVERNANCE MANAGEMENT							
<u>Human Resources and Payroll</u>							
Expenses	1,365,706	1,365,706	0	1,259,834	1,259,834	90%	✓
Transfer / Overhead Allocation	6,242	6,242	0	5,196	5,196	83%	✓
Total Unit: Human Resources and Payroll	1,371,948	1,371,948	0	1,265,031	1,265,031	90%	✓
<u>Safety & Training</u>							
Revenues	(50,500)	(50,500)	0	(57,574)	(57,574)	84%	✗
Expenses	1,365,116	1,365,116	131,269	1,114,557	1,245,827	90%	✗
Transfer / Overhead Allocation	(20,419)	(20,419)	0	36,057	36,057	-177%	✗
Total Unit: Safety & Training	1,279,096	1,279,096	131,269	1,092,941	1,224,311	86%	✗
<u>Legal & Governance</u>							
Expenses	440,486	440,486	950	491,280	492,230	112%	✗
Total Unit: Legal & Governance	440,486	440,486	950	491,280	492,230	112%	✗
<u>Workforce & Governance Management</u>							
Revenues	0	0	0	(20,500)	(20,500)	0%	✓
Expenses	977,076	977,076	15,491	753,606	769,096	79%	✓
Transfer / Overhead Allocation	0	0	0	13,233	13,233	0%	✗
Total Unit: Workforce & Governance Management	977,076	977,076	15,491	746,539	762,029	78%	✓
<u>Workforce Relations & Ethics</u>							
Expenses	262,680	262,680	4,875	206,214	210,888	80%	✓
Transfer / Overhead Allocation	0	0	0	15	15	0%	✗
Total Unit: Workforce Relations & Ethics	262,680	262,680	4,875	206,229	210,903	80%	✓
Total Section: WORKFORCE & GOVERNANCE MANAGEMENT	4,322,215	4,322,215	152,385	3,772,919	3,924,404	91%	✓
GOVERNANCE SUPPORT							
<u>Executive Support</u>							
Revenues	(26,930)	(26,930)	0	(24,985)	(24,985)	94%	✓
Expenses	1,303,057	1,303,057	12,510	1,632,059	1,644,577	91%	✓
Transfer / Overhead Allocation	176,863	176,868	0	97,934	97,934	55%	✓
Total Unit: Executive Support	1,554,095	1,554,095	12,510	1,705,009	1,717,527	88%	✓
Total Section: GOVERNANCE SUPPORT	1,554,095	1,554,095	12,510	1,705,009	1,717,527	88%	✓
MEDIA & COMMUNICATION							
<u>Media & Communication</u>							
Expenses	414,703	414,703	6,133	477,386	481,509	117%	✗
Transfer / Overhead Allocation	0	0	0	747	747	0%	✗
Total Unit: Media & Communication	414,703	414,703	6,133	478,135	482,257	117%	✗
Total Section: MEDIA & COMMUNICATION	414,703	414,703	6,133	478,135	482,257	117%	✗
Executive Co-ordinator to the Mayor							
<u>Mayors Office</u>							
Expenses	557,360	557,360	14,663	413,797	426,450	77%	✓
Total Unit: Mayors Office	557,360	557,360	14,663	413,797	426,450	77%	✓
Total Section: Executive Co-ordinator to the Mayor	557,360	557,360	14,663	413,797	426,450	77%	✓
Total Department: OFFICE CHIEF EXECUTIVE OFFICER	7,759,241	7,759,241	188,698	6,887,134	7,075,832	91%	✓
Grand Total:	7,759,241	7,759,241	188,698	6,887,134	7,075,832	91%	✓

Comments

Media and Communications – Expenses over budget due to additional resourcing as requested by Council for community engagement activities. Expenses for Department overall are being closely monitored with the aim of meeting budget allocations with additional community engagement resourcing to be addressed in 2019/20 operational budget.

6. Section Statistics

The following statistics have been provided on the responsibilities and workload for the Office of the CEO:

Media & Communications		
Description	No	Comments
Media Releases – distributed	32	Generated: - 531 stories - Audience total of 9.59 million - Advertising equivalent - \$2,647,918
Media Opportunities	13	
Social Media – Facebook likes	23,646	Increase of 1.4%
Social Media – Impressions	978,896	People liking, commenting and sharing up 17.4% on previous month
Social Media – Clicks	1,804	Clicks on posts to follow links

7. Whole of Council Reports and Statistics

No specific whole of Council statistics to report.

OFFICE OF THE CEO DEPARTMENT - MONTHLY OPERATIONAL REPORT - MAY 2019

Workforce and Governance – Monthly Report - May 2019

Meeting Date: 18 June 2019

Attachment No: 2

MONTHLY OPERATIONS REPORT

WORKFORCE AND GOVERNANCE

PERIOD ENDED MAY 2019



1. Operational Summary

Certified Agreement Negotiations

On 29 May 2019, Deputy President Merrell of the Queensland Industrial Relations Commission (QIRC) certified the Rockhampton Regional Council External Employees Certified Agreement 2018. Various post certification requirements are being planned, prioritised and actioned. The documentation for the Internal Certified Agreement has been prepared for final State Union authorisation and filing in the QIRC for a Hearing date. The ancillary Certified Agreements will commence their ballot process within the next fortnight.

In-House Legal Services

Council's in-house legal service continues to be well utilised with 33 new internal requests for advice and support being received during the month of May.

Learning Management System

A concerted effort has been made in May in testing the BEAKON (LMS) system, as well training for key administrators. A range of future capability questions are being addressed with the consultant. Pre-employment activities to interface with the LMS system will commence in June.

Aurion Timekeeper & Award Interpreter Project

The Aurion consultant visited Rockhampton from 27 to 29 May to again configure and test the myriad of rules that will underlie the award interpreter and payroll system. It has been decided that 'Aurion Timekeeper Project' will be put on hold until the end June/July 2019 due to the extensive operational work that needs to be done prior to end of financial year including ongoing extensive testing of the Aurion system, coupled with the implementation of Certified Agreement system changes and back pay as well as end of financial year processing including Single Touch Payroll for the first time.

Organisational Development

A draft People Plan has been produced following extensive feedback from leaders, incorporating leadership capabilities for all levels of the organisation to support attraction, recruitment, on-boarding, development and retention with an emphasis on building the desired culture. A Cultural Values Assessment survey is being held from 10 to 24 June to gauge progress of the values since adoption in 2016 and provide a roadmap for Rockhampton Regional Council's cultural journey.

2. Customer Service Requests

Response times for completing customer requests in this reporting period for May are within set timeframes.



All Monthly Requests (Priority 3) Workforce & Strategy 'Traffic Light' report May 2019

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Administrative Action Complaints	0	0	0	0	0	0	36	● 0.00	● 0.00	● 0.00	0.00
W&S - Complaints Management Process (NOT CSO USE)	3	3	11	10	1	0	30	● 3.80	● 8.14	● 9.62	8.04

3. Capital Projects


No capital projects are relevant to the Workforce and Governance Section.


4. Operational Projects

As at period ended May 2019 – 91.7% of year elapsed.



Project	Planned Start Date	Planned End Date	On Track	Comment	Budget Estimate	YTD actual (incl committals)
Certified Agreements	July 2018	March 2019		The RRC External Employees Certified Agreement 2018 was certified on 29 May 2019. The Internal Certified Agreement has been prepared for final State union authorisation and filing in the QIRC for a Hearing date. The ancillary Certified Agreements will commence their ballot process within the next fortnight.	\$10,000	\$13,747
Staff Health and Wellbeing Program	July 2018	June 2019		Remaining topics will be deferred to 2019/20 program due to unavailability of Qld Health and other providers. Balance of funds has been reallocated to legislative and compliance training across the organisation	\$16,000	\$4,700
Legislative Compliance Training Program	July 2018	June 2019		The program is being delivered as scheduled.	\$313,000	\$305,266

Project	Planned Start Date	Planned End Date	On Track	Comment	Budget Estimate	YTD actual (incl committals)
				<p>The following courses were held during the reporting period:</p> <ul style="list-style-type: none"> • CPR • Safe Work Near Exposed Live Parts • Working at Heights • Full Forklift HRWL course • Provide First Aid • Electrical Test & Tagging • Roller, Excavator & Skid Steer Assessments • Confined Space & Breathing Apparatus • LR Licence Lessons & Test • ACDC (Chemical Spray) • LVR & CPR • First Aid for Childcare Environment • MR Licence lessons & test 		
Leadership and Cultural Development Program	July 2018	June 2019		A draft People Plan has been produced following feedback from leaders, incorporating leadership capabilities for all levels of the organisation to support attraction, recruitment, on-boarding, development and retention with an emphasis on building the desired culture. A Cultural Values Assessment survey is being held from 10 to 24 June to gauge progress of the values since adoption in 2016 and provide a roadmap for RRC's cultural journey	\$75,000	<p>\$55,000 contribution towards internal resource</p> <p>Balance expected to be expended in June or Cultural Survey</p>

Project	Planned Start Date	Planned End Date	On Track	Comment	Budget Estimate	YTD actual (incl committals)
Learning Management System Project	July 2018	June 2019		<p>A concerted effort has been made in May in testing the BEAKON (LMS) system, as well as train the trainer session being held and more scheduled for June.</p> <p>The team has been addressing a range of future capability questions with process workshops scheduled for June commencing with pre-employment activities to interface with the LMS system. The team has also received Adobe Captivate 19 and has been testing the capabilities of his system to support the training needs.</p>	\$150,460	\$89,056

5. Budget

Financial performance as expected for the reporting period.

End of Month Job Costing Ledger - (Operating Only) - OFFICE OF CEO							
As At End Of May							
Report Run: 06-Jun-2019 08:41:12 Excludes Nat Accts: 2802,2914,2917,2924							
	Adopted Budget	Revised Budget	FOM Commitments	YTD Actual	Commit + Actual	Variance %	On target 91.7% of Year Gone
	\$	\$	\$	\$	\$		
OFFICE CHIEF EXECUTIVE OFFICER							
WORKFORCE & GOVERNANCE MANAGEMENT							
<u>Human Resources and Payroll</u>							
Expenses	1,365,706	1,365,706	0	1,229,834	1,229,834	90%	✓
Transfer / Overhead Allocation	6,242	6,242	0	5,196	5,196	83%	✓
Total Unit Human Resources and Payroll	1,371,948	1,371,948	0	1,235,031	1,235,031	90%	✓
<u>Safety & Training</u>							
Revenues	(68,680)	(68,680)	0	(57,674)	(57,674)	84%	✗
Expenses	1,359,116	1,359,116	131,269	1,114,557	1,245,827	92%	✓
Transfer / Overhead Allocation	(20,410)	(20,410)	0	36,657	36,657	-177%	✗
Total Unit Safety & Training	1,270,026	1,270,026	131,269	1,092,541	1,224,211	90%	✗
<u>Legal & Governance</u>							
Expenses	440,486	440,486	950	491,260	492,230	112%	✗
Total Unit Legal & Governance	440,486	440,486	950	491,260	492,230	112%	✗
<u>Workforce & Governance Management</u>							
Revenues	0	0	0	(20,500)	(20,500)	0%	✓
Expenses	977,076	977,076	15,491	753,806	769,296	79%	✓
Transfer / Overhead Allocation	0	0	0	13,233	13,233	0%	✗
Total Unit Workforce & Governance Management	977,076	977,076	15,491	746,539	762,029	78%	✓
<u>Workforce Relations & Ethics</u>							
Expenses	262,680	262,680	4,675	206,214	210,868	80%	✓
Transfer / Overhead Allocation	0	0	0	15	15	0%	✗
Total Unit Workforce Relations & Ethics	262,680	262,680	4,675	206,229	210,903	80%	✓
Total Section: WORKFORCE & GOVERNANCE MANAGEM	4,322,215	4,322,215	152,385	3,772,019	3,924,404	91%	✓
Total Department: OFFICE CHIEF EXECUTIVE OFFICER	4,322,215	4,322,215	152,385	3,772,019	3,924,404	91%	✓
Grand Total:	4,322,215	4,322,215	152,385	3,772,019	3,924,404	91%	✓

Comments

Safety & Training is tracking at 96% with only 91.7% of year gone however it is expected to finish the financial year close to the budget allocation.

Legal & Governance is over budget at 112% year to date due to on boarding of two extra staff members for this financial year, however savings in consultants for legal advice across the organisation have been realised since the introduction of in-house services.

However, the section overall is tracking within budget parameters at 91%.

6. Section Statistics Reported Quarterly

Data will now be updated quarterly for periods ended 30 September, 31 December, 31 March and 30 June. The next quarter will be reported on in July 2019.

7. Whole of Council Reports & Statistics Reported Quarterly

Data will now be updated quarterly for periods ended 30 September, 31 December, 31 March and 30 June. The next quarter will be reported on in July 2019.

**11.11 ROCKHAMPTON & DISTRICT HISTORICAL SOCIETY INCORPORATION
SEEKING DISPENSATION ON LEASE FEES**

File No: 4221
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

The Rockhampton & District Historical Society Inc. are the holders of much historical information for the Region and presently lease Borough Chambers. They are seeking dispensation with their lease fees.

OFFICER'S RECOMMENDATION

THAT Council waive the 2018-19 fees for the Rockhampton & District Historical Society Inc. in relation to their lease of Borough Chambers. Furthermore the Rockhampton & District Historical Society Inc. be exempt from future lease fees while they are lessees of Borough Chambers.

COMMENTARY

The Rockhampton & District Historical Society Inc. (the society) are the holders of much historical information for the Region. As Councillors are aware they presently lease Borough Chambers and are the holders of much historical information. The Society make their resources free to Council to utilise though this has only been used intermittently. They are seeking to have their lease fees waived.

The current annual fee is \$2019.60 inc GST pa and remains unpaid for 2018-19 while their request has been considered. The current lease finished on the 30th June. In light of the above information it is being recommended that the fees for 2018-19 be waived. Furthermore the Society not be charged any lease fee for future leases while they are the lessees of Borough Chambers and information is provided free of charge to Council.

CONCLUSION

In conclusion it is recommended that in light of the function the Society play in regards to the custodians of certain historical records that no lease fees be charged to them while they are the lessees of Borough Chambers and information is provided free of charge to Council effective 1st July 2018.

11.12 REQUEST TO WAIVER FEES - ROYAL FLYING DOCTORS SERVICE FUNDRAISER

File No: 6237
Attachments: Nil
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Damon Morrison - Executive Coordinator to the Mayor

SUMMARY

A fundraising committee from Woolworths Parkhurst are hosting a not-for-profit Gala Ball at the Robert Swarten Pavilion in July 2019 to raise funds for the Royal Flying Doctors Service in Rockhampton. The committee is seeking a waiver of some or all of Council's venue hire fees for the event

OFFICER'S RECOMMENDATION

THAT Council waive the venue hire fees for the use of the Robert Swarten Pavilion by Woolworths Parkhurst in relation to their Gala Ball fundraising event in July 2019.

COMMENTARY

On 13 July 2019, staff members from Woolworths Parkhurst are holding a not-for-profit Gala Ball at the Robert Swarten Pavilion to raise funds for the Royal Flying Doctors Service in Rockhampton (RFDS).

Last year in November the group held a similar event at Callaghan Park raising approximately \$5,000 for the RFDS. The Rockhampton Jockey Club provided the group with free venue hire on that occasion however due to the success of last years event and increased estimate of the number of attendees at this years' event, the group requires a larger facility to maximise their fundraising potential. 400 people are expected to attend the event including senior representatives from Woolworths and the RFDS.

Excluding electricity usage and the hire of tables, chairs and bins, the hire of the Robert Swarten Pavilion and kitchen for the event (including bump-in and bump-out the day prior and post event) is \$1,650.00. This fee is based on the 50% discount applying for all events held at the Rockhampton Showgrounds between 1 July 2017 and 30 June 2019 for casual hirers.

The members of the committee organising the Gala Ball are volunteers and all of the proceeds from the event are directed to the RFDS.

The organisers of this event do not meet the definition of 'community organisation' as provided for in Council's Community Grants and Minor Sponsorship Policy and are therefore ineligible for funding under either the Community Assistance Program or Councillor Discretionary Fund.

If approved, the organisers propose for Council's support and sponsorship of the event to be appropriately recognised.

BUDGET IMPLICATIONS

If the venue hire for the event is waived (including the costs of hiring tables and chairs) this will represent foregone revenue to Council. Costs associated with electricity usage and waste services (bins hire) would be a direct financial expense to Council.

CONCLUSION

In conclusion it is recommended that in light of the fundraising nature of the event in support of the RFDS that the venue hire fees for the use of the Robert Swarten Pavilion in relation to the Gala Ball fundraising event in July 2019 be waived.

11.13 2018/19 REVISED BUDGET**File No:** 8785

- Attachments:**
1. 2018/2019 Revised Budget & Forward Projections[↓](#)
 2. Adopted Revenue Policy 2018/2019 (no change)[↓](#)
 3. Adopted Revenue Statement 2018/2019 (no change)[↓](#)
 4. Draft Debt (Borrowings) Policy[↓](#)
 5. Estimated Activity Statement for Business Activities[↓](#)
 6. 2018/2019 Revised Capital Budget Summary by Cost Centre[↓](#)
 7. 2018/2019 Revised Capital Budget Projects[↓](#)

Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer**Author:** Alicia Cutler - Chief Financial Officer

SUMMARY

Chief Financial Officer presenting a budget amendment under S. 170 of the Local Government Regulation 2012.

OFFICER'S RECOMMENDATION

THAT in accordance with S.170 (3) of the Local Government Regulation 2012, the budget amendment for the 2018/19 financial year be adopted incorporating the following attachments:

1. 2018/19 Revised Budget & Forward Projections
2. Revenue Policy 2018/19 as adopted by Council on the 26 June 2018
3. Revenue Statement 2018/19 as adopted at Council's Budget meeting on 13 July 2018
4. Draft Debt (Borrowings) Policy
5. 2018/19 Estimated Activity Statement for Business Activities: a statement showing the estimated costs of Council's significant business activities and commercial business units.
6. 2018/2019 Revised Capital Budget Summary Cost Centre
7. 2018/2019 Revised Capital Budget Projects

COMMENTARY

Presenting a final Budget amendment for the 18/19 year. The last budget amendment was in December 2018, however an updated position for the 18/19 year has been prepared during the 19/20 budget deliberations. It is important to adopt the 18/19 Revised Budget to formalise spending on the projects that have come into the budget since December 2018. The amendment also provides an update to New Loans expected for the year.

During the last 5 months and the preparation of the 19/20 budget, the capital program has been continually refined. Finance has also been 'watching' the actual position with a view to ensuring that loan financing is as close as possible to what is needed. The usual practice sees Council only drawing on the loans for the year during June. In future years, as our cash balance is targeted to reduce, loan drawdowns may be requested earlier in the financial year.

This budget revision sees 2 main areas of change:

- An updated projection of the operating result based upon extrapolating actuals.
- Deferral of some Capital Revenue and Expenditure into the 2019/20 year.

Updated Operational Result

Within Council's operational budget the actuals are trending toward a surplus, whereas the last revised budget in December proposed a deficit of \$1.25 million. (Note that the budgeted deficit was due to the timing of receipt of the Federal Assistance Grants).

With each budget revision, substantial organisation effort is undertaken. It was considered that whilst it important to update the position, forecasts compiled by the Finance team would be sufficient as there was such a short time period to go for the remainder of the year.

The following differences are estimated, which are expected to yield a \$4.9 million dollar operational surplus.

Type	Change	Commentary
Rates and Charges Revenue	Increase of \$730,000	Recognition of the growth in prepaid rates
Fees and Charges Revenue	Reduction of \$2 million	Loss of fee revenue in Development, Airport and Waste
Private & Recoverable Works Revenue	Reduction of \$6.3 million	Deferral of works associated with Rookwood approaches to 19/20
Grants & Subsidies Revenue	Increase of \$833,828	Additional NDRRA funds for Kershaw Gardens, additional Grants across Council
Interest Revenue	Increase of \$317,000	Increase of interest revenue from higher than forecast cash holdings
Employee Costs	Reduction of \$3million	Across the board reduction due to staff vacancies
Contractors and Consultants	Reduction of \$750,000	Based upon actual trends
Materials & Plant	Reduction of \$5.8 million	Reduction due to deferral of works associated with Rookwood approaches to 19/20
Administration Expenses	Reduction of \$2.15 million	Based upon actuals trend

This adjustment allows Council to take into account the expected operational result for the year. Adjustments have been made within the Resourcing area of the budget and the operational areas remain untouched for comparison when the year is complete.

Capital changes

As the financial year comes close to final, there are a number of projects that have been deferred for a magnitude of reasons. This budget sees the deferral of \$8.8M expenditure from the 18/19 financial year to the 19/20 year.

In addition, there are a number of projects that are new to the budget. Many of these are associated with Round 3 of Works for Queensland Funding.

Changes to Revenue

A decrease to Developer Contributions budget of \$705,000 has been made for the year based upon activity and contributions received to date.

Changes to Loan Borrowings

Based upon the updated Operational result and the deferral of Capital Expenditure, the amount of new loans required has reduced substantially. There has also been a conscious effort to reduce cash holdings to minimum levels to forego the need for additional loans. The final loans drawdowns for the 18/19 year are \$15.5M (compared to \$47.7M predicted in the December revised budget). These changes have been taken into account for the 19/20 budget developments and have resulted in less interest costs next year and into the future.

Key Sustainability Ratios:

The final results with budgeted Key Sustainability Ratios are all within the target range set by the Department of Local Government, Racing and Multicultural Affairs.

Ratio	Revised Budget December 18	Revised Budget Proposed	Target/Commentary
Operating surplus Ratio	(0.6)%	2.5%	Between 0% and 10%
Asset Sustainability Ratio	144.3%	137.6%	Greater than 90%
Net Financial Ratios	58%	50.6%	Not greater than 60%

Budget Adoption Papers

To make a valid Budget amendment, full budget papers now need to be included as part of the amendment (the same that were included for the budget adoption). The following have been re-attached for completeness, but have no change:

- Revenue Policy
- Revenue Statement

The 2018/19 Revised Capital list and 2018/19 Revised Capital Budget Summary are included as working papers to support the revised budget adoption.

CONCLUSION

This is the first budget revision where Finance has updated the estimates without the estimates being generated from the operational units. It is expected that by undertaking this process, the variance between actual and budget for whole of Council results will be less than experienced in previous years.

2018/19 REVISED BUDGET

2018/2019 Revised Budget & Forward Projections

Meeting Date: 18 June 2019

Attachment No: 1

ROCKHAMPTON REGIONAL COUNCIL

Statement of Comprehensive Income

	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000	\$000
Income										
Revenue										
Operating revenue										
Rates and utility charges excluding discounts and rebates	159,893	165,171	172,949	182,444	188,048	193,834	200,214	206,399	212,785	219,381
Less rebates and discounts	(13,980)	(15,544)	(16,333)	(17,290)	(17,827)	(18,383)	(19,001)	(19,596)	(20,210)	(20,844)
Fees and charges	22,876	26,271	27,728	29,076	30,470	31,042	32,014	32,974	33,963	34,982
Rental income	3,072	3,118	3,180	3,244	3,309	3,375	3,443	3,511	3,582	3,653
Interest received	1,899	934	1,231	1,576	1,369	1,772	1,778	1,781	1,884	1,942
Sales revenue	9,499	13,293	7,122	7,264	7,409	7,558	7,709	7,863	8,020	8,181
Other income	4,663	4,424	4,512	4,603	4,695	4,789	4,884	4,982	5,082	5,183
Grants, subsidies, contributions and donations	8,518	14,762	14,452	14,741	15,036	15,337	15,644	15,957	16,276	16,601
Total operating revenue	196,440	212,429	214,843	225,658	232,508	239,324	246,684	253,871	261,382	269,079
Capital revenue										
Government subsidies and grants—capital	37,963	64,357	30,072	6,272	3,013	2,920	2,860	2,862	2,922	2,924
Contributions from developers	1,779	1,866	2,749	2,093	2,860	2,917	2,975	3,035	3,095	3,157
Grants, subsidies, contributions and donations	39,742	66,223	32,821	8,365	5,873	5,837	5,835	5,897	6,017	6,082
Total revenue	236,182	278,652	247,664	234,023	238,381	245,161	252,518	259,768	267,399	275,161
Capital income	-	-	-	-	-	-	-	-	-	-
Total income	236,182	278,652	247,664	234,023	238,381	245,161	252,518	259,768	267,399	275,161
Expenses										
Operating expenses										
Employee benefits	76,040	83,397	85,791	87,521	90,147	92,851	95,637	98,506	101,461	104,505
Materials and services	55,361	68,057	63,770	67,065	69,700	71,809	73,414	75,630	77,914	80,900
Finance costs	6,805	6,047	6,252	6,404	5,612	5,871	5,676	5,419	5,135	4,717
Depreciation and amortisation	52,759	54,366	57,126	59,061	60,556	62,223	63,520	64,569	65,736	67,060
Other expenses	533	530	545	563	580	597	615	633	652	671
Total operating expenses	191,498	212,396	213,484	220,614	226,595	233,352	238,861	244,757	250,898	257,853
Capital expenses	-	-	-	-	-	-	-	-	-	-
Total expenses	191,498	212,396	213,484	220,614	226,595	233,352	238,861	244,757	250,898	257,853
Net result	44,684	66,256	34,179	13,409	11,786	11,809	13,657	15,011	16,501	17,308
Operating result										
Operating revenue	196,440	212,429	214,843	225,658	232,508	239,324	246,684	253,871	261,382	269,079
Operating expenses	191,498	212,396	213,484	220,614	226,595	233,352	238,861	244,757	250,898	257,853
Operating result	4,942	33	1,358	5,044	5,913	5,972	7,822	9,114	10,484	11,227

Statement of Financial Position

	2018-2019 \$000	2019-2020 \$000	2020-2021 \$000	2021-2022 \$000	2022-2023 \$000	2023-2024 \$000	2024-2025 \$000	2025-2026 \$000	2026-2027 \$000	2027-2028 \$000
Assets										
Current assets										
Cash and cash equivalents	49,188	44,066	44,538	44,091	44,438	46,461	42,756	45,496	46,786	48,897
Trade and other receivables	15,990	17,336	17,557	18,418	18,998	19,471	20,129	20,720	21,329	21,897
Inventories	2,092	2,092	2,092	2,092	2,092	2,092	2,092	2,092	2,092	2,092
Other current assets	2,297	2,297	2,297	2,297	2,297	2,297	2,297	2,297	2,297	2,297
Non-current assets held for sale	-	-	-	-	-	-	-	-	-	-
Total current assets	69,567	65,791	66,484	66,898	67,825	70,322	67,274	70,605	72,504	75,182
Non-current assets										
Property, plant & equipment	2,490,480	2,632,147	2,739,160	2,799,616	2,876,061	2,939,537	3,007,650	3,075,003	3,143,207	3,213,915
Other non-current assets	2,915	3,251	2,977	2,990	2,727	2,316	1,787	1,578	1,827	1,922
Total non-current assets	2,493,395	2,635,398	2,742,137	2,802,606	2,878,788	2,941,852	3,009,437	3,076,581	3,145,035	3,215,837
Total assets	2,562,962	2,701,189	2,808,621	2,869,504	2,946,613	3,012,174	3,076,710	3,147,186	3,217,539	3,291,019
Liabilities										
Current liabilities										
Trade and other payables	19,119	22,299	21,805	22,631	23,429	24,069	24,752	25,497	26,264	27,101
Borrowings	22,419	26,320	30,282	29,197	11,877	11,497	12,098	12,704	12,718	13,174
Provisions	12,676	12,015	12,015	12,015	12,015	15,553	12,705	12,015	12,015	12,015
Other current liabilities	345	345	345	345	345	345	345	345	345	345
Total current liabilities	54,560	60,979	64,447	64,188	47,666	51,463	49,901	50,561	51,342	52,636
Non-current liabilities										
Borrowings	96,622	114,460	132,402	125,739	150,919	145,431	137,340	128,642	115,924	102,749
Provisions	15,934	15,118	15,118	15,118	15,118	11,579	10,889	10,889	10,889	10,889
Other non-current liabilities	1,763	1,763	1,763	1,763	1,763	1,763	1,763	1,763	1,763	1,763
Total non-current liabilities	114,318	131,341	149,282	142,620	167,800	158,774	149,992	141,294	128,576	115,401
Total liabilities	168,878	192,320	213,729	206,808	215,465	210,237	199,892	191,855	179,917	168,037
Net community assets	2,394,083	2,508,869	2,594,891	2,662,696	2,731,148	2,801,937	2,876,818	2,955,332	3,037,621	3,122,983
Community equity										
Asset revaluation surplus	909,913	958,443	1,010,286	1,064,681	1,121,347	1,180,326	1,241,550	1,305,053	1,370,841	1,438,894
Retained surplus	1,484,170	1,550,426	1,584,606	1,598,015	1,609,801	1,621,610	1,635,268	1,650,279	1,666,780	1,684,088
Total community equity	2,394,083	2,508,869	2,594,891	2,662,696	2,731,148	2,801,937	2,876,818	2,955,332	3,037,621	3,122,983

Statement of Cash Flows

	2018-2019 \$000	2019-2020 \$000	2020-2021 \$000	2021-2022 \$000	2022-2023 \$000	2023-2024 \$000	2024-2025 \$000	2025-2026 \$000	2026-2027 \$000	2027-2028 \$000
Cash flows from operating activities										
Receipts from customers	183,508	192,419	195,741	205,265	212,244	218,392	225,196	232,063	239,064	246,344
Payments to suppliers and employees	(133,688)	(149,155)	(150,959)	(154,688)	(160,002)	(164,998)	(169,369)	(174,420)	(179,663)	(185,650)
Interest received	1,801	934	1,231	1,576	1,369	1,772	1,778	1,781	1,884	1,942
Rental income	3,031	3,104	3,175	3,239	3,304	3,370	3,436	3,506	3,576	3,648
Non-capital grants and contributions	8,762	14,625	14,475	14,718	15,012	15,316	15,615	15,931	16,249	16,578
Borrowing costs	(6,267)	(5,696)	(5,894)	(6,039)	(5,239)	(5,491)	(5,288)	(5,023)	(4,731)	(4,305)
Payment of provision	(958)	(1,477)	-	-	-	-	(3,538)	(690)	-	-
Net cash inflow from operating activities	56,286	54,756	57,769	64,070	66,687	68,361	67,830	73,147	76,379	78,556
Cash flows from investing activities										
Payments for property, plant and equipment	(120,480)	(146,958)	(111,634)	(64,342)	(79,410)	(65,663)	(69,321)	(67,563)	(67,477)	(69,013)
Payments for intangible assets	(2,167)	(882)	(387)	(793)	(662)	(644)	(560)	(649)	(924)	(796)
Grants, subsidies, contributions and donations	39,006	66,223	32,821	8,365	5,873	5,837	5,835	5,897	6,017	6,082
Net cash inflow from investing activities	(83,641)	(81,616)	(79,201)	(56,769)	(74,199)	(60,470)	(64,045)	(62,315)	(62,384)	(63,727)
Cash flows from financing activities										
Proceeds from borrowings	15,451	44,026	48,150	22,500	37,000	6,000	4,000	4,000	-	-
Repayment of borrowings	(20,369)	(22,287)	(26,246)	(30,248)	(29,141)	(11,868)	(11,491)	(12,092)	(12,704)	(12,718)
Net cash inflow from financing activities	(4,918)	21,739	21,904	(7,748)	7,859	(5,868)	(7,491)	(8,092)	(12,704)	(12,718)
Total cash flows										
Net increase in cash and cash equivalent held	(32,273)	(5,122)	472	(447)	347	2,023	(3,706)	2,740	1,290	2,110
Opening cash and cash equivalents	81,461	49,188	44,066	44,538	44,091	44,438	46,461	42,756	45,496	46,786
Closing cash and cash equivalents	49,188	44,066	44,538	44,091	44,438	46,461	42,756	45,496	46,786	48,897

Statement of Changes in Equity

	2018-2019 \$000	2019-2020 \$000	2020-2021 \$000	2021-2022 \$000	2022-2023 \$000	2023-2024 \$000	2024-2025 \$000	2025-2026 \$000	2026-2027 \$000	2027-2028 \$000
Asset revaluation surplus										
Opening balance	852,806	909,913	958,443	1,010,286	1,064,681	1,121,347	1,180,326	1,241,550	1,305,053	1,370,841
Increase in asset revaluation surplus	57,107	48,530	51,843	54,395	56,666	58,979	61,224	63,503	65,788	68,053
Closing balance	909,913	958,443	1,010,286	1,064,681	1,121,347	1,180,326	1,241,550	1,305,053	1,370,841	1,438,894
Retained surplus										
Opening balance	1,440,222	1,484,170	1,550,426	1,584,606	1,598,015	1,609,801	1,621,610	1,635,268	1,650,279	1,666,780
Net result	43,948	66,256	34,179	13,409	11,786	11,809	13,657	15,011	16,501	17,308
Closing balance	1,484,170	1,550,426	1,584,606	1,598,015	1,609,801	1,621,610	1,635,268	1,650,279	1,666,780	1,684,088
Total										
Opening balance	2,293,028	2,394,083	2,508,869	2,594,891	2,662,696	2,731,148	2,801,937	2,876,818	2,955,332	3,037,621
Net result	43,948	66,256	34,179	13,409	11,786	11,809	13,657	15,011	16,501	17,308
Increase in asset revaluation surplus	57,107	48,530	51,843	54,395	56,666	58,979	61,224	63,503	65,788	68,053
Closing balance	2,394,083	2,508,869	2,594,891	2,662,696	2,731,148	2,801,937	2,876,818	2,955,332	3,037,621	3,122,983

Measures of Financial Sustainability & Required Disclosure

Reported Change in Rates And Utility Charges				
	30/06/2019	30/06/2020	\$ Increase	% Increase
Budgeted Gross Rate Revenue	\$152,235,617	\$159,662,806	\$7,427,189	4.9%

	Forecast									
	30/06/2019	30/06/2020	30/06/2021	30/06/2022	30/06/2023	30/06/2024	30/06/2025	30/06/2026	30/06/2027	30/06/2028
1 Operating Surplus Ratio - Target Benchmark between 0% and 10%										
(Net Operating Surplus / Total Operating Revenue) (%)	2.5%	0.0%	0.6%	2.2%	2.5%	2.5%	3.2%	3.6%	4.0%	4.2%
2 Net Financial Asset / Liability Ratio - Target Benchmark not greater than 60%										
((Total Liabilities - Current Assets) / Total Operating Revenue) (%)	50.6%	59.6%	68.5%	62.0%	63.5%	58.5%	53.8%	47.8%	41.1%	34.5%
3 Asset Sustainability Ratio - Target Benchmark greater than 90%										
(Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense) (%)	137.6%	99.8%	73.3%	74.6%	74.3%	67.0%	67.4%	75.7%	69.6%	78.6%

2018/19 REVISED BUDGET

Adopted Revenue Policy 2018/2019 (no change)

Meeting Date: 18 June 2019

Attachment No: 2



2018/2019 BUDGET

Revenue Policy

REVENUE POLICY 2018-2019

STATUTORY POLICY



1 Scope

This policy is Rockhampton Regional Council's strategic Revenue Policy which applies for the financial year 1 July 2018 to 30 June 2019.

2 Purpose

The purpose of this policy is to provide Council with a contemporary Revenue Policy to:

- (a) Comply with legislative requirements; and
- (b) Set principles used by Council in 2018-19 for:
 - (i) The making and levying of rates and charges;
 - (ii) Exercising its powers to grant rebates and concessions for rates and charges;
 - (iii) Recovery of overdue rates and charges; and
 - (iv) Cost-recovery methods.

3 Related Documents

3.1 Primary

Local Government Act 2009

Local Government Regulation 2012

3.2 Secondary

Planning Act 2016

Sustainable Planning Act 2009

Debt Recovery Policy

Development Incentives Policy – 1 August 2017 to 31 December 2020

Development Incentives Policy – 1 December 2013 to 31 July 2017

Fees and Charges Schedule

Rates Concession Policy

Reconfiguration of a Lot Incentives Policy

Revenue Statement

CORPORATE IMPROVEMENT AND STRATEGY USE ONLY			
Adopted/Approved:	Adopted, 26 June 2018	Department:	Corporate Services
Version:	1	Section:	Finance
Reviewed Date:		Page No:	Page 1 of 4

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4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council	Rockhampton Regional Council
Region	Area defined by the electoral boundaries of Rockhampton Regional Council.

5 Policy Statement

In accordance with the *Local Government Act 2009*, this Revenue Policy is used in developing the revenue budget for 2018-19.

Where appropriate Council is guided by the principles of equity and "user pays" in the making of rates and charges to minimise the impact of rating on the efficiency of the local economy.

5.1 Making and Levying of Rates and Charges

In making rates and charges, Council is required to comply with legislative requirements.

Council will also have regard to the principles of:

- (a) Equity by taking into account the actual and potential demands placed on Council, location and use of land, unimproved and site value of land, and land's capacity to earn revenue;
- (b) Transparency in the making of rates and charges;
- (c) Having in place a rating regime that is simple and efficient to administer;
- (d) National competition principles where applicable (user pays);
- (e) Clarity in terms of responsibilities (Council's and ratepayers) in regard to the rating process; and
- (f) Timing the levy of rates to take into account the financial cycle of local economic activity, in order to assist the smooth running of the local economy.

5.2 Granting Concessions for Rates and Charges

In considering the application of concessions, Council is guided by the principles of:

- (a) Equity by having regard to the different levels of capacity to pay within the local community;
- (b) Transparency by making clear the requirements necessary to receive concessions;
- (c) Flexibility to allow Council to respond to local economic issues;
- (d) The same treatment for ratepayers with similar circumstances; and
- (e) Responsiveness to community expectations of what activities should attract assistance from Council.

Consideration may be given by Council to granting a class concession in the event all or part of the local government area is declared a natural disaster area by the State Government.

5.3 Recovering Overdue Rates and Charges

Council exercises its recovery powers pursuant to the provisions of Chapter 4 Part 12 of the *Local Government Regulation 2012*, in order to reduce the overall rate burden on ratepayers.

Council is guided by the principles of:

- (a) Transparency by making clear the obligations of ratepayers and the processes used by Council in assisting them to meet their financial obligations;
- (b) Clarity and cost effectiveness in the processes used to recover outstanding rates and charges;

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- (c) Equity by having regard to capacity to pay in determining appropriate arrangements for different sectors of the community;
- (d) Providing the same treatment for ratepayers with similar circumstances; and
- (e) Flexibility by responding where necessary to changes in the local economy.

5.4 Principles Used for Cost-Recovery Fees

Section 97 of the *Local Government Act 2009* allows Council to set cost-recovery fees.

Council recognises the validity of fully imposing the user pays principle for its cost-recovery fees, unless the imposition of the fee is contrary to its express social, economic, environmental and other corporate goals. This is considered to be the most equitable and effective revenue approach, and is founded on the basis that the Region's rating base cannot subsidise the specific users or clients of Council's regulatory products and services.

However, in setting its cost-recovery fees, Council is cognisant of the requirement that such a fee must not be more than the cost to Council of providing the service or taking the action to which the fee applies.

5.5 Other Matters

5.5.1 Purpose of Concessions

Statutory provision exists for Council to rebate or defer rates in certain circumstances. In considering the application of concessions, Council is guided by the principles set out in paragraph 5.2.

5.5.2 Physical and Social Infrastructure Costs for New Development

Council requires developers to pay reasonable and relevant contributions towards the cost of physical and social infrastructure required to support the development. Specific charges are detailed in Council's town planning schemes.

Mechanisms for the planning and funding of infrastructure for urban growth are contained within the *Planning Act 2016*. These schemes are based on normal anticipated growth rates. Where a new development is of sufficient magnitude to accelerate the growth rate of a specific community within the Region, it may be necessary to bring forward physical and social infrastructure projects. Where this occurs, Council expects developers to meet sufficient costs to ensure the availability of facilities is not adversely affected and existing ratepayers are not burdened with the cost of providing the additional infrastructure.

5.5.3 Development Incentives Policies

Council has adopted development incentives policies to stimulate the economic growth of the Region. The development incentives policies can be found on Council's website. The focus of the policies are to provide relief of fees and charges to those applications which:

- (a) Create new jobs and investment;
- (b) Value-add through enhanced service delivery or supply chains;
- (c) Generate growth within identified strategic industrial and commercial locations; and
- (d) Diversify and make the local economy more sustainable.

5.6 Delegation of Authority

Authority for implementation of the Revenue Policy is delegated by Council to the CEO in accordance with section 257 the *Local Government Act 2009*.

Authority for the day to day management of the Revenue Policy is the responsibility of the Deputy Chief Executive Officer/General Manager Corporate Services and/or the Chief Financial Officer.

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6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) As required by legislation – reviewed each financial year at the beginning of the annual budget process;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

7 Document Management

Sponsor	CEO
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Corporate Improvement and Strategy



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2018/19 REVISED BUDGET

Adopted Revenue Statement 2018/2019 (no change)

Meeting Date: 18 June 2019

Attachment No: 3



2018/2019 BUDGET

Revenue Statement

REVENUE STATEMENT 2018/2019



SCOPE

The Revenue Statement is produced in accordance with s104 of the *Local Government Act 2009* and s169 and 172 of the *Local Government Regulation 2012*.

OVERVIEW

The purpose of this Revenue Statement is:

- to provide an explanatory statement outlining and explaining the revenue raising measures adopted in the budget, and
- To comply in all respects with legislative requirements.

REFERENCE

- Local Government Act 2009
- Local Government Regulation 2012

APPLICABILITY

This Revenue Statement applies to the financial year from 1 July 2018 to 30 June 2019. It is approved in conjunction with the Budget as presented to Council on 10 July 2018.

It is not intended that this revenue statement reproduce all related policies. Related policies will be referred to where appropriate and will take precedence should clarification be required.

GUIDELINE

Pursuant to the provisions of the *Local Government Act 2009* and the *Local Government Regulation 2012* the following explanation of revenue raising measures adopted in the 2018/2019 Budget are provided.

1. RATES AND CHARGES (LGA s94)

For the financial year beginning 1 July 2018, Rockhampton Regional Council will make and levy rates and charges. Rates and Charges will include:

- a) Differential General Rates,
- b) Special Rates and Charges,
- c) Separate Charges, and
- d) Utility Charges for Water, Sewerage and Waste Management.

The Statement deals with the principles used by Council in fixing rates and charges and if applicable, how the Council will apply user pays principles to utility and general charges.

2. GENERAL RATES RATIONALE

Council accepts that the basis for levying general rates in Queensland is land valuations. Ideally, the general rate would be determined by dividing the total income needed from general rates by the rateable valuation of lands. However there is considerable diversity in the Region in terms of land use and location (such as between the urban and rural areas), land values, access to, and actual and potential demands for services and facilities.

Council is committed to spreading the general rates burden equitably among broad classes of ratepayer. This does not mean the general rate is levied on a "user pays system". Instead, Council has designed the general rating system taking into account the following factors:

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- the relative rateable value of lands and the general rates that would be payable if only one general rate were levied;
- the use of the land as it relates to actual and potential demand for Council services;
- location of the land as it relates to actual and potential demand for Council services; and
- The impact of rateable valuations on the level of general rates to be paid. Council is of the opinion that a common rating policy and structure should be embraced for the whole region.

3. GENERAL RATES – CATEGORIES AND DESCRIPTIONS**(LGR Part 5 Division 1)**

Council adopts differential general rating for the following reasons:

- Council is committed to spreading the general rates burden equitably;
- the use of a single general rate would not result in an equitable distribution of the rates burden among ratepayers;
- certain land uses and locations of lands require and/or impose greater demands on Council services relative to other land uses and locations; and
- valuation relativities between commercial/industrial, rural, urban, productive and residential uses, do not reflect the intensity of land use nor the actual or potential demands on Council services and facilities.

Land rating categories are defined by separating the town and rural locations of the Council area and then differentiating properties based on the use to which the land is being put. Where it is considered appropriate, relative valuations are used to define land rating categories in order to reduce the variation in general rate charges between consecutive years and limit increases to a reasonable level across all land uses.

The Council, for the purpose of making and levying differential general rates, has resolved to categorise all rateable land in its area into twenty two (22) categories and sub categories specified hereunder in the schedule. The Council delegates to the CEO the power to identify the rating category to which each parcel of rateable land belongs. In undertaking this task the CEO will be guided by the descriptions of each category. The terms LV, 'Land Valuation', 'SV' and 'Site Valuation' refer to the Land Valuation and Site Valuation assigned by the Queensland Department of Natural Resources and Mines for the applicable year of valuation.

The term "principal place of residence" is a single dwelling house or dwelling unit that is the permanent place of residence at which at least one owner of the land predominantly resides.

In establishing principal place of residence Council may consider but not be limited to, the owner's declared address for electoral roll, driver's licence or any other form of evidence deemed acceptable to Council.

GENERAL RATING CATEGORIES 2018/19

No.	Category	Description	Identifiers (Land Use Codes)
1	Commercial/ light industry	Land used, or intended to be used, in whole or in part, for commercial or light industrial purposes, other than land included in categories 2(a), 2(b), 2(c), 3 and 22.	1,4,6,7, 10 to 49 (excl. 31, 35, 37, 40 And lands in any other category).

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2 (a)	Major shopping centres with a floor area 0 – 10,000m ²	Land used, or intended to be used, as a shopping centre with a gross floor area up to 10,000m ² and a value greater than \$2,500,001.	12 to 16 inclusive and 23, with a rateable valuation >\$2,500,001
2 (b)	Major shopping centres with a floor area 10,001 - 50,000 m ²	Land used, or intended to be used, as a shopping centre with a gross floor area between 10,001m ² and 50,000m ² and a value greater than \$2,500,001.	12 to 16 inclusive and 23, with a rateable valuation >\$2,500,001
2 (c)	Major shopping centres with a floor area >50,000m ²	Land used, or intended to be used, as a shopping centre with a gross floor area greater than 50,000m ² and a value greater than \$2,500,001.	12 to 16 inclusive and 23, with a rateable valuation >\$2,500,001
3	Heavy and noxious industry	Land used, or intended to be used, for:- (a) a fuel dump; (b) fuel storage; (c) an oil refinery; (d) heavy industry; (e) general industry; (f) noxious industry which emanates noise, odour or dust, including an abattoir.	31, 35, 37
4	Power Generation	Land used, or capable of being used, for the generation of greater than 400 megawatts of electricity.	37
5	Extractive	Land used, or intended to be used, in whole or in part, for:- (a) the extraction of minerals or other substances from the ground; and (b) any purpose associated or connected with the extraction of minerals and other substances from the ground.	40
6	Agriculture, farming and other rural	Land used, or intended to be used, for non-residential rural, agricultural or farming purposes.	60 to 89 and 93 to 94 (excl. 72 excl. lands in any other category).
8A	Residential Other	Land used, or intended to be used, for:- (a) with a value of less than \$110,001 and either of the following i. residential purposes, other than as the owner's principal place of residence; and/or ii. two or more self-contained dwellings (including flats)	2, 3, 5, 8 & 9

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8B	Residential Other	Land used, or intended to be used, for:- a) with a value of more than \$110,000 and either of the following i. residential purposes, other than as the owner's principal place of residence; and/or ii. two or more self-contained dwellings (including flats)	2, 3, 5, 8 & 9
9	Residential 1	Land used or intended to be used for residential purposes, as the owner's principal place of residence with a value of less than \$105,001.	1, 2, 4, 5, 6 and 94 with a rateable valuation <\$105,001 (excl. lands in any other category).
10	Residential 2	Land used or intended to be used for residential purposes, as the owner's principal place of residence with a value of between \$105,001 and \$170,000.	1, 2, 4, 5, 6 and 94 with a rateable valuation >\$105,000 but <\$170,001 (excl. lands in any other category).
11	Residential 3	Land used or intended to be used for residential purposes, as the owner's principal place of residence with a value of between \$170,001 and \$250,000.	1, 2, 4, 5, 6 and 94 with a rateable valuation >\$170,000 but <\$250,001 (excl. lands in any other category).
12	Residential 4	Land used or intended to be used for residential purposes, as the owner's principal place of residence with a value between \$250,001 and \$500,000	1, 2, 4, 5, 6 and 94 with a rateable valuation >\$250,000 but <\$500,001 (excl. lands)
13	Residential 5	Land used or intended to be used for residential purposes, as the owner's principal place of residence with a value more than \$500,000	1, 2, 4, 5, 6 and 94 with a rateable valuation >\$500,000 (excl. lands in any other category).
21	Strata (residential)	Land, which is a lot in a community title scheme or residential group title, used as the owner's principal place of residence.	Land use codes 8 and 9 (excl. lands in any other category).
22	Strata (commercial/ industrial)	Land, which is a lot in a community title scheme or building unit, which is used, or intended to be used, for commercial or industrial purposes.	Land use codes 8 and 9
24	Vacant urban/rural land >\$430,000	Vacant land intended for use for development purposes with a value of more than \$430,000.	Land use code 1 and 4 with a rateable valuation >\$430,000

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25	Developer concession	Land, which qualifies for a discounted valuation pursuant to section 50 of the <i>Land Valuation Act</i> .	Land use code 72
26	Special uses	Land, used, or intended to be used, for non-commercial purposes such as social and community welfare, defence or education purposes.	Land use codes 21, 50 – 59, 92, 96 – 100
27 (a)	Other \$0 - \$60,000	Land, with a value of \$60,000 or less, which is not otherwise categorised.	Land use codes 1, 4, 90, 91 and 95
27 (b)	Other - >\$60,000	Land, with a value of more than \$60,000, which is not otherwise categorised.	Land use codes 1, 4, 90, 91 and 95

General Rates and Minimum General Rates

For the 2018/19 financial year differential general rates and minimum general rates will be levied pursuant to section 94 of the *Local Government Act 2009*, on the differential general rate categories as follows:

Category No.	Category	General Rate (cents in the Dollar of Rateable Value)	Minimum General Rate (\$)
1	Commercial/light Industry	1.8500	1,354
2 (a)	Major shopping centres with a floor area 0 – 10,000 sqm	2.2916	18,610
2 (b)	Major shopping centres with a floor area 10,001 - 50,000 sqm	3.0561	212,531
2 (c)	Major shopping centres with a floor area >50,000 sqm	6.2904	1,605,832
3	Heavy and noxious industry	2.6979	2,825
4	Power Generation	5.1419	2,825
5	Extractive	7.2367	2,306
6	Agriculture, farming and other rural	1.2312	1,354
8A	Residential Other, \$ 0 - \$110,000	1.2562	899
8B	Residential Other, >\$110,000	1.1384	1,382
9	Residential 1, \$ 0 - \$105,000	1.0971	684

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10	Residential 2, \$105,001 - \$170,000	0.9818	1,153
11	Residential 3, \$170,001 - \$250,000	0.9363	1,672
12	Residential 4, \$250,001 - \$500,000	0.8570	2,349
13	Residential 5, > \$500,000	0.7723	4,285
21	Strata (residential)	1.1318	684
22	Strata (commercial/industrial)	2.0180	1,354
24	Vacant urban land >\$430,000	1.8247	1,354
25	Developer concession	1.0806	0
26	Special uses	1.3166	2,201
27 (a)	Other \$0 - \$60,000	1.5235	582
27 (b)	Other >\$60,001	2.2473	1,354

4. LIMITATION ON RATE INCREASE – LGR Part 9, Division 3

For the 2018/2019 financial year Council will not be resolving to limit any increases in rates and charges.

5. SPECIAL RATES/CHARGES (LGAs94) Rural Fire Services Levies

Council will, pursuant to section 128A of the *Fire and Emergency Services Act 1990* and section 94 of the *Local Government Act 2009*, make and levy special charges for the provision of rural fire fighting services to certain parts of the Region. The charges shall be levied on all land which specially benefits from the provision of rural fighting services.

For 2018/19, the Council shall make a special charge, as below, for each of the Rural Fire Brigades.

Rural Fire Brigade	Levy 2018/19	Rural Fire Brigade	Levy 2018/19
Alton Downs	\$40.00	Garnant	-
Archer Ulam	\$40.00	Gogango	\$25.00
Aricia	-	Gracemere	\$20.00
Bajool	\$25.00	Kalapa	\$20.00
Bouldercombe	\$50.00	Marmor	\$20.00
Calioran	-	Mornish	-
Calliungal	\$50.00	Stanwell	-
Dalma	\$20.00	South Ulam	-
Faraday	-	Westwood	\$50.00

The rateable land to which each of the special charges will apply is land within the areas separately described on a map titled "Rural Fire Brigades of Rockhampton Regional Council" (Attachment 1), administered by the Queensland Fire and Emergency Services.

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The discount for the prompt payment of rates and charges, granted in accordance with section 130 of the Local Government Regulation 2012, will not apply to these charges.

Overall Plans

The Overall Plan for each of the special charges is as follows:-

- (a) The service, facility or activity for which each special charge is levied is to fund the provision of fire prevention and firefighting services, equipment and activities by the rural fire brigades identified in the special charge table in the defined benefit areas.
- (b) The time for implementing the overall plan is one (1) year ending 30 June 2019. However, provision of fire-fighting services is an ongoing activity, and further special charges are expected to be made in future years.
- (c) The works and services specified in the overall plan will be carried out or provided during the year ending on 30 June 2019.
- (d) The estimated cost of implementing the overall plan (being the cost of planned works and activities for 2018/19) is approximately \$98,260.
- (e) The special charge is intended to raise all funds necessary to carry out the overall plan.

The occupier of the land to be levied with the special charge has specifically benefited, or will specifically benefit, from the implementation of the overall plan, comprising fire-fighting services, because rural fire brigades are charged with fire-fighting and fire prevention under *the Fire & Emergency Services Act 1990* and whose services could not be provided or maintained without the imposition of the special charge.

6. SEPARATE CHARGES (LGA s94)

Council will make and levy separate rates pursuant to section 94 of the *Local Government Act 2009* to defray the expense it incurs in providing identified services or facilities or engaging in identified activities for the benefit of its local governed area. The charges are calculated on the basis of the estimated cost to Council of providing these services. Revenue raised from these charges will only be used to fund either all or part of the costs associated with the activities.

Council considers that the benefit of each service, facility or activity is shared equally by all parcels of rateable land, regardless of their value.

Road Network Separate Charge

Council will make and levy a separate charge to defray part of the cost of maintaining the road network within the region. Council will make and levy the charge equally on all rateable land within the Rockhampton Regional Council area.

The amount of the Road Network Separate Charge will be \$450.00 per annum per rateable assessment throughout the region.

Natural Environment Separate Charge

Council will make and levy a separate charge to defray part of the cost of formulating and implementing initiatives for environmental protection, enhancement and conservation, including the many and varied initiatives that contribute to these outcomes.

Council will make and levy the charge equally on all rateable land within the Rockhampton Regional Council area.

The amount of the Natural Environment Separate Charge will be \$50.00 per annum per rateable assessment throughout the region.

The discount for the prompt payment of rates and charges, granted in accordance with section 130 of the *Local Government Regulation 2012*, will not apply to the Natural Environment Separate Charge.

7. UTILITY CHARGES (LGA s94)

Council will make and levy utility service charges, pursuant to section 94 of the *Local Government Act 2009*, for the financial year beginning 1 July 2018 on the basis of an equitable distribution of the burden on those who utilise, or stand to benefit from, the provision of the utility services.

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WATER

Water charges will be set to recover all of the costs associated with the provision of water services by Council in the financial year.

Subject to any express provision to the contrary Council will charge all land connected to its water supply, or capable of connection to the supply, a two-part tariff for the period 1 July 2018 to 30 June 2019, comprising:

- a graduated single tier access charge for land connected to Council's water supply, or capable of connection to the supply; and
- a multi-tiered consumption charge for residential users and a single tier charge for non-residential users.

There are three (3) water supply areas: Gracemere, Mount Morgan and Rockhampton. The following additional policy is adopted in relation to access charges:

- (a) The access charge for an individual residential community title lot will be the sum payable for a 20mm water meter connection, regardless of the true size of the connection to the lot itself or to the development of which it forms part.
- (b) The access charge for premises that contain residential flats will be the sum payable for a 20mm water meter connection multiplied by the number of flats upon the premises, regardless of the true size of the connection to the premises.
- (c) To prevent doubt, a management lot in a staged residential community titles scheme is not a residential community title lot.
- (d) The access charge for an individual commercial community title lot will be:
 - i. If the size of the water meter at the boundary of the scheme land (i.e. the meter to which the property services to individual scheme lots connect) is not greater than 50mm, then the access charge per lot shall be the sum payable for a 20mm water meter connection.
 - ii. If the size of the water meter at the boundary of the scheme land is greater than 50mm, the standard non-residential access charges according to the meter size will apply.

The following additional policy is adopted in relation to consumption charges:

- (a) Where water is supplied to premises that comprise a residential flats development, the consumption volume allowed in each tier will be multiplied by the number of flats upon the premises.
- (b) Where water is supplied to a lot which forms part of a community titles scheme, and the supply to each individual lot and the common property is not separately metered, Council will levy the consumption charges for the water supplied to the premises (the scheme) in a manner permitted by section 196 of the *Body Corporate and Community Management Act 1997*, namely:
 - i. Council will levy each lot-owner for a share of the supplied volume recorded by the water meter at the boundary of the scheme land, and that share will be equivalent to the ratio of the contribution schedule lot entitlement of the owner's lot to the aggregate of contribution schedule lot entitlements recorded in the community management statement for the community titles scheme; or
 - ii. For a community titles scheme in which there is only a single schedule of lot entitlements rather than a contributions schedule and an interest schedule (i.e. a scheme that continues to be governed by the Building Units and Group Titles Act rather than by the *Body Corporate and Community Management Act 1997*), Council will levy each lot-owner for a share of the supplied volume recorded by the water meter at the boundary of the scheme land, and that share will be equivalent to the ratio of the lot entitlement of the owner's lot to the aggregate of lot entitlements recorded in the building units plan or the group title plan of which the lot is part, or

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- iii. Alternatively to levying the consumption charges on the basis of lot entitlement, Council may exercise its discretion to enter with the body corporate for a community titles scheme to which the *Body Corporate and Community Management Act* applies an arrangement under which the body corporate accepts liability for the full consumption charge payable upon the supplied volume recorded on the water meter at the boundary of the scheme land, in which case Council will levy the body corporate for the full amount of the consumption charge and will make no separate levies against lots in the scheme.
- (c) Where water is supplied to a lot or common property which forms part of a community titles scheme where the supply to each individual lot and the common property is separately metered to the common property of a community titles scheme, Council will levy each lot for its metered consumption and the body corporate for the water supplied to the common property.
- (d) Where more than one dwelling house is situated upon a single parcel of land (that is to say, the land the subject of a single valuation), Council will charge a separate two-part tariff for each dwelling house as if each were located upon a different, individually-valued parcel.
- (e) Where a dwelling house is situated partly upon one parcel of land and partly upon another, Council will charge a single two-part tariff for supply to the building, and will levy the tariff against the parcel upon which the dominant portion of the house is situated. The dominant portion will be the portion of the house that has the greater floor area.
- (f) The following provisions apply to premises serviced by a designated fire service:
 - i. Council will charge a separate two-part tariff for the service, in addition to the tariff/s it charges for any other water service connection/s to the land.
 - ii. The access charge for the service will be determined upon the basis that the service connects to a 20mm water meter.
 - iii. Standard consumption charges will apply unless Council resolves to discount the charge pursuant to this resolution.
 - iv. The consumption charge will be, for a quarter for which the Queensland Fire and Emergency Service reports or verifies, or Council otherwise verifies, use of the service to fight a fire, either the standard consumption charge or that sum discounted by a percentage Council determines as appropriate.
 - v. If the Queensland Fire and Emergency Service reports or verifies, or Council otherwise verifies, that the service was used during a quarter to fight a fire, and Council determines after the end of that quarter that a discounted consumption charge was appropriate for the quarter, Council may credit against the next quarterly consumption charge the difference between the charge paid and the discounted charge determined as appropriate.
 - vi. To prevent doubt, Council may determine that a 100% discount is or was appropriate.
- (g) For non-licensed premises (i.e. premises for which there exists no liquor license) occupied or used by approved sporting bodies, or approved non-profit charitable organisations, Council will provide a concession in accordance with its concession policy for access to Council's water supply, and water consumed from that supply will be charged at Residential rates.
- (h) Council will apply section 102 of the *Local Government Regulation 2012* to the reading of water meters so that if a meter is due to be read on a particular day (e.g. the last day of a quarter) to enable Council to calculate a consumption charge to be levied, the meter will be deemed to be read on that particular day if it is read within 2 weeks before the day or 2 weeks after the day.

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- (i) The commencing water meter reading for a quarterly consumption charge cycle (i.e. a quarter plus or minus 2 weeks at the beginning and the end of the quarter) is the reading last recorded in a quarterly charge cycle, or, in the case of a new meter connection, the reading recorded on the day of connection.
- (j) The minimum value of a debt required to raise a charge will be \$5.00. If the total charge on an Assessment is less than this amount, then the charges will not be raised and consequently a bill will not be issued. This charge is not raised at all and is effectively written off which will prevent the raising of small balances where the cost of administration, printing, postage and collection is greater than the revenue returned.
- (k) For the purposes of making and levying water charges the following definitions apply:
 - i. An approved sporting body is an association of persons, incorporated or not, and whether an individual association or a member of a class of association, that Council accepts or approves by resolution as a body that benefits the community by organising and conducting a sporting activity or sporting activities and whose constitution prevents the distribution of its income and assets to its members.
 - ii. An approved charitable organisation is an organisation incorporated or not, that Council accepts or approves by resolution as a charitable organisation, and whose constitution prevents the distribution of its income and assets to its members.
 - iii. A community title lot is a lot in a community titles scheme.
 - iv. A community titles scheme is a community titles scheme created under the *Body Corporate and Community Management Act 1997*, or is a development similar to such a scheme but that continues to be governed by the *Building Units and Group Titles Act 1980* rather than by the *Body Corporate and Community Management Act 1997* (e.g. a development created under the *Integrated Resort Development Act 1987*).
 - v. A contribution schedule lot entitlement is an entitlement by that name, recorded in the community management statement (or analogous instrument) for a community titles scheme.
 - vi. A designated fire service is a water supply service to premises, specifically dedicated for use in fighting fires.
 - vii. A flat is a self-contained residential unit or module that is not a community title lot; but (to prevent doubt) the expression does not include a bedroom in a boarding house.

Gracemere Water Supply

The access charge for all properties located within the boundaries, and approved properties outside the boundaries of the Gracemere Water Supply Area, will be as detailed in the water access charges table below per meter or per lot as appropriate for the period 1 July 2018 to the 30 June 2019 and will generally be levied on a half yearly basis.

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Meter Size	Annual Charge
20mm	\$411.00
25mm	\$641.00
32mm	\$1,050.00
40mm	\$1,640.00
50mm	\$2,563.00
Special 60mm	\$3,739.00
65mm	\$4,331.00
75mm	\$5,766.00
80mm	\$6,561.00
100mm	\$10,250.00
150mm	\$23,063.00
200mm	\$41,004.00
Vacant Land	\$411.00

The access charge for unoccupied land that is capable of connection to Council's water supply will be the sum payable for a 20mm residential water meter connection.

The consumption charge detailed in the consumption charges table below will apply for all water consumed in the water period (year). This charge will apply to all properties located within the boundaries and approved properties outside the boundaries of the Gracemere Water Supply Area. The water period (year) for the consumption charge will be for a period from the 1 July 2018 to the 30 June 2019 and billing will generally be in arrears on a quarterly basis.

Gracemere Water Supply Scheme – Non Residential Consumption Charges

Tier	Charge per Kilolitre
All consumption	\$1.81/kl

Gracemere Water Supply Scheme – Residential Consumption Charges

Tier (Per Meter)	Charge per Kilolitre
<=75kl per quarter	\$0.78/kl
> 75kl <=150kl per quarter	\$1.22/kl
>150kl per quarter	\$2.42/kl

Mt Morgan Water Supply

The access charge for all properties located within the boundaries, and approved properties outside the boundaries of the Mount Morgan Water Supply Area, will be as detailed in the water access charges table below per meter or per lot as appropriate for the period 1 July 2018 to the 30 June 2019 and will generally be levied on a half yearly basis.

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Meter Size	Annual Charge
20mm	\$423.00
25mm	\$661.00
32mm	\$1,083.00
40mm	\$1,691.00
50mm	\$2,641.00
65mm	\$4,464.00
75mm	\$5,942.00
80mm	\$6,671.00
100mm	\$10,563.00
150mm	\$23,768.00
200mm	\$42,254.00
Vacant Land	\$423.00

The access charge for unoccupied land that is capable of connection to Council's water supply will be the sum payable for a 20mm residential water meter connection.

The consumption charge detailed in the consumption charges table below will apply for all water consumed in the water period (year). This charge will apply to all properties located within the boundaries and approved properties outside the boundaries of the Mount Morgan Water Supply Area. The water period (year) for the consumption charge will be for a period from the 1 July 2018 to the 30 June 2019 and billing will generally be in arrears on a quarterly basis.

Mount Morgan Water Supply Scheme – Non Residential Consumption Charges

Tier	Charge per Kilolitre
All consumption	\$1.81/kl

Mount Morgan Water Supply Scheme – Residential Consumption Charges

Tier (Per Meter)	Charge per Kilolitre
<=75kl per quarter	\$0.78/kl
> 75kl <=150kl per quarter	\$1.22/kl
>150kl per quarter	\$2.42/kl

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Rockhampton Water Supply

The access charge for all properties located within the boundaries, and approved properties outside the boundaries of the Rockhampton Water Supply Area, will be as detailed in the water access charges table below per meter or per lot as appropriate for the period 1 July 2018 to the 30 June 2019 and will generally be levied on a half yearly basis.

Meter Size	Annual Charge
20mm	\$386.00
25mm	\$602.00
32mm	\$986.00
40mm	\$1,540.00
50mm	\$2,406.00
65mm	\$4,067.00
75mm	\$5,415.00
80mm	\$6,161.00
100mm	\$9,626.00
150mm	\$21,656.00
200mm	\$38,500.00
Vacant Land	\$386.00

The access charge for unoccupied land that is capable of connection to Council's water supply will be the sum payable for a 20mm residential water meter connection.

The consumption charge detailed in the consumption charges table below will apply for all water consumed in the water period (year). This charge will apply to all properties located within the boundaries and approved properties outside the boundaries of the Rockhampton Water Supply Area. The water period (year) for the consumption charge will be for a period from the 1 July 2018 to the 30 June 2019 and billing will generally be in arrears on a quarterly basis.

Rockhampton Water Supply Scheme – Non Residential Water Consumption Charges

Tier	Charge per Kilolitre
All consumption	\$1.81/kl

Rockhampton Water Supply Scheme – Residential Water Consumption Charges

Tier (Per Meter)	Charge per Kilolitre
<=75kl per quarter	\$0.78/kl
> 75kl <=150kl per quarter	\$1.22/kl
>150kl per quarter	\$2.42/kl

Rockhampton Regional Council

Revenue Statement 2018/2019

SEWERAGE

For the financial year beginning 1 July 2018 Council will make and levy a sewerage charge in respect of land within the Declared Sewerage Areas of Rockhampton Region to which the Council provides or is prepared to provide sewerage services, including areas to which such services are extended from time to time during the course of the financial year.

A sewerage charge will also be levied on non-rateable land where the owner of the land requests that Council provide sewerage services.

In accordance with the Requirement to Connect to Sewerage Infrastructure Policy that was adopted by Council on 7 October 2014, the sewerage access charges in relation to Stage 2 of the Mount Morgan Sewerage Scheme are only charged upon connection to the system.

The sewerage charge will be set to recover all of the costs associated with the provision of sewerage reticulation services provided by Council in the financial year.

For occupied land, charges for 2018/19 will be made and levied on the following basis:

- a) Generally, a sewerage charge will be levied in respect of each water closet pedestal or urinal installed
- b) However, for a single dwelling, residential unit, stables property or a property subject to a residential differential rate, only the first water closet pedestal will attract the normal sewerage pedestal charge.
 - The term single dwelling is to be given its ordinary meaning as a residential property used for ordinary domestic purposes and includes home office situations such as for example, where desk or computer work may be done, phone calls made or answered from within the premises for business purposes but where there are no more than 1 (one) non-resident employee on the premises and no significant external indicia to distinguish the premises from any other domestic residence;
 - The term single dwelling does not include premises where a distinct externally visible business activity has been established.
- c) In the case of multiple dwellings on a single title or assessment (e.g. flats), the sewerage charge is calculated by multiplying the number of flats by the charge for the first water closet pedestal.
- d) In the case of Retirement Villages or Aged/Nursing Homes incorporating independent living accommodation, the sewerage charge will be levied on the first pedestal only in each independent living unit/cottage. Sewerage charges will be levied on a per pedestal/urinal basis for pedestals/urinals installed elsewhere at the Aged/Nursing Homes properties.
- e) For all other premises, the sewerage charge is calculated on the number of pedestals together with the number of urinals multiplied by the charge for the first water closet pedestal. For the purpose of this paragraph, each 1200mm of a continuous style urinal or part thereof will count as one urinal.
- f) Sewerage Charges do not apply to Public Amenities Blocks on leased Council land that are locked and controlled by the Clubs.

Where there is more than one dwelling house on a land parcel, charges shall apply as if each house were on a separate land parcel. Where there is more than one commercial or industrial building upon a land parcel, charges will apply as if each building were on a separate land parcel.

Where a building is used for more purposes than one, charges will be levied by reference to the dominant use of the building, determined by Council.

For properties within the differential general rating category '6' Agriculture, farming and other rural, the sewerage utility charge is levied on the same basis as residential properties, even though to be eligible the properties must be classified as commercial use properties.

Rockhampton Regional Council

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For the purpose of these charges:

- (a) a community titles lot is taken to be:
 - i. A single dwelling if it is used wholly or predominantly as a place of residence; and
 - ii. A non-dwelling property in any other case.
- (b) A community title lot is a lot in a community titles scheme;
- (c) A community titles scheme is a community titles scheme created under or by virtue of the *Body Corporate and Community Management Act 1997*, or is a development similar to such a scheme but that continues to be governed by the *Building Units and Group Titles Act 1980* rather than by the *Body Corporate and Community Management Act* (e.g. a development created under the *Integrated Resort Development Act 1987*);
- (d) A contribution schedule lot entitlement is an entitlement by that name, recorded in the community management statement (or analogous instrument) for a community titles scheme.

The sewerage charges will be those shown in the following tables:

Sewered Premises	Basis	Number of Charges
Private Dwelling/Residential Unit or Stables or property subject to rural differential rate.	Each Residence (regardless of number of pedestals)	1 Charge
Flats	Each Flat	1 Charge
Aged/Nursing Home Plus	Each Unit/Cottage	1 Charge
Aged/Nursing other fixtures	Each Pedestal/Urinal	1 Charge
Other Premises	Each Pedestal / 1200mm of Urinal or part thereof	1 Charge
Vacant Land	Each rateable property	1 Vacant Land Charge

For those properties in the Declared Sewerage Areas, charges as per the above schedule for 2018/19 will be:

Declared Sewered Area	Amount of Charge	Amount of Vacant Land Charge
Gracemere	\$815.00	\$774.00
Mount Morgan	\$753.00	\$715.00
Rockhampton	\$624.00	\$593.00

Rockhampton Regional Council

Revenue Statement 2018/2019

WASTE & RECYCLING

For the financial year beginning 1 July 2018, Council will make and levy the following utility charges for:

Schedule of Waste Collection and Recycling Charges	
Domestic Services	Annual Charge
Combined General Waste/Recycling Service	\$452.00
Additional General Waste Service – same day service as nominated service day	\$347.00
Additional Recycling Service – same day service as nominated service day	\$204.00
Commercial Services	Annual Charge
General Waste Service	\$372.00
Recycling Service	\$245.00

Services to be provided**Domestic Waste and Recycling Services**

The service comprises the following services as described:

Combined Domestic General Waste Collection and Recycling Service

This service is on the basis that the combined general waste collection and recycling service provided is available to properties within a Declared Waste Collection Areas.

The combined domestic general waste collection and recycling charge, Council levies against a Domestic Premise will be the single sum shown in the Schedule of Waste Collection and Recycling Charges, covering for the full financial year the combined cost of:

- providing a Standard General Waste Container (waste container) to hold domestic general waste; and
- emptying the waste container once per week and removing the contents from the premises; and
- providing a waste container to hold recyclables; and
- emptying the recyclables waste container fortnightly, and removing the contents from the premises.

Domestic Premises – General

Council will levy the charge on each parcel of residential land, including a lot in a community title scheme, whether occupied or not, within the Waste Collection Areas, charges and regardless of whether ratepayers choose to use the domestic general waste collection and/or recycling services Council makes available.

Where a service is supplied to a residence on a property within differential rating category 6 – Agriculture, farming and other rural, the domestic waste charge shall apply. For newly constructed structures, the charge will apply from the earlier of plumbing or building approval or delivery of waste containers.

Where there is more than one structure on land capable of separate occupation a charge will be made for each structure.

The number of charges levied to a domestic property shall be the number of bins the Chief Executive Officer or his delegate considers necessary; or the number of bins the ratepayer requests, whichever is greater. Additional bin collections from domestic properties will only be made available on the same day as the minimum service.

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Commercial Waste and Recycling Services

The service comprises of the following services as described:

Commercial Premises in a Designated Waste Collection Area

This service is on the basis that the general waste and recycling collection service it provides are available to commercial properties within the Designated Waste Collection Areas.

A General Waste Collection and or Commercial Recycling Collection levy shall be charged per waste container collection (called a Service) as per the Schedule of Waste Collection and Recycling Charges, covering for the full financial year the combined cost of:

- providing the number of waste containers that the Chief Executive Officer or his delegate considers necessary or the number of bins the ratepayer requests, whichever is greater; and
- emptying each waste container and removing the contents from the premises on the number of occasions each week that the Chief Executive Officer or his delegate considers necessary; or on the number of occasions the ratepayer requests, whichever is greater;
- where a waste container is provided to hold recyclables; and
- emptying and removing the contents from the premises of that waste container once per fortnight.

Commercial Premises - General

Council will levy a waste collection and recycling collection levy against commercial premises for the removal of commercial waste and recycling, unless the Chief Executive Officer or his delegate is satisfied that an approved private waste collection provider removes commercial waste and recycling from the premises, and will do so, at least once weekly for commercial waste and or once fortnightly for recycling.

Where there is more than one structure on land capable of separate occupation a charge will be made for each structure. Charges for the collection of Commercial Waste will be based on volume and frequency of collection. Charges will be made for additional collections from commercial properties.

8. COST RECOVERY FEES (LGA s97)

The principles of Full Cost Pricing are applied in calculating all cost recovery fees of the Council where applicable, but the fees will not exceed the cost to Council of providing the service or taking the action for which each fee is charged.

Cost Recovery Fees are listed in Fees and Charges which was last adopted at Council's Meeting held on 12 June 2018.

9. BUSINESS ACTIVITY FEES

Council has the power to conduct business activities and make business activity fees for services and facilities it provides on this basis. Business activity fees are made where Council provides a service and the other party to the transaction can choose whether or not to avail itself of the service. Business activity fees are a class of charge, which are purely commercial in application and are subject to the Commonwealth's Goods and Services Tax.

Business activity fees include but are not confined to the following: rents, plant hire, private works and hire of facilities.

10. TIME FOR PAYMENT (LGR s118)

Rates and utility charges referred to in this policy shall generally be levied half yearly with the exception of water consumption which will be levied at quarterly intervals on a rolling basis. Such rates and utility charges shall be payable by the due date detailed on the rate notice.

All rates and charges will be due and payable on the day that is 30 clear days after the issue of a notice to pay.

As a guide a separate rates notice will be issued in the first six months of the financial year (July – December), and in the second half of the financial year (January – June). These notices will cover the billing periods 1 July 2018 to 31 December 2018 (usually issued July or August), and 1 January 2019 to 30 June 2019 (usually issued January or February), respectively. Each notice includes one half of the annual rates and charges levied.

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11. INTEREST (LGR s133)

All rates and charges remaining outstanding 30 clear days after the due date will be deemed to be overdue rates and will thereafter bear interest at the rate of eleven percent (11%) per annum, compounding on daily rests in accordance with the *Local Government Regulation 2012*, calculated on the balance of overdue rates and charges.

12. DISCOUNT (LGR s130)

Discount at the rate of ten (10) percent will be allowed on gross Council rates and charges, excluding any charge specifically excluded from discount entitlement, provided payment of the full amount outstanding, including any overdue rates and interest to the date of payment, less any discount entitlement, is paid by the due date on original notice of the levy.

The discount shall not apply to special charges, Natural Environment separate charge or water consumption charges.

13. RATE CONCESSIONS (LGR s121)

Council approves concessions each year prior to its budget meeting, in the form of the Rate Concession Policy. This was adopted by Council on the 12 June 2018. The main areas of concessions are as follows:

Pensioner Subsidy

For Pensioner Ratepayers of their principal place of residence Council will offer a subsidy (upon the same terms and conditions as the Queensland Government Pensioner Rate Subsidy Scheme of 20% (to a maximum of \$250) on all rates levied in respect of the property the person owns and occupies, excluding special rates/charges and rural and state fire levies/charges.

For Pensioner Ratepayers of their principal place of residence a person in receipt of a Widow/ers Allowance will be entitled to a subsidy of 20% (to a maximum of \$250) on all rates levied in respect of the property the person owns and occupies, excluding special rates/charges and rural and state fire levies/charges.

In both cases, the concession is offered on the basis that the ratepayers are pensioners (as defined by the *Local Government Regulation 2012*).

Permit to Occupy – Separate Charges

Council will grant a concession of all Separate Charges on those assessments that only contain a permit to occupy for pump sites provided the ratepayer as shown on the assessment is the owner of another property in the Council area on which the Separate Charges have been levied.

The concession is offered on the basis that the payment of the additional separate charge will cause the ratepayer hardship.

Permit to Occupy – General Rates

Council will grant a concession of up to \$600.00 in General Rates for properties on those assessments that only contain a permit to occupy for pump sites provided the ratepayer as shown on the assessment is the owner of another property in the Council area on which General Rates have been levied.

The concession is offered on the basis that the payment of general rates will cause the ratepayer hardship.

Sporting Clubs and Associations

Council will grant varied levels of concessions to charitable and other Non-Profit and Charitable Community Groups, including not-for-profit Sporting Bodies, in accordance with the provisions of the Rates Concession Policy.

The concessions are offered on the basis that the ratepayers are entities whose objects do not include the making of a profit.

CBD Commercial Properties with Mixed Residential Use

The purpose of the concession is to reduce vacancies in the CBD by providing an incentive for commercial property owners within the defined CBD area to utilise unoccupied commercial space for residential purposes. Residential purposes is defined as any space constructed and permitted for residential use and occupied by the owner or tenant as a residence.

The basis for this concession is stimulation of economic development within the defined CBD area.

Council Owned/Trustee Land

Council will grant a concession on General Rates and Separate Charges for vacant land that is owned or held as Trustee by Council if it is leased to another person and the land is not used for any business, commercial or industrial purpose. The level of concession is in accordance with Council's Rates Concession Policy.

The concessions are offered on the basis that the payment of general and separate rates will cause the ratepayer/lessee hardship.

Multi-Residential Unit Developments

Council may grant a concession of 100% of the waste/recycling charge for each multi-residential unit or units for which a community title scheme exists.

This may apply where it has been deemed impractical for Council to provide services to a multi-residential unit development consisting of six or more units within a plan.

Caravan Parks

Council may grant a concession of general rates for those assessments potentially impacted by the opening of free camping sites. Council recognises the importance of the tourism drive market and the extra value that Caravan Parks offer.

An amount of \$20/annum will be provided per eligible site to a maximum of \$2,000 per annum. This concession is by application and must be accompanied by evidence, to Council's satisfaction, of the number of applicable van or tent sites at the caravan park.

14. AUTHORITY

It is a requirement of the *Local Government Act 2009* that for each financial year Council adopt, by resolution, a Revenue Statement.



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2018/19 REVISED BUDGET

Draft Debt (Borrowings) Policy

Meeting Date: 18 June 2019

Attachment No: 4

DEBT (BORROWINGS) POLICY

STATUTORY POLICY



1 Scope

This policy applies to the use of loan borrowings to fund Rockhampton Regional Council infrastructure and other important capital works projects.

2 Purpose

The purpose of this policy is to provide Council with a contemporary Debt (Borrowings) Policy for responsible financial management on the loan funding of infrastructure and capital works projects by ensuring the level of Council indebtedness is within acceptable limits to Council, its ratepayers and interested external parties.

3 Related Documents

3.1 Primary

Local Government Act 2009

Local Government Regulation 2012

3.2 Secondary

Statutory Bodies Financial Arrangements Act 1982

4 Definitions:

To assist in interpretation, the following definitions apply:

Council	Rockhampton Regional Council
QTC	Queensland Treasury Corporation
Ratepayers	As defined in the <i>Local Government Regulation 2012</i> , a person who is liable to pay rates or charges.

5 Policy Statement

As a general principle, Council recognises that loan borrowings for capital works projects are an important funding source for local government and that the full cost of infrastructure should not be borne entirely by present-day ratepayers, but be contributed to by future ratepayers who will also benefit. Whilst recognising the importance of loan borrowings, Council should not place undue reliance upon loans as a source of funding.

Council will restrict all borrowings to expenditure on identified capital works projects that are considered by Council to be of the highest priority and which cannot be funded from revenue, as identified by the adopted budget. Under no circumstances should Council borrow funds for recurrent expenditure.

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The basis for determination of the utilisation of loan funds will be as follows:

- (a) Where a capital works project for a service that is funded by utility or user charges, for example water, sewer, waste, is determined to be funded by way of loans, the user charge should reflect the cost of providing the service including the loan servicing costs.
- (b) Other specific capital works projects, not funded by user charges, should only be considered for loan funding where the project is considered by Council to be of long term benefit to the majority of ratepayers.
- (c) The term of any loan should not exceed the expected life of the asset being funded.

5.3 10 Year Loan Programme Forecast

Council utilises loan borrowings to fund capital and infrastructure works when required. Repayments are usually spread over a period of 15 to 20 years or shorter depending on the life of the asset being created. The Debt (Borrowings) Policy includes the following information:

- (a) New borrowings for the current and the next nine financial years; and
- (b) Repayment schedule for new and existing borrowings.

The following 10 year program is proposed by Council, although allocations are revised on an annual basis in conjunction with the review of its short and long term budgets:

Table 1
10 Year Borrowing and Repayment Schedule

Financial Year	New Borrowing Amount (\$)	Loan Redemption Amount (\$)	Repayment Period (years)
Existing Loans	N/A	N/A	5-15
2018/19	<u>54,650,757</u> <u>47,650,757</u>	<u>20,303,020</u> <u>20,320,960</u>	7-20
2019/20	33,346,000	<u>24,614,150</u> <u>24,233,270</u>	7-20
2020/21	30,150,000	<u>27,797,500</u> <u>27,429,850</u>	15-20
2021/22	25,500,000	<u>30,861,160</u> <u>30,480,710</u>	15-20
2022/23	<u>24,500,000</u> <u>24,500,000</u>	<u>29,994,710</u> <u>29,624,610</u>	15-20
2023/24	<u>-3,000,000</u>	<u>12,228,650</u> <u>11,614,240</u>	<u>15-20</u>
2024/25	<u>-2,000,000</u>	<u>11,412,330</u> <u>11,143,260</u>	<u>15-20</u>
2025/26	<u>-3,000,000</u>	<u>11,800,510</u> <u>11,620,050</u>	<u>15-20</u>
2026/27	<u>-2,000,000</u>	<u>12,071,640</u> <u>12,045,540</u>	<u>15-20</u>
2027/28	-	<u>12,205,600</u> <u>12,280,790</u>	

5.4 Repayment Schedule

The loan portfolio of Council is raised solely with QTC primarily utilising QTC's fixed rate loan product. A fixed rate loan is a loan where the interest rate does not fluctuate for the term of the fixed period. A fixed rate loan provides rate certainty; however, an early repayment adjustment applies for any unscheduled repayments.

The amount required to extinguish a fixed rate loan at any point in time is the market value of the loan. The market value reflects the remaining cash flows required to repay the debt, valued at the current market rates of interest. An early repayment adjustment reflects the difference between the loan balance and the market value of a fixed rate loan. The adjustment can be a loss or a gain depending on whether market rates for the remaining term are lower or higher than the original fixed rate.

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Council intends maintaining principal and interest repayment schedules consistent with the fixed rate terms of individual loans so exposures to early repayment adjustment losses are minimised. However, in circumstances where the early repayment adjustment will result in a gain to Council, consideration will be given to early repayment of the relevant loan facilities, subject to evaluation of Council's financial position at the time.

The budgeted loan portfolio of Council for 2018/19 is as follows:

Table 2
Budget Interest and Redemption by Fund/Function for the Year to 30 June 2019

	A	B	C	D	E
					(A – C + D = E)
FUNCTION DESCRIPTION	EST BOOK DEBT BALANCE 01/07/2018	QTC ADMIN and INTEREST	QTC REDEMPTION	NEW ADVANCES	EST BOOK DEBT BALANCE 30/06/2019
Water and Sewerage	<u>36,642,710</u> <u>36,657,223</u>	<u>1,821,860</u> <u>1,822,400</u>	<u>6,307,450</u> <u>6,306,890</u>	800,000	<u>31,135,260</u> <u>31,150,333</u>
Waste and Recycling	<u>12,654,740</u> <u>12,658,975</u>	<u>662,290</u> <u>662,530</u>	<u>2,186,090</u> <u>2,183,450</u>	3,596,850	<u>14,065,500</u> <u>14,072,375</u>
Airport	-	9,170	(9,170)-	6,000,000	6,009,170
Other/ General Functions	<u>74,763,770</u> <u>74,762,796</u>	<u>3,839,660</u> <u>3,839,950</u>	<u>11,818,650</u> <u>11,839,790</u>	<u>44,253,910</u> <u>44,253,910</u>	<u>107,199,030</u> <u>107,005,916</u>
TOTAL ALL FUNDS	<u>124,061,220</u> <u>123,958,994</u>	<u>6,332,980</u> <u>6,332,880</u>	<u>20,303,020</u> <u>20,320,960</u>	<u>54,650,760</u> <u>54,650,760</u>	<u>158,408,960</u> <u>158,512,880</u>

6 Review Timelines

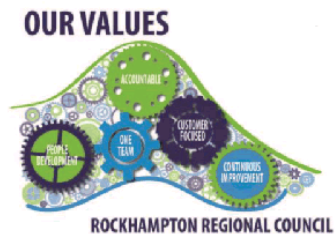
This policy is reviewed when any of the following occur:

- (a) As required by legislation - no later than 30 June 2019 in conjunction with the budget;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

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7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Chief Financial Officer
Policy Quality Control	Legal and Governance



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2018/19 REVISED BUDGET

Estimated Activity Statement for Business Activities

Meeting Date: 18 June 2019

Attachment No: 5

SUMMARY OF INCOME, EXPENDITURE AND COMMUNITY SERVICE OBLIGATIONS

Rockhampton Regional Council
Statement of Significant Business Activities to Which the Code of Competitive Conduct Applies
2018-2019 Financial Year

Budget Report	Airport \$	Water & Sewerage \$	Refuse Collection \$
Revenues for services provided to the Council	\$0	\$0	\$210,000
Revenues for services provided to external clients	\$16,076,503	\$66,502,555	\$19,973,876
Community Service Obligations	\$239,603	\$515,434	\$1,580,226
Total Revenue	\$16,316,106	\$67,017,989	\$21,764,102
Less: Expenditure	-\$13,531,558	-\$46,375,601	-\$17,203,885
Less: Return on Equity	-\$2,491,663	-\$10,795,287	\$0
Surplus/(Deficit)	\$292,885	\$9,847,101	\$4,560,217
List of Community Service Obligations (CSO)			
Royal Flying Doctors Service & Capricorn Rescue Helicopter Service	\$206,603		
Patient Transfer Parking	\$33,000		
Combined Lines and Manholes (Operational and Capital Portions)		\$284,434	
Remissions to Community & Sporting Bodies		\$121,000	
Undetected Leak Rebates		\$110,000	
Clean-up Australia			\$48
Roadside Bin Operations Collection			\$214,682
Roadside Bin Operations Clean Up			\$61,043
Roadside Bin Disposal Costs			\$46,508
Boat Ramp Services			\$3,782
Old Landfill Maintenance Works			\$143,986
Tyres, Oils & Chemicals			\$221,398
Charity Waste Policy			\$50,832
Green Waste			\$679,376
Waste Education			\$24,781
Waste Audit			\$44,283
Sporting Grounds			\$89,508
Total	\$239,603	\$515,434	\$1,580,226

The CSO value is determined by Council and represents an activity's costs which would not be incurred if the activity's primary objective was to make a profit. The Council provides funding from general revenue to the business activity to cover the cost of providing non-commercial community services or costs deemed to be CSO's by the Council.

SUMMARY OF INCOME, EXPENDITURE AND COMMUNITY SERVICE OBLIGATIONS

Rockhampton Regional Council
Statement of Other Business Activities to Which the Code of Competitive Conduct Applies
2018-2019 Financial Year

Budget Report	Building Certification \$
Revenues for services provided to the Council	550
Revenues for services provided to external clients	78,720
Community Service Obligations	196,843
Total Revenue	\$276,113
Less: Expenditure	- 346,054
Less: Return on Equity	-
Surplus/(Deficit)	-\$69,941
<u>List of Community Service Obligations (CSO)</u>	
To assist the business offer services at an affordable price for the customer where a Private Certifiers do not accommodate the market on the basis that any external revenue in this area assists Council to offset its compliance costs that would be greater if the Private Certification services was not offered	\$196,843
Total	\$196,843

The CSO value is determined by Council and represents an activity's costs which would not be incurred if the activity's primary objective was to make a profit. The Council provides funding from general revenue to the business activity to cover the cost of providing non-commercial community services or costs deemed to be CSO's by the Council.

2018/19 REVISED BUDGET

2018/2019 Revised Capital Budget Summary by Cost Centre

Meeting Date: 18 June 2019

Attachment No: 6

2018-19 CAPITAL BUDGET -SUMMARY BY DEPARTMENT

	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	Year 1 Budget 2019-20
Net Expenses - Grand Total	100,330,514	106,428,249	96,945,071	84,599,612	83,093,483
Expenses	131,162,196	140,850,392	132,387,074	123,605,742	149,316,405
Revenue	(30,831,683)	(34,422,143)	(35,442,004)	(39,006,130)	(66,222,923)

				2018-19 Adopted Budget		2018-19 Carryover Budget		2018-19 September Revised Budget		2018-19 March Revised Budget		Year 1 Budget 2019-20	
Line	Department	Cost Center	Cost Centre Description	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense	Revenue	Expense
1	Advance Rockhampton	CP141	Regional Development & Promotions	-150,000	608,000	-150,000	660,798	-150,000	660,798	0	150,798	0	710,000
2	Advance Rockhampton	CP640	Aero	-4,507,590	14,968,770	-4,949,938	15,037,606	-4,949,938	13,537,606	-4,949,938	12,940,770	0	880,900
3	Advance Rockhampton	CP650	Non Aero	0	0	0	420,095	0	834,848	0	1,741,486	-978,900	5,229,800
4	Advance Rockhampton Total			-4,657,590	15,576,770	-5,099,938	16,118,500	-5,099,938	15,033,253	-4,949,938	14,833,054	-978,900	6,820,700
5	Community Services	CP331	Planning Assessment	0	0	0	3,417	0	3,417	0	188,417	0	0
6	Community Services	CP342	Natural Resource Management	-25,157	50,314	-25,157	106,579	-25,157	106,579	-25,157	106,579	0	40,000
7	Community Services	CP450	Capital Facilities Management	-1,209,000	6,583,000	-1,459,000	7,881,692	-2,214,583	8,847,776	-2,508,630	7,541,109	-324,453	3,802,546
8	Community Services	CP520	Arts & Heritage	-5,000	186,000	-5,000	202,273	-5,000	202,273	0	89,773	0	165,300
9	Community Services	CP525	Rockhampton Art Gallery Gift Fund	0	0	0	0	0	0	-28,228	50,000	0	0
10	Community Services	CP530	Libraries	0	15,000	0	20,013	0	20,013	0	0	0	36,413
11	Community Services	CP540	Community Programs	0	67,000	0	133,881	0	133,881	0	133,881	0	31,800
12	Community Services	CP550	Venues & Events	0	101,000	0	90,059	0	90,059	0	60,100	0	302,159
13	Community Services	CP560	Parks Planning & Collections	-4,760,688	8,534,324	-4,580,688	9,268,073	-4,580,688	10,143,873	-5,084,094	10,063,148	-2,196,594	3,386,243
14	Community Services	CP561	Parks Developer Contributions	-40,000	0	-40,000	0	-40,000	0	-40,000	0	-41,000	0
15	Community Services	CP563	2015 Parks Disaster Event	0	2,271,535	-1,000,000	2,493,976	-1,000,000	2,493,976	-1,000,000	2,173,977	0	320,000
16	Community Services	CP564	Gardens	-440,000	2,970,209	60,000	2,970,550	60,000	3,490,550	-1,105,000	4,318,484	-300,000	3,198,496
17	Community Services Total			-6,479,845	20,778,382	-7,805,845	23,170,514	-7,805,842	25,532,397	-9,791,109	24,725,468	-2,862,047	11,282,957
18	Corporate Services	CP230	Communications & Information Technology	0	2,297,882	-725,591	3,473,660	-725,591	3,793,940	-700,591	2,805,100	0	1,754,400
19	Corporate Services	CP235	Smart Regional Centre	-454,000	568,110	-725,591	839,073	-725,591	839,073	-700,591	1,360,073	-225,000	707,000
20	Corporate Services	CP440	Fleet	0	6,513,000	0	7,229,178	-410,728	8,212,776	-410,728	8,212,776	0	5,028,790
21	Corporate Services	CP480	Strategic Projects Regional Services	0	500,000	-1,000,000	764,375	-900,000	588,893	-692,628	419,765	0	0
22	Corporate Services	CP630	Business Support & Development	0	21,000	0	157,350	0	157,350	0	0	0	96,500
23	Corporate Services Total			-454,000	9,899,992	-1,725,591	12,463,636	-2,036,319	13,592,032	-1,803,947	12,797,713	-225,000	7,586,690
24	Regional Services	CP401	Civil Operations Management	0	1,303,000	0	1,219,109	0	1,199,009	0	694,909	0	1,368,000
25	Regional Services	CP412	March 2017 Rural Flood Disaster	-4,789,259	4,251,668	-3,327,534	4,108,511	-3,327,534	4,108,511	-2,567,910	4,384,794	-600,000	0
26	Regional Services	CP413	March 2017 Urban Flood Disaster	-2,632,412	4,505,913	-2,428,578	4,523,158	-3,002,328	5,481,845	-1,821,796	3,169,673	-277,447	630,000
27	Regional Services	CP414	July 2016 Rural Disaster Event	-375,548	740,600	-375,548	646,032	-375,548	646,032	-185,837	470,000	-47,000	0
28	Regional Services	CP415	July 2016 Urban Disaster Event	-88,916	189,264	-88,916	176,380	-88,916	176,380	-145,584	223,677	-20,000	0
29	Regional Services	CP417	2015 Urban Disaster Reconstruction	0	0	0	0	0	0	-1,394,221	1,837,407	-183,741	0
30	Regional Services	CP420	Revenue Civil Operations	-6,765,113	0	-7,462,552	0	-7,762,552	0	-8,687,842	0	-6,075,213	0
31	Regional Services	CP422	Rural Operations West	0	5,703,000	0	5,727,000	0	5,877,000	0	6,379,400	0	6,930,252
32	Regional Services	CP427	Central Urban Operations	0	20,454,992	0	21,103,403	0	21,098,403	-900,000	19,286,454	-900,000	23,580,740
33	Regional Services	CP428	West Urban Operations	0	2,295,000	0	2,308,400	0	2,908,400	0	3,465,902	0	2,638,600
34	Regional Services	CP430	Engineering Services	0	157,000	0	743,500	0	843,500	0	651,000	-75,000	180,000
35	Regional Services	CP431	Engineering Services Revenue	-500,000	0	-500,000	0	-500,000	0	-500,000	0	-1,025,000	0
36	Regional Services	CP460	Riverbank Redevelopment Projects	-1,000,000	1,500,000	-1,699,641	1,737,110	-1,699,641	1,737,110	-1,244,641	237,110	-545,000	1,090,000
37	Regional Services	CP470	Cbd Cultural Precinct	-2,000,000	4,050,000	-2,000,000	4,009,805	0	4,089,083	0	3,418,987	-19,600,000	23,000,000
38	Regional Services	CP471	Rton Flood Mitigation Project	0	6,000,000	0	6,096,150	0	6,100,000	-1,750,000	5,300,000	-31,750,000	42,800,000
39	Regional Services	CP620	Waste	0	3,137,216	0	3,692,422	-79,800	5,316,422	-109,342	5,481,274	-12,138	3,878,393
40	Regional Services	CP761	Capital Control-Network Water-Mt Morgan	0	1,003,000	0	900,000	0	900,000	0	743,000	0	772,900
41	Regional Services	CP762	Capital Control-Network Water-Rockhampton	0	3,012,000	0	4,054,000	0	5,054,000	0	7,270,000	0	3,678,900
42	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	0	50,000	0	148,500	0	148,500	0	169,000	0	30,000
43	Regional Services	CP765	Capital Control-Process Water-Rockhampton	0	2,576,000	0	3,239,000	0	3,239,000	0	1,001,200	0	4,643,000
44	Regional Services	CP781	Capital Control-Network Sewerage-Mt Morgan	0	0	0	100,000	0	100,000	0	300,000	0	0
45	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Goe	0	1,674,000	0	1,674,000	0	1,674,000	0	1,892,400	0	2,224,800
46	Regional Services	CP784	Capital Control-Process Sewerage-Mt Morgan	0	0	0	266,500	0	266,500	0	268,500	0	0
47	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Goe	0	5,194,400	0	5,334,512	0	5,475,448	0	4,227,000	0	4,098,900
48	Regional Services	CP790	Fitzroy River Water General Admin	-1,089,000	1,040,000	-2,664,000	1,020,000	-3,664,000	1,020,000	-3,164,063	282,000	-1,146,437	1,370,600
49	Regional Services Total			-19,240,248	68,837,052	-20,546,769	72,827,492	-20,500,319	77,459,143	-22,461,135	71,153,687	-62,156,976	122,915,085
50	Resourcing	CP910	Capital Control-Whole Of Council	0	16,070,000	0	16,270,250	0	770,250	0	95,820	0	710,973
51	Resourcing Total			0	16,070,000	0	16,270,250	0	770,250	0	95,820	0	710,973
52	Grand Total			-30,831,683	131,162,196	-34,422,143	140,850,392	-35,442,004	132,387,074	-39,006,130	123,605,742	-66,222,923	149,316,405

2018/19 REVISED BUDGET

2018/2019 Revised Capital Budget Projects

Meeting Date: 18 June 2019

Attachment No: 7

2018-19 CAPITAL BUDGET - LIST OF CAPITAL PROJECTS

						2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Adopted Budget	2018-19 Movement (March - September)
Net Expenses - Grand Total						100,330,514	106,428,249	96,945,071	84,599,612	83,093,483	(12,345,458)
Expense						131,162,196	140,850,392	132,387,074	123,605,742	149,316,405	(8,781,332)
Revenue						(30,831,683)	(34,422,143)	(35,442,004)	(39,006,130)	(66,222,923)	(3,564,126)
Line	Department	Cost Center	Cost Centre Description	Account Type	Project Description	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Draft Adopted Budget	2018-19 Movement (March - September)
1	Advance Rockhampton	CP141	Regional Development & Promotions	Expense	Regional Signage	308,000	360,798	360,798	150,798	310,000	-210,000
2	Advance Rockhampton	CP141	Regional Development & Promotions	Revenue	[R] Refurbish Visitor Info Centre Spire	-150,000	-150,000	-150,000	0	0	150,000
3	Advance Rockhampton	CP141	Regional Development & Promotions	Expense	[R] Refurbish Visitor Info Centre Spire	300,000	300,000	300,000	0	50,000	-300,000
4	Advance Rockhampton	CP141	Regional Development & Promotions	Expense	[N] Plant and equipment for Rocky Nats event	0	0	0	0	350,000	0
5	Advance Rockhampton	CP141	Regional Development & Promotions Total			458,000	510,798	510,798	150,798	710,000	-360,000
6	Advance Rockhampton	CP640	Aero	Expense	[R] RPT Apron Lighting	572,000	466,255	466,255	233,000	233,000	-233,255
7	Advance Rockhampton	CP640	Aero	Expense	[N] GA Apron Lighting	159,000	339,675	339,675	160,000	180,000	-179,675
8	Advance Rockhampton	CP640	Aero	Revenue	[R] Runway Lighting Power Distribution and Switching System	0	-38,233	-38,233	-38,233	0	0
9	Advance Rockhampton	CP640	Aero	Expense	[R] Runway Lighting Power Distribution and Switching System	0	0	0	0	100,000	0
10	Advance Rockhampton	CP640	Aero	Expense	[R] Terminal Building Airside Water Main Replacement	0	0	0	0	117,900	0
11	Advance Rockhampton	CP640	Aero	Revenue	[R] Airport Pavement Renewal Project	-4,507,590	-4,911,705	-4,911,705	-4,911,705	0	0
12	Advance Rockhampton	CP640	Aero	Expense	[R] Airport Pavement Renewal Project	13,987,770	13,987,770	12,487,770	12,487,770	0	0
13	Advance Rockhampton	CP640	Aero	Expense	[U] Improve Airside Stormwater Management	20,000	220,000	220,000	60,000	250,000	-160,000
14	Advance Rockhampton	CP640	Aero	Expense	[R] Replace General Aviation Power Switchboards	0	2,906	2,906	0	0	-2,906
15	Advance Rockhampton	CP640	Aero	Expense	[R] Roads Resurfacing - Apron Road to Gate 7	209,000	0	0	0	0	0
16	Advance Rockhampton	CP640	Aero	Expense	[R] Replace HV Cable Feeds	21,000	21,000	21,000	0	0	-21,000
17	Advance Rockhampton	CP640	Aero Total			10,461,180	10,087,668	8,587,668	7,990,832	880,900	-596,836
18	Advance Rockhampton	CP650	Non Aero	Expense	[R] Repairs to Defence Deployment Areas	0	0	0	0	52,300	0
19	Advance Rockhampton	CP650	Non Aero	Revenue	[R] Replacement CBS (Security) Equipment	0	0	0	0	-978,900	0
20	Advance Rockhampton	CP650	Non Aero	Expense	[R] Replacement CBS (Security) Equipment	0	0	0	0	978,900	0
21	Advance Rockhampton	CP650	Non Aero	Expense	[R] Renewal of aviation security infrastructure	0	14,799	14,799	40,900	0	26,101
22	Advance Rockhampton	CP650	Non Aero	Expense	[R] Refurbish Terminal Toilets	0	15,964	15,964	0	0	-15,964
23	Advance Rockhampton	CP650	Non Aero	Expense	[R] Replace Terminal Skirting Boards	0	0	0	0	20,000	0
24	Advance Rockhampton	CP650	Non Aero	Expense	[R] Replace Airconditioning System Chilled Water Unit	0	143,500	143,500	350,000	1,000,000	206,500
25	Advance Rockhampton	CP650	Non Aero	Expense	[U] Terminal master planning and reconfiguration	0	10,000	10,000	0	0	-10,000
26	Advance Rockhampton	CP650	Non Aero	Expense	[R] Terminal Refurbishment - auto doors	0	100,000	100,000	100,000	0	0
27	Advance Rockhampton	CP650	Non Aero	Expense	[R] Terminal Refurbishment - fire indication panel	0	0	0	0	107,600	0
28	Advance Rockhampton	CP650	Non Aero	Expense	[R] Terminal Refurbishment - PA system	0	0	0	0	50,000	0
29	Advance Rockhampton	CP650	Non Aero	Expense	[R] Replace existing storage-workshop-office-lunchroom Rose	0	135,833	135,833	135,833	0	0
30	Advance Rockhampton	CP650	Non Aero	Expense	[R] Hertz Building	0	0	164,753	164,753	0	0
31	Advance Rockhampton	CP650	Non Aero	Expense	[R] Airport Infrastructure Planning	0	0	150,000	150,000	0	0
32	Advance Rockhampton	CP650	Non Aero	Expense	[R] Airport Terminal Designs & Investigations	0	0	100,000	100,000	0	0
33	Advance Rockhampton	CP650	Non Aero	Expense	[U]Terminal LV Cable Upgrade	0	0	0	350,000	0	350,000
34	Advance Rockhampton	CP650	Non Aero	Expense	[R] CCTV Equipment	0	0	0	0	150,000	0
35	Advance Rockhampton	CP650	Non Aero	Expense	[R] Flight Information Display System	0	0	0	0	171,000	0
36	Advance Rockhampton	CP650	Non Aero	Expense	[R]Terminal Refurbishment	0	0	0	350,000	2,700,000	350,000
37	Advance Rockhampton	CP650	Non Aero Total			0	420,095	834,848	1,741,486	4,250,900	906,638
38	Advance Rockhampton Total					10,919,180	11,018,562	9,933,315	9,883,116	5,841,800	-50,199
39	Community Services	CP331	Planning Assessment	Expense	[N] Development Advice Centre - Modify building	0	3,417	3,417	3,417	0	0
40	Community Services	CP331	Planning Assessment	Expense	[U] ELodgement Pathway External Name Function	0	0	0	35,000	0	35,000
41	Community Services	CP331	Planning Assessment	Expense	[U] Office Fitout - Unit 2 Walter Reid	0	0	0	150,000	0	150,000
42	Community Services	CP331	Planning Assessment Total			0	3,417	3,417	188,417	0	185,000
43	Community Services	CP342	Natural Resource Management	Revenue	[N] Bio tanks - Dooley St Environmental (CP910 to be transferred to CP342)	-25,157	-25,157	-25,157	-25,157	0	0
44	Community Services	CP342	Natural Resource Management	Expense	[N] Bio tanks - Dooley St Environmental (CP910 to be transferred to CP342)	50,314	28,579	28,579	28,579	0	0
45	Community Services	CP342	Natural Resource Management	Expense	[R] Purchase 3 Quik Spray FTBT-400 Quik Spray Locker System	0	78,000	78,000	78,000	25,000	0
46	Community Services	CP342	Natural Resource Management	Expense	[R] Noise Meter	0	0	0	0	15,000	0
47	Community Services	CP342	Natural Resource Management Total			25,157	81,422	81,422	81,422	40,000	0
48	Community Services	CP450	Capital Facilities Management	Expense	[R] Amenities Program Renew and Upgrade	308,000	308,000	308,000	308,000	50,000	-0
49	Community Services	CP450	Capital Facilities Management	Expense	[R] Rton Showgrounds Switchboard enclosure Renewal	62,000	62,000	62,000	62,004	63,600	4
50	Community Services	CP450	Capital Facilities Management	Expense	[R] City Hall Refurbishment	52,000	52,000	52,000	42,000	0	-10,000
51	Community Services	CP450	Capital Facilities Management	Expense	[R] Kershaw Gardens - Waterfall - Renewal of facade pumping	458,000	480,426	480,426	45,000	435,426	-435,426

Line	Department	Cost Center	Cost Centre Description	Account Type	Project Description	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Draft Adopted Budget	Movement (March - September)
52	Community Services	CP450	Capital Facilities Management	Expense	[R] Schotia Place - undertake structural rectification works	200,000	200,000	200,000	200,000	0	-0
53	Community Services	CP450	Capital Facilities Management	Expense	[N] Gracemere Pound Facility Construction	0	242,638	242,638	246,050	0	3,412
54	Community Services	CP450	Capital Facilities Management	Expense	[N] Queens Park - Repaint amenities block plant	0	28,140	28,140	0	0	-28,140
55	Community Services	CP450	Capital Facilities Management	Expense	[R] Access Road renewal program - priorities provided by Civil Operations	308,000	487,584	487,584	352,000	283,900	-135,584
56	Community Services	CP450	Capital Facilities Management	Expense	[R] CCTV Renewal Program	103,000	103,000	103,000	83,008	125,600	-19,992
57	Community Services	CP450	Capital Facilities Management	Expense	[R] Pool Renewal Program	51,000	51,000	51,000	20,000	61,000	-31,000
58	Community Services	CP450	Capital Facilities Management	Expense	[R] Air-conditioner Replacement Program	103,000	114,219	114,219	114,219	105,600	0
59	Community Services	CP450	Capital Facilities Management	Expense	[R] Flooring Renewal Program	103,000	122,366	122,366	112,365	70,000	-10,001
60	Community Services	CP450	Capital Facilities Management	Expense	[R] Mt Morgan Depot Renewal	0	55,681	55,681	15,000	200,000	-40,681
61	Community Services	CP450	Capital Facilities Management	Expense	[N] Music Bowl - Demolish roof	103,000	153,000	153,000	0	152,720	-153,000
62	Community Services	CP450	Capital Facilities Management	Expense	[R/D] Rockhampton Showgrounds - Stud cattle Pavilion replace	160,000	164,127	164,127	164,127	0	0
63	Community Services	CP450	Capital Facilities Management	Expense	[R] Depot Master Planning	0	30,000	30,000	0	30,000	-30,000
64	Community Services	CP450	Capital Facilities Management	Expense	[R] Walter Reid Centre - replace lift	290,000	285,519	285,519	205,519	0	-80,000
65	Community Services	CP450	Capital Facilities Management	Expense	[R] Archer Park Railway Station W4Q	0	13,030	13,030	0	0	-13,030
66	Community Services	CP450	Capital Facilities Management	Revenue	[R] Rockhampton Heritage Village Amenities Block Replacement	-100,000	-100,000	-100,000	-65,089	0	34,911
67	Community Services	CP450	Capital Facilities Management	Expense	[R] Rockhampton Heritage Village Amenities Block Replacement	0	34,957	34,957	0	0	-34,957
68	Community Services	CP450	Capital Facilities Management	Revenue	[U] Rockhampton Heritage Village Lighting Upgrade W4Q	-75,000	-75,000	-75,000	-75,000	0	0
69	Community Services	CP450	Capital Facilities Management	Expense	[U] Rockhampton Heritage Village Lighting Upgrade W4Q	0	142,875	142,875	142,875	0	0
70	Community Services	CP450	Capital Facilities Management	Revenue	[U] REV-Facilities Upgrades W4Q	-74,000	-74,000	-74,000	-60,559	0	13,441
71	Community Services	CP450	Capital Facilities Management	Revenue	[U] SES Facilities Upgrades W4Q	-250,000	-500,000	-500,000	-958,852	0	-458,852
72	Community Services	CP450	Capital Facilities Management	Expense	[U] SES Facilities Upgrades W4Q	480,000	742,461	742,461	1,065,813	0	323,352
73	Community Services	CP450	Capital Facilities Management	Revenue	[U] Reception Room at Rockhampton City Hall W4Q	-650,000	-650,000	-650,000	-530,000	0	120,000
74	Community Services	CP450	Capital Facilities Management	Expense	[U] Reception Room at Rockhampton City Hall W4Q	1,170,000	1,231,736	1,231,736	1,231,736	0	-0
75	Community Services	CP450	Capital Facilities Management	Revenue	[N] Stapleton Park Toilets W4Q	-60,000	-60,000	-60,000	-54,500	0	5,500
76	Community Services	CP450	Capital Facilities Management	Expense	[N] Stapleton Park Toilets W4Q	50,000	110,062	110,061	110,061	0	-0
77	Community Services	CP450	Capital Facilities Management	Expense	[U] Mt Morgan Administration office roof replacement W4Q	0	1,250	1,250	0	0	-1,250
78	Community Services	CP450	Capital Facilities Management	Expense	[U] Japanese Gardens shelter repair defects W4Q	0	12,307	12,307	0	0	-12,307
79	Community Services	CP450	Capital Facilities Management	Expense	[R] 239 Rockonia Road	40,000	40,000	40,000	0	0	-40,000
80	Community Services	CP450	Capital Facilities Management	Expense	[R] 42nd Battalion Memorial Pool Fence Replacement	80,000	80,000	80,000	0	80,000	-80,000
81	Community Services	CP450	Capital Facilities Management	Expense	[R] North Rock Pool Residence Internal works	55,000	55,000	55,000	55,000	0	0
82	Community Services	CP450	Capital Facilities Management	Expense	[R] Pilbeam Theatre Backstage Facilities Renewal	67,000	67,000	67,000	67,000	0	0
83	Community Services	CP450	Capital Facilities Management	Expense	[R] Pilbeam Theatre Art Gallery Wheelchair access	55,000	55,000	55,000	140,000	0	85,000
84	Community Services	CP450	Capital Facilities Management	Expense	[R] Rovers Cricket & Hockey Club House Birdwood Park (Kalka Shades)	16,000	15,861	15,861	15,795	0	-66
85	Community Services	CP450	Capital Facilities Management	Expense	[R] Showgrounds Robert Schwartz Pavilion	183,000	183,000	183,000	125,000	0	-58,000
86	Community Services	CP450	Capital Facilities Management	Expense	[R] Victoria Park Cricket Clubhouse	30,000	30,000	30,000	0	30,000	-30,000
87	Community Services	CP450	Capital Facilities Management	Expense	[R] Regional Library replace internal sliding security door	25,000	25,000	25,000	0	0	-25,000
88	Community Services	CP450	Capital Facilities Management	Expense	[U] Energy Efficiency Program	72,000	72,000	72,000	72,000	0	0
89	Community Services	CP450	Capital Facilities Management	Expense	[U] Botanic Gardens Admin Install Cardax	50,000	50,000	50,000	40,000	0	-10,000
90	Community Services	CP450	Capital Facilities Management	Expense	[U] Mt M Pool replace filters & plant room	300,000	300,000	300,000	100,000	600,000	-200,000
91	Community Services	CP450	Capital Facilities Management	Expense	[U] Pilbeam Theatre Fire Panel Upgrade	80,000	80,000	80,000	80,000	0	-0
92	Community Services	CP450	Capital Facilities Management	Expense	[U] Northside Pool Perimeter Fence	10,000	10,000	10,000	200,000	0	190,000
93	Community Services	CP450	Capital Facilities Management	Expense	[U] Parks Electrical Assets	170,000	170,000	170,000	110,000	152,300	-60,000
94	Community Services	CP450	Capital Facilities Management	Expense	[R] Fairy Lights East St Replacement	65,000	65,000	65,000	5,000	0	-60,000
95	Community Services	CP450	Capital Facilities Management	Expense	[R/D] Park Avenue CWA Hall	30,000	30,000	30,000	0	30,000	-30,000
96	Community Services	CP450	Capital Facilities Management	Expense	[R/D] Rock Showgrds Robert Schwartz Pavilion	149,000	149,000	149,000	115,000	0	-34,000
97	Community Services	CP450	Capital Facilities Management	Expense	[R] 128 Western St - Amenities Block	17,000	17,000	17,000	0	0	-17,000
98	Community Services	CP450	Capital Facilities Management	Expense	[R] City Hall Defects	42,000	42,000	42,000	42,000	0	0
99	Community Services	CP450	Capital Facilities Management	Expense	[R] Cricket Grounds Grandstand & Changerooms	67,000	67,000	67,000	67,000	0	0
100	Community Services	CP450	Capital Facilities Management	Expense	[R] Gme Childcare replace fence	36,000	36,000	36,000	36,000	0	0
101	Community Services	CP450	Capital Facilities Management	Expense	[R] Mt Morgan Rail complex external works	500,000	500,000	500,000	500,000	0	-0
102	Community Services	CP450	Capital Facilities Management	Expense	[R] Mt M Showgrds Amenities Demountable defects	18,000	18,000	18,000	18,000	0	0
103	Community Services	CP450	Capital Facilities Management	Expense	[R] Pilbeam Theatre understage dressing rooms	41,000	41,000	41,000	34,000	0	-7,000
104	Community Services	CP450	Capital Facilities Management	Expense	[R] Showgrds Replace 5 Lge portable grandstands	220,000	220,000	220,000	245,000	0	25,000
105	Community Services	CP450	Capital Facilities Management	Expense	[U] Pilbeam Theatre Review New Aircon Plant	62,000	62,000	62,000	10,000	0	-52,000
106	Community Services	CP450	Capital Facilities Management	Expense	[U] Pilbeam Theatre Plan Façade and Roof Renewal	77,000	77,000	77,000	17,000	0	-60,000
107	Community Services	CP450	Capital Facilities Management	Expense	[N] CCTV North Rockhampton Boat ramp	25,000	25,000	45,000	55,000	0	10,000
108	Community Services	CP450	Capital Facilities Management	Revenue	[N] Jardine Park Amenities	0	0	489,083	-464,630	-24,453	24,453
109	Community Services	CP450	Capital Facilities Management	Expense	[N] Jardine Park Amenities	0	0	489,083	489,083	0	0
110	Community Services	CP450	Capital Facilities Management	Expense	[R] Relocate part of Gardens depot to Dooley Street due to Ann St Depot fire	0	71,454	71,454	21,454	50,000	-50,000
111	Community Services	CP450	Capital Facilities Management	Expense	[R] Mount Morgan Child Care Air-conditioning	0	0	100,000	55,000	0	-45,000
112	Community Services	CP450	Capital Facilities Management	Expense	[N] Recycle Shed Fitout	0	0	312,000	292,000	20,000	-20,000
113	Community Services	CP450	Capital Facilities Management	Revenue	[R] Botanic Gardens Depot Insurance	0	0	-266,500	0	0	266,500

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114	Community Services	CP450	Capital Facilities Management	Expense	[R] Botanic Gardens Depot Repair	0	0	20,000	0	20,000	-20,000
115	Community Services	CP450	Capital Facilities Management	Expense	[U] Recycle House Communications Upgrade	0	0	25,000	15,000	10,000	-10,000
116	Community Services	CP450	Capital Facilities Management	Revenue	[R] Heritage Village - Lighting upgrades - W4QR3	0	0	0	-150,000	-150,000	-150,000
117	Community Services	CP450	Capital Facilities Management	Expense	[R] Heritage Village - Lighting upgrades - W4QR3	0	0	0	0	10,000	0
118	Community Services	CP450	Capital Facilities Management	Revenue	[U] Tourist Information Centre Upgrades - W4QR3	0	0	0	-150,000	-150,000	-150,000
119	Community Services	CP450	Capital Facilities Management	Expense	[U] Tourist Information Centre Upgrades - W4QR3	0	0	0	0	300,000	0
120	Community Services	CP450	Capital Facilities Management	Expense	[U] Dooley Street Depot Security System Upgrade	0	0	0	0	100,000	0
121	Community Services	CP450	Capital Facilities Management	Expense	[R] Aged Persons Accommodation - 28 Pattison St, Mt Morgan - Unit 1	0	0	0	0	15,400	0
122	Community Services	CP450	Capital Facilities Management	Expense	[R] Pilbeam Theatre - Main Foyer doors	0	0	0	0	70,000	0
123	Community Services	CP450	Capital Facilities Management	Expense	[N] Motorised Vacuum Cleaner	0	0	0	0	90,000	0
124	Community Services	CP450	Capital Facilities Management	Expense	[N] Tool of Trade Vehicle - Carpenter (Facilities)	0	0	0	0	38,000	0
125	Community Services	CP450	Capital Facilities Management	Expense	[R] Dooley Street - Fire Panel Renewal	0	0	0	0	15,000	0
126	Community Services	CP450	Capital Facilities Management	Expense	[R] Pilbeam Theatre - Replacement of Ageing Aircon Plant	0	0	0	0	300,000	0
127	Community Services	CP450	Capital Facilities Management	Expense	[R] Gracemere Library - Fire Panel Renewal	0	0	0	0	12,000	0
128	Community Services	CP450	Capital Facilities Management	Expense	[R] Pilbeam Theatre - Replace existing door locking for fire edgress	0	0	0	0	47,000	0
129	Community Services	CP450	Capital Facilities Management	Expense	[U] Dooley Street Depot- Generator Receptacle and Changeover Switch	0	0	0	0	45,000	0
130	Community Services	CP450	Capital Facilities Management	Expense	[R] City Hall Pathway Renewals	0	0	0	0	15,000	0
131	Community Services	CP450	Capital Facilities Management	Expense	Schottia Place - Renewal/Upgrade of commercial kitchens	0	0	0	0	62,000	0
132	Community Services	CP450	Capital Facilities Management	Expense	[R] Dooley Street Depot - Fleet Services workshop - Rectification of non-compliance	0	0	0	0	42,000	0
133	Community Services	CP450	Capital Facilities Management	Expense	[R] Botanic Gardens Zoo - Chimp enclosure windows	0	0	0	0	36,000	0
134	Community Services	CP450	Capital Facilities Management	Expense	Pilbeam Theatre Foyer Lighting	0	0	0	0	35,000	0
135	Community Services	CP450	Capital Facilities Management Total			5,374,000	6,422,692	6,633,193	5,032,479	3,478,093	-1,600,714
136	Community Services	CP520	Arts & Heritage	Expense	[N] Artwork acquisitions Art Gallery	21,000	47,273	47,273	68,773	20,000	21,500
137	Community Services	CP520	Arts & Heritage	Revenue	[N] Acquisition of Art from Bayton Award	-5,000	-5,000	-5,000	0	0	5,000
138	Community Services	CP520	Arts & Heritage	Expense	[N] Acquisition of Art from Bayton Award	5,000	5,000	5,000	0	5,000	-5,000
139	Community Services	CP520	Arts & Heritage	Expense	[N] Public Art - Barramundi Riverbank	100,000	90,000	90,000	0	90,000	-90,000
140	Community Services	CP520	Arts & Heritage	Expense	[R] Public Art Conservation/Management	20,000	20,000	20,000	0	0	-20,000
141	Community Services	CP520	Arts & Heritage	Expense	[R] Art Collection Management System	40,000	40,000	40,000	0	40,000	-40,000
142	Community Services	CP520	Arts & Heritage	Expense	Art Gallery Gold Award Purchases	0	0	0	21,000	0	21,000
143	Community Services	CP520	Arts & Heritage	Expense	Replace audio equipment Shearing Shed	0	0	0	0	10,300	0
144	Community Services	CP520	Arts & Heritage Total			181,000	197,273	197,273	89,773	165,300	-107,500
145	Community Services	CP525	Rockhampton Art Gallery Gift Fund	Revenue	Rockhampton Art Gallery Gift Fund - Contributions Suspense	0	0	0	-28,228	0	-28,228
146	Community Services	CP525	Rockhampton Art Gallery Gift Fund	Expense	Rockhampton Art Gallery Gift Fund - Contributions Suspense	0	0	0	50,000	0	50,000
147	Community Services	CP525	Rockhampton Art Gallery Gift Fund Total			0	0	0	21,772	0	21,772
148	Community Services	CP530	Libraries	Expense	[R] North Rockhampton Library	15,000	15,000	15,000	0	15,000	-15,000
149	Community Services	CP530	Libraries	Expense	[R] Rockhampton Regional Library Renewal Program	0	0	0	0	16,400	0
150	Community Services	CP530	Libraries	Expense	Audio & Video Gracemere Library	0	2,500	2,500	0	2,500	-2,500
151	Community Services	CP530	Libraries	Expense	Video and Audio Fitzroy Room Rock Library	0	2,513	2,513	0	2,513	-2,513
152	Community Services	CP530	Libraries Total			15,000	20,013	20,013	0	36,413	-20,013
153	Community Services	CP540	Community Programs	Expense	[R] City Occasional Child Care Centre	10,000	10,000	10,000	10,000	0	0
154	Community Services	CP540	Community Programs	Expense	[N] Access and Equity Upgrade Projects	31,000	97,881	97,881	97,881	31,800	0
155	Community Services	CP540	Community Programs	Expense	[U] Renewal of CCTV cameras	26,000	26,000	26,000	26,000	0	-0
156	Community Services	CP540	Community Programs Total			67,000	133,881	133,881	133,881	31,800	0
157	Community Services	CP550	Venues & Events	Expense	[U] Events Perfect Venues Management System	0	9,697	9,697	0	9,697	-9,697
158	Community Services	CP550	Venues & Events	Expense	[N] Media Server for Pilbeam Theatre	0	0	0	0	35,000	0
159	Community Services	CP550	Venues & Events	Expense	[R] Replace Venue and Signage AV distribution	31,000	10,362	10,362	0	30,362	-10,362
160	Community Services	CP550	Venues & Events	Expense	[R] Pilbeam Theatre Overhead Stage Lighting Equipment	0	0	0	0	63,600	0
161	Community Services	CP550	Venues & Events	Expense	[R] Replace Pilbeam Theatre OH Stage & FOH Lighting Moving Fixtures	60,000	60,000	60,000	59,970	61,530	-30
162	Community Services	CP550	Venues & Events	Expense	[R] Stage lift investigation review/upgrade	10,000	10,000	10,000	130	9,870	-9,870
163	Community Services	CP550	Venues & Events	Expense	[R] Replace Pilbeam Front Door to Sliding	0	0	0	0	20,500	0
164	Community Services	CP550	Venues & Events	Expense	[R] Swap Pilbeam crash bars for all Pilbeam doors	0	0	0	0	10,300	0
165	Community Services	CP550	Venues & Events	Expense	[R] Replace Pilbeam DR AC	0	0	0	0	51,300	0
166	Community Services	CP550	Venues & Events	Expense	[N] Projector and associated equipment	0	0	0	0	10,000	0
167	Community Services	CP550	Venues & Events Total			101,000	90,059	90,059	60,100	302,159	-29,959
168	Community Services	CP560	Parks Planning & Collections	Expense	[N] Playground Shade Construction Program	1,100	0	0	0	100,000	0
169	Community Services	CP560	Parks Planning & Collections	Expense	[N] Local Parks Playground Program	0	0	0	0	51,300	0
170	Community Services	CP560	Parks Planning & Collections	Expense	[R] Playground - Equipment Renewal Program	300,000	479,000	479,000	479,000	215,000	-0
171	Community Services	CP560	Parks Planning & Collections	Expense	[R] Picnic Tables and Seating Renewal Program	10,000	13,866	13,866	13,866	50,000	0
172	Community Services	CP560	Parks Planning & Collections	Expense	[R] Fencing/Gates/Bollards Renewal Program	15,000	19,463	19,463	19,463	30,000	-0
173	Community Services	CP560	Parks Planning & Collections	Expense	[R] Footpaths Renewal Program	77,000	149,598	149,598	149,600	50,000	2
174	Community Services	CP560	Parks Planning & Collections	Revenue	[N] Hockey Redevelopment	-2,234,094	-2,234,094	-2,234,094	-1,537,500	-696,594	696,594
175	Community Services	CP560	Parks Planning & Collections	Expense	[N] Hockey Redevelopment	3,686,020	3,473,308	3,473,308	3,855,308	0	382,000

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176	Community Services	CP560	Parks Planning & Collections	Expense	[R] BBQ Renewal Program	110,000	116,000	116,000	116,000	30,000	-0
177	Community Services	CP560	Parks Planning & Collections	Expense	[N] Extension of Gracemere Cemetery	154,000	157,609	157,609	157,609	210,100	0
178	Community Services	CP560	Parks Planning & Collections	Expense	[R] Zoo Improvements	0	70,000	70,000	0	0	-70,000
179	Community Services	CP560	Parks Planning & Collections	Expense	[R] Zoo-renewal of internal pathways	15,000	50,000	50,000	50,000	0	-0
180	Community Services	CP560	Parks Planning & Collections	Expense	[R] Botanic Gardens-Japanese Gardens pond restoration	0	30,000	30,000	30,000	40,000	0
181	Community Services	CP560	Parks Planning & Collections	Revenue	[U] Mt Morgan Streetscape Improvement	0	-20,000	-20,000	0	0	20,000
182	Community Services	CP560	Parks Planning & Collections	Expense	[R] Parks Improvement in Currajong	0	5,007	5,007	0	5,007	-5,007
183	Community Services	CP560	Parks Planning & Collections	Expense	[R] Playground Equipment	11,610	22,860	22,860	22,860	0	0
184	Community Services	CP560	Parks Planning & Collections	Expense	[R] Bajool Amenities Building	0	40,000	40,000	0	40,000	-40,000
185	Community Services	CP560	Parks Planning & Collections	Revenue	[N] NPSR - Get Playing Plus - Hockey	-946,594	-946,594	-946,594	-946,594	0	0
186	Community Services	CP560	Parks Planning & Collections	Expense	[N] NPSR - Get Playing Plus - Hockey	946,594	946,594	1,878,594	946,594	0	-932,000
187	Community Services	CP560	Parks Planning & Collections	Expense	[U] Janet Pajolas Park - Proposed Orchard & All	0	8,250	8,250	0	8,250	-8,250
188	Community Services	CP560	Parks Planning & Collections	Expense	[U] Janet Pajolas Park - Proposed Orchard & All Abilities Pathways	0	50,000	50,000	50,000	0	0
189	Community Services	CP560	Parks Planning & Collections	Expense	[N] Off leash dog enclosure - adjacent to All Blacks Fields (Lakes)	0	5,901	5,901	5,901	0	-0
190	Community Services	CP560	Parks Planning & Collections	Expense	[N] Springers Lagoon Gracemere	0	12,996	12,996	12,996	0	0
191	Community Services	CP560	Parks Planning & Collections	Expense	[N] Springers Lagoon Gracemere	0	2,600	2,600	2,600	0	-0
192	Community Services	CP560	Parks Planning & Collections	Revenue	[N] Fraser Park Stage 1C Mt Archer	0	0	0	0	-50,000	0
193	Community Services	CP560	Parks Planning & Collections	Expense	[N] Fraser Park Stage 1C - Connecting paths	300,000	598,680	598,680	598,680	0	0
194	Community Services	CP560	Parks Planning & Collections	Revenue	[N] Fraser Park Stage 1B - Elevated Boardwalk W4Q	-200,000	-200,000	-200,000	-200,000	-100,000	0
195	Community Services	CP560	Parks Planning & Collections	Expense	[N] Fraser Park Stage 1B - Elevated Boardwalk W4Q	730,000	772,181	772,181	772,181	0	0
196	Community Services	CP560	Parks Planning & Collections	Expense	[N] Scrubber for Riverbank area (maintained by Parks)	0	10,000	10,000	0	0	-10,000
197	Community Services	CP560	Parks Planning & Collections	Expense	[N] Playground Equipment for Rose Swadling Park	0	580	580	0	0	-580
198	Community Services	CP560	Parks Planning & Collections	Expense	[N] Playground Equipment for Geman Street Park	0	580	580	0	0	-580
199	Community Services	CP560	Parks Planning & Collections	Revenue	Fraser Park Stage 1 D/E - Munda-gudda Discovery Path	-1,300,000	-1,100,000	-1,100,000	-1,100,000	-450,000	0
200	Community Services	CP560	Parks Planning & Collections	Expense	Fraser Park Stage 1 D/E - Munda-gudda Discovery Path	1,280,000	1,300,000	1,300,000	1,300,000	450,000	0
201	Community Services	CP560	Parks Planning & Collections	Expense	[N] Mt Morgan Cemetery - Columbarium	30,000	30,000	30,000	30,000	0	0
202	Community Services	CP560	Parks Planning & Collections	Expense	[N] Sand cleaning machine Kershaw Gardens	100,000	100,000	43,800	490	0	-43,310
203	Community Services	CP560	Parks Planning & Collections	Expense	[R] Access Roads & Carparks Renewal Program	123,000	123,000	123,000	100,000	100,000	-23,000
204	Community Services	CP560	Parks Planning & Collections	Expense	[R] Water Fountain renewals	50,000	50,000	50,000	30,000	50,000	-20,000
205	Community Services	CP560	Parks Planning & Collections	Expense	[U] Southside pool upgrades	50,000	50,000	50,000	0	0	-50,000
206	Community Services	CP560	Parks Planning & Collections	Expense	[N] All weather/bird proof bin surrounds	20,000	20,000	20,000	20,000	30,000	-0
207	Community Services	CP560	Parks Planning & Collections	Revenue	[R] Cenotaph FP & Create Interpretive Hub	-80,000	-80,000	-80,000	0	0	80,000
208	Community Services	CP560	Parks Planning & Collections	Expense	[R] Cenotaph FP & Create Interpretive Hub	180,000	180,000	180,000	100,000	80,000	-80,000
209	Community Services	CP560	Parks Planning & Collections	Expense	[R] New/renewed signage as per Signage Strategy	80,000	115,000	115,000	115,000	0	0
210	Community Services	CP560	Parks Planning & Collections	Expense	[R] Upgrade sub-soil drain Memorial Gardens	75,000	75,000	75,000	115,000	0	40,000
211	Community Services	CP560	Parks Planning & Collections	Expense	[N] Mt Morgan Cemetery extension	15,000	15,000	15,000	15,000	0	0
212	Community Services	CP560	Parks Planning & Collections	Expense	[N] Southside pool shade	150,000	150,000	150,000	50,000	0	-100,000
213	Community Services	CP560	Parks Planning & Collections	Expense	[R] Rgartsford Park Expenditure Lease	25,000	25,000	25,000	0	25,000	-25,000
214	Community Services	CP560	Parks Planning & Collections	Expense	[N] Mobile Skate Park - Part 3	0	0	0	30,000	0	30,000
215	Community Services	CP560	Parks Planning & Collections	Expense	New playground equipment for park	0	0	0	10,000	0	10,000
216	Community Services	CP560	Parks Planning & Collections	Expense	[N] Janet Pajolas Park for materials required for walkway/Orchard project	0	0	0	30,000	0	30,000
217	Community Services	CP560	Parks Planning & Collections	Expense	[N] Mobile Skate Park - Part 2	0	0	0	0	31,000	0
218	Community Services	CP560	Parks Planning & Collections	Expense	[N] Equipment for All Blacks Park (dog off leash area)	0	0	0	5,000	0	5,000
219	Community Services	CP560	Parks Planning & Collections	Expense	[N] BMX Track at Cedric Archer Park Gracemere	0	0	0	15,000	0	15,000
220	Community Services	CP560	Parks Planning & Collections	Expense	[N] All-ability Playground Equipment - Kershaw Gardens	0	0	0	0	70,000	0
221	Community Services	CP560	Parks Planning & Collections	Revenue	[N] Fraser Park - Amphitheatre construction	0	0	0	-400,000	0	-400,000
222	Community Services	CP560	Parks Planning & Collections	Expense	[N] Fraser Park - Amphitheatre construction	0	0	0	465,000	0	465,000
223	Community Services	CP560	Parks Planning & Collections	Expense	[N] Rockhampton Cricket Grounds (RCG) Lighting Project	0	0	0	200,000	200,000	200,000
224	Community Services	CP560	Parks Planning & Collections	Expense	[N]Rockhampton Hockey Existing field flood mitigation project	0	0	0	150,000	0	150,000
225	Community Services	CP560	Parks Planning & Collections	Revenue	[N] Mount Morgan Walking and bike trail - W4QR3	0	0	0	-300,000	-300,000	-300,000
226	Community Services	CP560	Parks Planning & Collections	Expense	[N] Mount Morgan Walking and bike trail - W4QR3	0	0	0	0	380,000	0
227	Community Services	CP560	Parks Planning & Collections	Revenue	[N] Zoo improvements - W4QR3	0	0	0	-150,000	-150,000	-150,000
228	Community Services	CP560	Parks Planning & Collections	Expense	[N] Zoo improvements - W4QR3	0	0	0	0	300,000	0
229	Community Services	CP560	Parks Planning & Collections	Revenue	[R] Botanic Gardens Pathways and Shade Shelters- W4QR3	0	0	0	-200,000	-200,000	-200,000
230	Community Services	CP560	Parks Planning & Collections	Expense	[R] Botanic Gardens Pathways and Shade Shelters- W4QR3	0	0	0	0	200,000	0
231	Community Services	CP560	Parks Planning & Collections	Revenue	[N] Pump Track - Gracemere - W4QR3	0	0	0	-250,000	-250,000	-250,000
232	Community Services	CP560	Parks Planning & Collections	Expense	[N] Pump Track - Gracemere - W4QR3	0	0	0	0	214,286	0
233	Community Services	CP560	Parks Planning & Collections	Expense	[N] New Bajool Amenities Block	0	0	0	0	80,000	0
234	Community Services	CP560	Parks Planning & Collections	Expense	RTV buggy	0	0	0	0	30,000	0
235	Community Services	CP560	Parks Planning & Collections	Expense	Cedric Archer Wet Play Surface Reseal	0	0	0	0	51,300	0
236	Community Services	CP560	Parks Planning & Collections	Expense	Floral clock - Botanic Gardens	0	0	0	0	60,000	0
237	Community Services	CP560	Parks Planning & Collections	Expense	Upgrade Botanic Gardens Irrigation Network	0	0	0	0	205,000	0
238	Community Services	CP560	Parks Planning & Collections Total			3,773,636	4,687,385	5,563,185	4,979,054	1,189,649	-584,131

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239	Community Services	CP561	Parks Developer Contributions	Revenue	[N] Developer Contributions - Parks	-40,000	-40,000	-40,000	-40,000	-41,000	-0
240	Community Services	CP561	Parks Developer Contributions Total			-40,000	-40,000	-40,000	-40,000	-41,000	-0
241	Community Services	CP563	2015 Parks Disaster Event	Expense	[R] TCM RBG - Road Pathways Bridges and carpark restoration	0	65,499	65,499	65,499	0	0
242	Community Services	CP563	2015 Parks Disaster Event	Expense	[R] TCM Kershaw Gardens Remediation	330,286	504,267	504,267	284,267	220,000	-220,000
243	Community Services	CP563	2015 Parks Disaster Event	Revenue	[R] TCM Kershaw Gardens Restoration	0	-1,000,000	-1,000,000	-1,000,000	0	0
244	Community Services	CP563	2015 Parks Disaster Event	Expense	[R] TCM Kershaw Gardens Restoration	1,941,249	1,685,113	1,685,113	1,585,113	100,000	-100,000
245	Community Services	CP563	2015 Parks Disaster Event	Expense	[R] TCM - Rock. Botanical Gardens - Fernery & Visitor Centre	0	239,098	239,098	239,098	0	0
246	Community Services	CP563	2015 Parks Disaster Event Total			2,271,535	1,493,976	1,493,976	1,173,977	320,000	-319,999
247	Community Services	CP564	Gardens	Expense	[R] Irrigation Renewal Program	300,000	480,717	480,717	250,000	430,717	-230,717
248	Community Services	CP564	Gardens	Expense	[N] Cedric Archer Park - Wetlands	1,548,217	1,681,917	2,201,917	2,281,917	1,000,000	80,000
249	Community Services	CP564	Gardens	Expense	[U] Upgrade field surface provide suitable irrigation and up	0	17,244	17,244	17,244	30,000	0
250	Community Services	CP564	Gardens	Revenue	[R] Yeppen Roundabout Landscape Renewal	0	0	0	-1,450,000	-300,000	-1,450,000
251	Community Services	CP564	Gardens	Expense	[R] Yeppen Roundabout Landscape	0	88,753	88,753	1,450,000	300,000	1,361,247
252	Community Services	CP564	Gardens	Expense	[R] Rockhampton Botanic Gardens - Paving - 3 Stages	101,991	2,386	2,386	0	0	-2,386
253	Community Services	CP564	Gardens	Expense	Col Brown Park	0	6,591	6,591	0	0	-6,591
254	Community Services	CP564	Gardens	Expense	[R] Stage 2 Frenchmans Creek	1	12,505	12,505	0	0	-12,505
255	Community Services	CP564	Gardens	Expense	[N] Mt Archer Activation Plan Implementation	0	6,017	6,017	54	5,963	-5,963
256	Community Services	CP564	Gardens	Expense	[R] Botanic Gardens-enhancements to improve visitor experience and activity	0	9,016	9,016	0	9,016	-9,016
257	Community Services	CP564	Gardens	Expense	[N/R] Botanic Gardens Pathways & Shade Shelters W4Q	0	0	0	0	200,000	0
258	Community Services	CP564	Gardens	Expense	[U] Rotary Project - BBQs and Seating for Swadling Park & others	0	15,000	15,000	15,000	0	0
259	Community Services	CP564	Gardens	Expense	[U] Gracemere Industrial Area landscaping	0	5,000	5,000	5,000	0	0
260	Community Services	CP564	Gardens	Revenue	[U] Springers Lagoon W4Q	-40,000	-40,000	-40,000	-40,000	0	-0
261	Community Services	CP564	Gardens	Expense	[U] Springers Lagoon W4Q	0	79,269	79,269	79,269	0	0
262	Community Services	CP564	Gardens	Revenue	[R] Hugo Lassen Fernery W4Q	-400,000	100,000	100,000	385,000	0	285,000
263	Community Services	CP564	Gardens	Expense	[R] Hugo Lassen Fernery W4Q	750,000	296,135	296,135	15,000	0	-281,135
264	Community Services	CP564	Gardens	Expense	[N] Enclosure demolition Rockhampton Zoo	75,000	75,000	75,000	75,000	0	0
265	Community Services	CP564	Gardens	Expense	[N] Master Plan Rockhampton Zoo	40,000	40,000	40,000	0	40,000	-40,000
266	Community Services	CP564	Gardens	Expense	[U] Median Refurbishments	75,000	75,000	75,000	75,000	75,000	0
267	Community Services	CP564	Gardens	Expense	[N] Dual cab ute Mt Morgan mowing crew	30,000	30,000	30,000	0	0	-30,000
268	Community Services	CP564	Gardens	Expense	[U] Synthetic Roundabout Program	50,000	50,000	50,000	50,000	51,300	-0
269	Community Services	CP564	Gardens	Expense	[N] Beautification of the GIA Gracemere	0	0	0	5,000	0	5,000
270	Community Services	CP564	Gardens	Expense	[N] Zoo - Billy Goat Leaf Vacuum	0	0	0	0	6,000	0
271	Community Services	CP564	Gardens	Expense	[N] Zoo - Water Extraction Pump	0	0	0	0	6,000	0
272	Community Services	CP564	Gardens	Expense	Dog Off Leash Area - Gracemere	0	0	0	0	50,000	0
273	Community Services	CP564	Gardens	Expense	[R] Zoo - Reptile Enclosures Off Exhibit	0	0	0	0	12,000	0
274	Community Services	CP564	Gardens	Expense	Botanic Gardens - Curators Shed	0	0	0	0	15,000	0
275	Community Services	CP564	Gardens	Expense	[R] Zoo - Kangaroo Sheds	0	0	0	0	10,000	0
276	Community Services	CP564	Gardens	Expense	Bigmate GPS roll out	0	0	0	0	30,000	0
277	Community Services	CP564	Gardens	Expense	[U] Zoo - Fireproof Chimp House	0	0	0	0	70,000	0
278	Community Services	CP564	Gardens	Expense	[R/U] Zoo - Public Seating	0	0	0	0	22,500	0
279	Community Services	CP564	Gardens	Expense	Showgrounds Irrigation	0	0	0	0	30,000	0
280	Community Services	CP564	Gardens	Expense	[R/U] Zoo - Perentie Enclosure	0	0	0	0	150,000	0
281	Community Services	CP564	Gardens	Expense	Botanics Depot - removal of Facilities open shed	0	0	0	0	9,000	0
282	Community Services	CP564	Gardens	Expense	Wash down bay and tyre bath - Pathogens	0	0	0	0	100,000	0
283	Community Services	CP564	Gardens	Expense	[N] Zoo - Chimp Climbing Structures	0	0	0	0	15,000	0
284	Community Services	CP564	Gardens	Expense	Nursery - automate roller doors	0	0	0	0	12,000	0
285	Community Services	CP564	Gardens	Expense	Soil Spreader	0	0	0	0	60,000	0
286	Community Services	CP564	Gardens	Expense	[U] Kershaw - divert water away from Sensory Garden	0	0	0	0	70,000	0
287	Community Services	CP564	Gardens	Expense	Botanics Depot chemical & Fert storage	0	0	0	0	25,000	0
288	Community Services	CP564	Gardens	Expense	[R] Zoo - Boardwalk Posts - Dome Aviary	0	0	0	0	40,000	0
289	Community Services	CP564	Gardens	Expense	Drop in wickets	0	0	0	0	30,000	0
290	Community Services	CP564	Gardens	Expense	Fuel Storage at Kershaw/Northside Depot	0	0	0	0	50,000	0
291	Community Services	CP564	Gardens	Expense	[R] Zoo - Chimp Enclosure (Replace beams old section)	0	0	0	0	50,000	0
292	Community Services	CP564	Gardens	Expense	Wide Area Mower	0	0	0	0	60,000	0
293	Community Services	CP564	Gardens	Expense	Kershaw pump for rapids waterfall in rainforest	0	0	0	0	4,000	0
294	Community Services	CP564	Gardens	Expense	Botanic Gardens Finch Gazebo	0	0	0	0	70,000	0
295	Community Services	CP564	Gardens	Expense	[R] Rod Laver Area - Steps Improvements	0	0	0	0	10,000	0
296	Community Services	CP564	Gardens	Expense	[N] Kershaw Gardens Irrigation at Rapids	0	0	0	0	50,000	0
297	Community Services	CP564	Gardens Total			2,530,209	3,030,550	3,550,550	3,213,484	2,898,496	-337,066
298	Community Services Total					14,298,537	16,120,669	17,726,969	14,934,359	8,420,910	-2,792,611
299	Corporate Services	CP230	Communications & Information Technology	Expense	Pathway ECM Integration Project	0	7,000	7,000	0	7,000	-7,000
300	Corporate Services	CP230	Communications & Information Technology	Expense	ITR - Storage Area Network Capacity Increase	79,000	79,000	79,000	101,000	81,000	22,000

Line	Department	Cost Center	Cost Centre Description	Account Type	Project Description	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Draft Adopted Budget	Movement (March - September)
301	Corporate Services	CP230	Communications & Information Technology	Expense	ITR - Purchase of Printers - MFDs	78,000	78,000	78,000	50,000	73,000	-28,000
302	Corporate Services	CP230	Communications & Information Technology	Expense	ITR - Networking Replacements	21,000	21,000	21,000	25,000	261,000	4,000
303	Corporate Services	CP230	Communications & Information Technology	Expense	ITR - Server Replacements	31,000	31,000	31,000	31,000	184,500	0
304	Corporate Services	CP230	Communications & Information Technology	Expense	[R] Replace Comms Hut at Disaster Recovery Site	30,000	30,000	30,000	0	40,000	-30,000
305	Corporate Services	CP230	Communications & Information Technology	Expense	[U] Systems Upgrade/Improvements (budget from 1017185)	201,000	213,130	213,130	35,000	280,400	-178,130
306	Corporate Services	CP230	Communications & Information Technology	Expense	[R] ITR - Tape Libraries	0	0	0	0	70,000	0
307	Corporate Services	CP230	Communications & Information Technology	Expense	[N] Mount Morgan Radio Link	0	120,000	120,000	91,000	49,000	-29,000
308	Corporate Services	CP230	Communications & Information Technology	Expense	[U] Microsoft Licence Acquisitions with SA	49,000	121,281	121,281	146,208	12,000	24,927
309	Corporate Services	CP230	Communications & Information Technology	Expense	[R] Windows 10 Upgrade	0	70,000	70,000	0	50,000	-70,000
310	Corporate Services	CP230	Communications & Information Technology	Expense	[U] ePathway/Mobile	0	53,450	53,450	20,000	33,450	-33,450
311	Corporate Services	CP230	Communications & Information Technology	Expense	[N] Performance Planning (Audit & Risk Corporate Planning)	131,000	131,000	131,000	0	0	-131,000
312	Corporate Services	CP230	Communications & Information Technology	Expense	[U] Aurion Improvements/Upgrade	86,685	108,531	108,531	87,000	30,000	-21,531
313	Corporate Services	CP230	Communications & Information Technology	Expense	[U] DR Site Migration (FRW)	0	20,000	20,000	0	80,000	-20,000
314	Corporate Services	CP230	Communications & Information Technology	Expense	[R] DR Site Airconditioner	0	80,000	80,000	0	20,000	-80,000
315	Corporate Services	CP230	Communications & Information Technology	Expense	[N] Asset Management System (Core)	966,197	1,313,894	1,634,174	1,674,174	190,800	40,000
316	Corporate Services	CP230	Communications & Information Technology	Expense	[R] ITR - Radio Link Renewal Program	31,000	116,000	116,000	20,000	55,000	-96,000
317	Corporate Services	CP230	Communications & Information Technology	Expense	[R] ITR - Video Conferencing Renewal/Replacement	0	79,350	79,350	0	79,350	-79,350
318	Corporate Services	CP230	Communications & Information Technology	Expense	[R] Firewall Replacements	40,000	40,000	40,000	12,818	0	-27,182
319	Corporate Services	CP230	Communications & Information Technology	Expense	[R] ITR - Unified Communications Renewal/Replacement (Intangibles)	246,000	266,000	266,000	0	157,900	-266,000
320	Corporate Services	CP230	Communications & Information Technology	Expense	[R] Waste Collection Routing System	0	37,024	37,024	21,900	0	-15,124
321	Corporate Services	CP230	Communications & Information Technology	Expense	[N] Rates Water Modelling Software	0	100,000	100,000	95,000	0	-5,000
322	Corporate Services	CP230	Communications & Information Technology	Expense	[R] ITR - Unified Communications Renewal/Replacement (Hardware)	308,000	308,000	308,000	100,000	0	-208,000
323	Corporate Services	CP230	Communications & Information Technology	Expense	[U] GIS system - GDA2020 project upgrade	0	0	0	20,000	0	20,000
324	Corporate Services	CP230	Communications & Information Technology	Expense	[N] Disaster Recovery Solution	0	50,000	50,000	200,000	0	150,000
325	Corporate Services	CP230	Communications & Information Technology	Expense	[N] Enterprise Search Solution	0	0	0	75,000	0	75,000
326	Corporate Services	CP230	Communications & Information Technology Total			2,297,882	3,473,660	3,793,940	2,805,100	1,754,400	-988,840
327	Corporate Services	CP235	Smart Regional Centre	Revenue	[N] Smart Hub Fitout - building our regions including co-contribution	0	-250,000	-250,000	0	0	250,000
328	Corporate Services	CP235	Smart Regional Centre	Expense	[N] Smart Hub Fitout - building our regions including co-contribution	0	29,158	29,158	29,158	0	0
329	Corporate Services	CP235	Smart Regional Centre	Revenue	[N] CBD Smart Technologies - Stage 3A/B/C/D (BOR)	-454,000	-463,091	-463,091	-463,091	0	0
330	Corporate Services	CP235	Smart Regional Centre	Expense	[N] CBD Smart Technologies - Stage 3A/B/C/D (BOR)	568,110	571,226	571,226	571,226	0	0
331	Corporate Services	CP235	Smart Regional Centre	Revenue	[N] CBD Smart Technologies - Parking Sensors (additional)	0	-12,500	-12,500	-12,500	0	0
332	Corporate Services	CP235	Smart Regional Centre	Expense	[N] CBD Smart Technologies - Parking Sensors (additional)	0	68,325	68,325	68,325	0	0
333	Corporate Services	CP235	Smart Regional Centre	Expense	[U] CCTV System Upgrade CBD Smart Tech	0	170,364	170,364	170,364	0	0
334	Corporate Services	CP235	Smart Regional Centre	Revenue	[N] CBD Smart Tech Stage 3E - Vic Pde and Col Brown Park	0	0	0	-225,000	-225,000	-225,000
335	Corporate Services	CP235	Smart Regional Centre	Expense	[N] CBD Smart Tech Stage 3E - Vic Pde and Col Brown Park	0	0	0	521,000	355,000	521,000
336	Corporate Services	CP235	Smart Regional Centre	Expense	[N] CBD Smart Tech Stage 3C - Quay St (William to Derby)	0	0	0	0	352,000	0
337	Corporate Services	CP235	Smart Regional Centre Total			114,110	113,482	113,482	659,482	482,000	546,000
338	Corporate Services	CP440	Fleet	Expense	Fleet Renewal Program - carryover budget	0	432,037	432,037	432,037	0	-0
339	Corporate Services	CP440	Fleet	Revenue	P/Mover 70T Kenworth T403-440RSA	0	0	-100,000	-100,000	0	0
340	Corporate Services	CP440	Fleet	Expense	[R] Fleet Renewal Program - RRRRC	5,270,000	5,270,000	5,114,141	5,114,141	4,778,790	0
341	Corporate Services	CP440	Fleet	Revenue	Truck 2.6T Isuzu NPR 300 092TNJ	0	0	-35,864	-35,864	0	0
342	Corporate Services	CP440	Fleet	Expense	[R] 2 way radio System - Equipment	0	244,141	400,000	400,000	0	0
343	Corporate Services	CP440	Fleet	Revenue	Semi-Trailer Water Tanker Allquip 187UCZ	0	0	-235,364	-235,364	0	0
344	Corporate Services	CP440	Fleet	Revenue	Truck 2T Isuzu NPR45/155 946VXF	0	0	-39,500	-39,500	0	0
345	Corporate Services	CP440	Fleet	Expense	1068433 - New Landfill Compactor	1,000,000	1,000,000	900,000	900,000	0	0
346	Corporate Services	CP440	Fleet	Expense	4x4 2T Trk Pest Mng funded partially from J344000.653.2106	0	40,000	40,000	40,000	0	0
347	Corporate Services	CP440	Fleet	Expense	Linegrinder Graco GrindLazer 390	0	0	20,100	20,100	0	0
348	Corporate Services	CP440	Fleet	Expense	[N] Job truck for Mt Morgan - Civil Operations	85,000	85,000	85,000	85,000	0	0
349	Corporate Services	CP440	Fleet	Expense	[N] Tractor and Slasher - Civil Operations	100,000	100,000	231,000	231,000	0	0
350	Corporate Services	CP440	Fleet	Expense	[N] Pool Car	23,000	23,000	23,000	23,000	0	0
351	Corporate Services	CP440	Fleet	Expense	[N] Purchase of Steam Weeder	35,000	35,000	35,000	35,000	0	0
352	Corporate Services	CP440	Fleet	Expense	Truck 2.3T Isuzu NPR65 XQ76BH	0	0	58,520	58,520	0	0
353	Corporate Services	CP440	Fleet	Expense	Truck 1.5T NPR45 895YFF	0	0	60,714	60,714	0	0
354	Corporate Services	CP440	Fleet	Expense	Trailer Genelite Compressor EP8735	0	0	16,064	16,064	0	0
355	Corporate Services	CP440	Fleet	Expense	BeachTech SweepHydro Sand Cleaner Walk Behind	0	0	28,100	28,100	0	0
356	Corporate Services	CP440	Fleet	Expense	Beach Tech SweepHydro Sand Cleaner	0	0	28,100	28,100	0	0
357	Corporate Services	CP440	Fleet	Expense	Wide Area Mower	0	0	40,000	40,000	0	0
358	Corporate Services	CP440	Fleet	Expense	New Semi-trailer Water Tanker (Roller)	0	0	175,000	175,000	0	0
359	Corporate Services	CP440	Fleet	Expense	New Semi-trailer Water Tanker (Fire)	0	0	175,000	175,000	0	0
360	Corporate Services	CP440	Fleet	Expense	New Primemover (Fire)	0	0	285,000	285,000	0	0
361	Corporate Services	CP440	Fleet	Expense	Extra Vehicle - Civil Design Project Delivery	0	0	28,000	28,000	0	0
362	Corporate Services	CP440	Fleet	Expense	Extra Vehicle Facilities Electrician	0	0	38,000	38,000	0	0
363	Corporate Services	CP440	Fleet	Expense	Plant Purchases	0	0	0	0	250,000	0

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364	Corporate Services	CP440	Fleet Total			6,513,000	7,229,178	7,802,048	7,802,048	5,028,790	-0
365	Corporate Services	CP480	Strategic Projects Regional Services	Expense	[N] TMR land purchases - Parkhurst / Gracemere	500,000	480,589	455,108	301,381	0	-153,727
366	Corporate Services	CP480	Strategic Projects Regional Services	Revenue	[N] TMR land sales - Parkhurst / Gracemere	0	-1,000,000	-900,000	-692,628	0	207,372
367	Corporate Services	CP480	Strategic Projects Regional Services	Expense	[N] TMR land sales - Parkhurst / Gracemere	0	0	0	15,403	0	15,403
368	Corporate Services	CP480	Strategic Projects Regional Services	Expense	[N] Olive St - Site Investigation	0	150,000	0	0	0	0
369	Corporate Services	CP480	Strategic Projects Regional Services	Expense	[N] Wembee St - Site Investigation	0	133,785	133,785	102,981	0	-30,804
370	Corporate Services	CP480	Strategic Projects Regional Services Total			500,000	-235,625	-311,107	-272,863	0	38,244
371	Corporate Services	CP630	Business Support & Development	Expense	[N] Various Small Allotments	21,000	21,000	21,000	0	21,500	-21,000
372	Corporate Services	CP630	Business Support & Development	Expense	[N] Property Disposal-Develop Proj-Olive St (Preparation Expenses)	0	86,350	86,350	0	0	-86,350
373	Corporate Services	CP630	Business Support & Development	Expense	[N] Mount Morgan Land Consolidation	0	50,000	50,000	0	0	-50,000
374	Corporate Services	CP630	Business Support & Development	Expense	[N] Purchase land Mount Morgan	0	0	0	0	75,000	0
375	Corporate Services	CP630	Business Support & Development Total			21,000	157,350	157,350	0	96,500	-157,350
376	Corporate Services Total					9,445,992	10,738,045	11,555,713	10,993,766	7,361,690	-561,947
377	Regional Services	CP401	Civil Operations Management	Expense	Land acquisition costs associated with projects	157,000	157,000	157,000	157,900	157,900	900
378	Regional Services	CP401	Civil Operations Management	Expense	Gracemere Depot road upgrade	51,000	51,000	51,000	51,000	0	0
379	Regional Services	CP401	Civil Operations Management	Expense	Dooley St Depot Access road upgrade	170,000	170,109	170,109	170,109	210,100	0
380	Regional Services	CP401	Civil Operations Management	Expense	Capital Works Contingency Fund	925,000	841,000	820,900	315,900	1,000,000	-505,000
381	Regional Services	CP401	Civil Operations Management Total			1,303,000	1,219,109	1,199,009	694,909	1,368,000	-504,100
382	Regional Services	CP412	March 2017 Rural Flood Disaster	Expense	[R] RWC-RC-Rural - March 2017 Disaster Event Expenses - Rev 1077210	3,687,668	3,574,162	3,574,162	3,574,162	0	0
383	Regional Services	CP412	March 2017 Rural Flood Disaster	Revenue	Rural - March 2017 Disaster Event Revenue (Expense 1076613)	-4,519,859	-3,153,859	-3,153,859	-1,946,191	-420,000	1,207,668
384	Regional Services	CP412	March 2017 Rural Flood Disaster	Revenue	Scrubby Creek	499,000	469,349	469,349	810,632	0	341,283
385	Regional Services	CP412	March 2017 Rural Flood Disaster	Revenue	Scrubby Creek Dam (Expense 1117422)	-230,400	-115,175	-115,175	-611,719	-80,000	-496,544
386	Regional Services	CP412	March 2017 Rural Flood Disaster	Expense	Glenroy Crossing (Revenue 1117425)	65,000	65,000	65,000	0	0	-65,000
387	Regional Services	CP412	March 2017 Rural Flood Disaster	Revenue	Glenroy Crossing (Expense 1117424)	-39,000	-58,500	-58,500	0	0	58,500
388	Regional Services	CP412	March 2017 Rural Flood Disaster Total			-537,591	780,977	780,977	1,826,884	-500,000	1,045,907
389	Regional Services	CP413	March 2017 Urban Flood Disaster	Expense	Urban - March 2017 Disaster Event Expenses - Rev	1,047,286	1,038,015	1,038,015	0	0	-1,038,015
390	Regional Services	CP413	March 2017 Urban Flood Disaster	Revenue	Rural - March 2017 Disaster Event Revenue (Expense 1076613)	-1,018,291	-814,455	-814,455	0	0	814,455
391	Regional Services	CP413	March 2017 Urban Flood Disaster	Revenue	Cat D -Reaney Street (Revenue 1114232)	-93,100	-93,102	-93,102	0	0	93,102
392	Regional Services	CP413	March 2017 Urban Flood Disaster	Expense	Reaney St (Touch & Soccer fields) road upgrade	132,314	120,540	120,540	158,000	0	37,460
393	Regional Services	CP413	March 2017 Urban Flood Disaster	Revenue	Urban TCD betterment Pilbeam	-1,304,789	-1,304,790	-1,878,540	-1,538,368	-228,338	340,172
394	Regional Services	CP413	March 2017 Urban Flood Disaster	Revenue	Reaney St	0	0	0	-62,777	-13,070	-62,777
395	Regional Services	CP413	March 2017 Urban Flood Disaster	Expense	Pilbeam Drive	2,576,313	2,646,313	3,605,000	0	0	-3,605,000
396	Regional Services	CP413	March 2017 Urban Flood Disaster	Revenue	Water Street Rockhampton REpa rev	0	0	0	-4,420	0	-4,420
397	Regional Services	CP413	March 2017 Urban Flood Disaster	Revenue	Water Street Rockhampton REpa exp	-216,231	-216,231	-216,231	-216,231	-36,039	0
398	Regional Services	CP413	March 2017 Urban Flood Disaster	Expense	Water Street Rockhampton Expenditure Cat d	750,000	718,290	718,290	0	0	-718,290
399	Regional Services	CP413	March 2017 Urban Flood Disaster	Expense	Water Street Rockhampton Betterment (Rev 1115315)	0	0	0	728,290	230,000	728,290
400	Regional Services	CP413	March 2017 Urban Flood Disaster	Expense	Pilbeam Drive (Rev 1117166)	0	0	0	2,283,383	400,000	2,283,383
401	Regional Services	CP413	March 2017 Urban Flood Disaster Total			1,873,501	2,094,580	2,479,517	1,347,877	352,554	-1,131,640
402	Regional Services	CP414	July 2016 Rural Disaster Event	Revenue	Urban - July 2016 Disaster Event Revenue - Exp bgt 1068144	-375,548	-375,548	-375,548	-185,837	-47,000	189,711
403	Regional Services	CP414	July 2016 Rural Disaster Event	Expense	Rural 2016 Disaster expend	740,600	646,032	646,032	470,000	0	-176,032
404	Regional Services	CP414	July 2016 Rural Disaster Event Total			365,052	270,484	270,484	284,163	-47,000	13,679
405	Regional Services	CP415	July 2016 Urban Disaster Event	Revenue	Urban - July 2016 Disaster Event Revenue	-88,916	-88,916	-88,916	-145,584	-20,000	-56,668
406	Regional Services	CP415	July 2016 Urban Disaster Event	Expense	Urban - July 2016 Disaster Event Expenses Rev Bgt	189,264	176,380	176,380	223,677	0	47,297
407	Regional Services	CP415	July 2016 Urban Disaster Event Total			100,348	87,464	87,464	78,093	-20,000	-9,371
408	Regional Services	CP417	2015 Urban Disaster Reconstruction	Revenue	Urban roads March 2017 Revenue	0	0	0	-1,394,221	-183,741	-1,394,221
409	Regional Services	CP417	2015 Urban Disaster Reconstruction	Expense	Urban roads	0	0	0	1,837,407	0	1,837,407
410	Regional Services	CP417	2015 Urban Disaster Reconstruction Total			0	0	0	443,186	-183,741	443,186
411	Regional Services	CP420	Revenue Civil Operations	Revenue	[R] Roads to Recovery Revenue Commonwealth Government	-1,252,621	-1,227,257	-1,227,257	-1,227,257	-1,186,764	0
412	Regional Services	CP420	Revenue Civil Operations	Revenue	UEC-Bus Stops Program-Grant Income	-150,000	-165,161	-165,161	-165,161	-153,800	0
413	Regional Services	CP420	Revenue Civil Operations	Revenue	Contribution from OMYA to South Ulam Road	-70,000	-28,820	-28,820	-28,820	-71,800	0
414	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] D-640/2002 Road Maintenance Levy - Nine Mile Rd	-60,000	-77,525	-77,525	-77,525	-61,500	0
415	Regional Services	CP420	Revenue Civil Operations	Revenue	[U] Local Govt Cycling Funding Program	-197,000	-195,000	-195,000	-195,000	0	0
416	Regional Services	CP420	Revenue Civil Operations	Revenue	[U] Rev - Blackspot Funding General	-500,000	-500,000	-500,000	-500,000	-500,000	0
417	Regional Services	CP420	Revenue Civil Operations	Revenue	[R] Rev - TIDS Funding	-829,954	-825,648	-825,648	-825,648	-829,954	0
418	Regional Services	CP420	Revenue Civil Operations	Revenue	[R] Rev-UCC-RC-Mason St-School to Norman (Expense 1068656)	-700,000	-1,133,537	-1,133,537	-1,133,537	0	0
419	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] Rev-UCC-NC-Jones St - Brosnan to Norman (Expense 1068657)	-400,000	-294,300	-294,300	-294,300	0	0
420	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] Rev-UWC-BS-Morgan Street Long Range Coach Stop (Expense 1078547)	-12,000	-12,000	-12,000	-12,000	0	0
421	Regional Services	CP420	Revenue Civil Operations	Revenue	[R] Bank Guarantee - UCC-Chancellors Estate defect repairs (Expense 1078641)	-90,000	-90,000	-90,000	-90,000	0	0
422	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] REV-Pilbeam Drive Walkway Connection to Frenchville Road	-300,000	-550,000	-550,000	-550,000	0	0
423	Regional Services	CP420	Revenue Civil Operations	Revenue	[U] REV-Macquarie Street Upgrade Works W4Q (Expense 1112828)	-250,000	-250,000	-250,000	-250,000	0	0
424	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] REV-Footpath and Cycleway Package W4QR2 - Round 2 (Exp various)	-262,500	-262,500	-262,500	-262,500	0	0

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425	Regional Services	CP420	Revenue Civil Operations	Revenue	[R] REV-Straightening and Replacement of Street Signage W4Q	-75,000	-75,000	-75,000	-75,000	0	0
426	Regional Services	CP420	Revenue Civil Operations	Revenue	[U] REV-Mount Morgan CBD Footpath Upgrade W4QR2 (Expense 1112832)	-250,000	-250,000	-250,000	-250,000	0	0
427	Regional Services	CP420	Revenue Civil Operations	Revenue	[U] REV-Gracemere CBD Footpath Upgrade W4QR2 (Expense 1112833)	-250,000	-250,000	-250,000	-250,000	0	0
428	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] REV-Stapleton Park Flood Valves W4QR2 (Expense 1112834)	-50,000	-50,000	-50,000	-50,000	0	0
429	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] Rev - UCC-SW-Park Street Drainage 5A - Tung Yeen Street (Expense 1116002)	-372,788	-532,554	-532,554	-532,554	0	0
430	Regional Services	CP420	Revenue Civil Operations	Revenue	[R] Rev-RWC BDG Calmorin Rd - Hansons Bridge - Renewal Funding (Expense 1076573)	-463,250	-463,250	-463,250	-463,250	0	0
431	Regional Services	CP420	Revenue Civil Operations	Revenue	[R] Rev-RWC BDG Mt Hopeful Rd CH 0.4 - Renewal Funding (Expense 1076573)	-135,000	-135,000	-135,000	-135,000	0	0
432	Regional Services	CP420	Revenue Civil Operations	Revenue	[U] Rev-UCC-RC-Quay Ln & Pilbeam Theatre Carpark	-95,000	-95,000	-95,000	-95,000	0	0
433	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] Rev - UCC-SW-Webber Park Stage 1B inlets/outlets	0	0	0	-360,893	-40,077	-380,693
434	Regional Services	CP420	Revenue Civil Operations	Revenue	[N]Rev - UWC-RC-Macquarie St-Somerset Rd to Middle Rd	0	0	-300,000	-300,000	-856,000	0
435	Regional Services	CP420	Revenue Civil Operations	Revenue	Casuarina Rd - Serpentine Creek Bridge	0	0	0	0	-129,859	0
436	Regional Services	CP420	Revenue Civil Operations	Revenue	Macquarie Street - Foster Street to Douglas Street	0	0	0	0	-396,800	0
437	Regional Services	CP420	Revenue Civil Operations	Revenue	Wackford Street Drainage	0	0	0	-564,597	-1,318,800	-564,597
438	Regional Services	CP420	Revenue Civil Operations	Revenue	Casuarina Rd - Swan Creek Bridge	0	0	0	0	-129,859	0
439	Regional Services	CP420	Revenue Civil Operations	Revenue	Glenroy Road - Louise Bridge	0	0	0	0	-150,000	0
440	Regional Services	CP420	Revenue Civil Operations	Revenue	[N] Limestone Creek Diversion DTMR open channel	0	0	0	0	-250,000	0
441	Regional Services	CP420	Revenue Civil Operations Total			-6,765,113	-7,462,552	-7,762,552	-8,687,842	-6,075,213	-925,230
442	Regional Services	CP422	Rural Operations West	Expense	Renewal of Unsealed Road Gravel Program A	2,053,000	2,053,000	2,203,000	2,200,000	2,000,000	-3,000
443	Regional Services	CP422	Rural Operations West	Expense	South Ulam Road - Widening 2017 use 1078559	306,000	306,000	306,000	306,000	0	0
444	Regional Services	CP422	Rural Operations West	Expense	Annual Reseal Program	410,000	410,000	410,000	410,000	369,000	0
445	Regional Services	CP422	Rural Operations West	Expense	Mount Hopeful Road - Ch 0.4	379,000	379,000	379,000	379,000	0	0
446	Regional Services	CP422	Rural Operations West	Expense	Nine Mile Road - Ch 7.85-10.68 (Floodway)	513,000	513,000	513,000	0	0	-513,000
447	Regional Services	CP422	Rural Operations West	Expense	South Yaamba Road - Sandy Creek	0	0	0	10,900	0	10,900
448	Regional Services	CP422	Rural Operations West	Expense	Arthur Street (Westwood) - Ch 2.49	0	0	0	1,000	0	1,000
449	Regional Services	CP422	Rural Operations West	Expense	Neerkol Road (Stanwell)	0	0	0	12,900	0	12,900
450	Regional Services	CP422	Rural Operations West	Expense	Sheldrake Road	0	0	0	0	472,500	0
451	Regional Services	CP422	Rural Operations West	Expense	Cherryfield Road - Reigal Street to Ashford Street	400,000	400,000	400,000	350,000	0	-50,000
452	Regional Services	CP422	Rural Operations West	Expense	Calmorin Road - Hansons Bridge	925,000	925,000	925,000	925,000	0	0
453	Regional Services	CP422	Rural Operations West	Expense	Rosewood Road - Ch 42.69, 45.89, 48.11	0	0	0	2,000	0	2,000
454	Regional Services	CP422	Rural Operations West	Expense	Melville Street Open Channel	0	0	0	2,600	69,700	2,600
455	Regional Services	CP422	Rural Operations West	Expense	Boongary Road - Kabra Road Intersection	0	0	0	0	867,200	0
456	Regional Services	CP422	Rural Operations West	Expense	Thirsty Creek Road - CH 0.0 to 14.5 km	0	0	0	5,000	0	5,000
457	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-RC-Hanrahan Road Floodway-Fitzroy River (Revenue 1112175)	0	0	0	10,500	0	10,500
458	Regional Services	CP422	Rural Operations West	Expense	Alton Downs-Nine Mile Road - Ch 1.50 to Ch 4.70	0	0	0	23,000	264,200	23,000
459	Regional Services	CP422	Rural Operations West	Expense	[N] RWC-NC-Kabra Scrubby Creek Rd Kabra - bitumen seal CH 0.05-1.70 km	0	10,000	10,000	10,000	0	0
460	Regional Services	CP422	Rural Operations West	Expense	[R] RWC-RC-Malchi-Nine Mile Road-Ch 9.5 to 9.7	0	14,000	14,000	43,500	0	29,500
461	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-FW Glenroy Marlborough Rd - Ch 25.98	35,000	35,000	35,000	35,000	0	0
462	Regional Services	CP422	Rural Operations West	Expense	Glenroy Rd - Louisa Creek Bridge	51,000	51,000	51,000	0	300,000	-51,000
463	Regional Services	CP422	Rural Operations West	Expense	[R] RWC-RC Griffith St (Stanwell) - Ch 0 to 0.25	73,000	73,000	73,000	133,000	0	60,000
464	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-FW Gum Tree Avenue - Ch 0.40 (upgrade floodway)	200,000	200,000	200,000	235,000	0	35,000
465	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-FW Kalapa Black Mtn Rd - Ch 4.04, 3.17, 5.42, 5.71, 6.68, 7.23 & 7.99	148,000	148,000	148,000	208,000	0	60,000
466	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-FW Morinish Rd - Ch 6.07	30,000	30,000	30,000	40,000	0	10,000
467	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-FW Moses Rd - Ch 3.13, 5.19 & 5.29	70,000	70,000	70,000	70,000	0	0
468	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-FW Rosewood Rd - Ch 36.55	35,000	35,000	35,000	35,000	0	0
469	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-FW Seymour Rd - Ch 0.26, 0.82	75,000	75,000	75,000	75,000	0	0
470	Regional Services	CP422	Rural Operations West	Expense	[R] RWC-RC-Nine Mile Rd Pink Lily Ch 1.75-2.53 Pavement Rehab	0	0	0	430,000	0	430,000
471	Regional Services	CP422	Rural Operations West	Expense	[N] RWC-SW Murphy Rd Ch 3.30	0	0	0	34,000	0	34,000
472	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-RC-Reid Rd Ch 3.31-3.41 Pavement Rehab and Seal	0	0	0	20,000	0	20,000
473	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-RC-Brickworks Rd - Warren Rd Intersection seal	0	0	0	33,000	0	33,000
474	Regional Services	CP422	Rural Operations West	Expense	[U] RWC-RC-Dalma-Ridglands Rd - Moses Rd Intersection Improvements	0	0	0	180,000	0	180,000
475	Regional Services	CP422	Rural Operations West	Expense	Casuarina Rd - Serpentine Creek Bridge	0	0	0	40,000	288,576	40,000
476	Regional Services	CP422	Rural Operations West	Expense	Laurel Bank Rd - Wedel Rd Intersection Improvemen	0	0	0	80,000	0	80,000
477	Regional Services	CP422	Rural Operations West	Expense	[N] RWC-NC-Old Joe Road Bajool (Bajool-Port Alma Rd to WTS)	0	0	0	0	25,000	0
478	Regional Services	CP422	Rural Operations West	Expense	Milner Road - Ch 0.25 to 0.55, bitumen seal	0	0	0	0	107,600	0
479	Regional Services	CP422	Rural Operations West	Expense	Casuarina Rd - Swan Creek Bridge	0	0	0	40,000	288,576	40,000
480	Regional Services	CP422	Rural Operations West	Expense	Nugget Ave (Bouldercombe) - Ch 0.28 to 1.12, bitumen seal	0	0	0	0	215,300	0
481	Regional Services	CP422	Rural Operations West	Expense	Aremby Road Ch 0.0 to 6.58, bitumen seal	0	0	0	0	250,000	0

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482	Regional Services	CP422	Rural Operations West	Expense	Floodways CP422 - Bulk Allocation	0	0	0	0	400,000	0
483	Regional Services	CP422	Rural Operations West	Expense	Bobs Creek Road - Ch 00-1 60	0	0	0	0	228,500	0
484	Regional Services	CP422	Rural Operations West	Expense	Glenroy Road - Ch 8.50 to 19.90, bitumen seal	0	0	0	0	328,000	0
485	Regional Services	CP422	Rural Operations West	Expense	Pink Lily Road - Ch 1.2 to Ch 2.0	0	0	0	0	214,200	0
486	Regional Services	CP422	Rural Operations West	Expense	South Yaamba Road - Ch 0.00 to 1.20	0	0	0	0	241,900	0
487	Regional Services	CP422	Rural Operations West Total			5,703,000	5,727,000	5,877,000	6,379,400	6,930,252	502,400
488	Regional Services	CP427	Central Urban Operations	Expense	Footpath Reconstruction - Bulk Allocation	256,000	256,000	256,000	80,000	256,000	-176,000
489	Regional Services	CP427	Central Urban Operations	Expense	Misc Traffic Light Upgrades - (PAPL to Radio Link)	157,000	157,000	157,000	95,400	0	-61,600
490	Regional Services	CP427	Central Urban Operations	Expense	Annual Reseal Program CP427	4,095,000	3,879,900	3,879,900	4,241,750	3,349,400	361,850
491	Regional Services	CP427	Central Urban Operations	Expense	Streetlighting Improvement Program	50,000	50,000	50,000	0	0	-50,000
492	Regional Services	CP427	Central Urban Operations	Expense	Caribbea Estate Stg 2	0	0	0	7,100	0	7,100
493	Regional Services	CP427	Central Urban Operations	Expense	Road Safety Minor Works Program	205,000	205,000	205,000	70,000	200,000	-135,000
494	Regional Services	CP427	Central Urban Operations	Expense	[R] UCC-RF-Pilbeam Drive guard rails	50,000	50,000	50,000	0	0	-50,000
495	Regional Services	CP427	Central Urban Operations	Expense	Bus Stop Program	308,000	308,000	308,000	200,000	250,000	-108,000
496	Regional Services	CP427	Central Urban Operations	Expense	Thozet Road - Lilley Ave to Zervos Ave	0	200,000	200,000	230,000	0	30,000
497	Regional Services	CP427	Central Urban Operations	Expense	Dean Street - Rodboro Street Intersection	0	80,000	80,000	0	0	-80,000
498	Regional Services	CP427	Central Urban Operations	Expense	Bridge Rehabilitation - Bulk Allocation	250,000	250,000	250,000	86,000	65,000	-164,000
499	Regional Services	CP427	Central Urban Operations	Expense	Replace Stormwater Inlets	95,000	95,000	95,000	95,000	100,000	0
500	Regional Services	CP427	Central Urban Operations	Expense	Hindley Street - Elphinstone Street to Livingstone Street	190,000	190,000	190,000	191,500	0	1,500
501	Regional Services	CP427	Central Urban Operations	Expense	Rodboro Street - Dean Street to Water Street	0	0	0	0	130,000	0
502	Regional Services	CP427	Central Urban Operations	Expense	Wackford Street Drainage (Stage 1)	720,000	720,000	720,000	400,000	3,400,000	-320,000
503	Regional Services	CP427	Central Urban Operations	Expense	Cheney St Drainage Upgrade-Contribution to Developer	0	0	0	2,000	0	2,000
504	Regional Services	CP427	Central Urban Operations	Expense	Alexander Street Drainage	0	100,000	100,000	212,000	0	112,000
505	Regional Services	CP427	Central Urban Operations	Expense	Pilbeam Drive Carpark Ch 0.2km	0	0	0	176,000	0	176,000
506	Regional Services	CP427	Central Urban Operations	Expense	Dean St Drainage_Rodboro Street to Peter Street	0	0	0	132,700	0	132,700
507	Regional Services	CP427	Central Urban Operations	Expense	Quay Lane - North Street to Albert Street	65,000	65,000	65,000	65,000	0	0
508	Regional Services	CP427	Central Urban Operations	Expense	Berserker Street - Simpson Street to Robinson Street	175,000	175,000	175,000	175,000	0	0
509	Regional Services	CP427	Central Urban Operations	Expense	Upper Dawson Road - Nathan Street to Wakefield Street	510,000	543,000	543,000	250,000	400,000	-293,000
510	Regional Services	CP427	Central Urban Operations	Expense	Western St - Meade Street intersection	0	0	0	12,000	0	12,000
511	Regional Services	CP427	Central Urban Operations	Expense	Farm Street - Alexandra Street intersection	0	0	0	0	513,000	0
512	Regional Services	CP427	Central Urban Operations	Expense	Mason Avenue - Hotham Close to Norman Road	835,000	835,000	835,000	1,295,000	0	460,000
513	Regional Services	CP427	Central Urban Operations	Expense	Jones Street - Brosnan Crescent to Norman Road	400,000	400,000	400,000	165,000	0	-235,000
514	Regional Services	CP427	Central Urban Operations	Expense	North Street - Campbell Street to Victoria Parade (Cycle route improvements)	364,000	364,000	364,000	550,000	0	186,000
515	Regional Services	CP427	Central Urban Operations	Expense	Kerrigan Street - Underpass of Roundabout	0	0	0	1,100	0	1,100
516	Regional Services	CP427	Central Urban Operations	Expense	Glenmore Road - Main Street to NC Railway	305,000	305,000	305,000	305,000	0	0
517	Regional Services	CP427	Central Urban Operations	Expense	Bridge Street - Yeeppoon Railway to Queen Elizabeth Drive	300,000	200,000	200,000	184,000	0	-16,000
518	Regional Services	CP427	Central Urban Operations	Expense	Upper Dawson Road - Nathan Street to Wakefield Street	0	0	0	57,000	0	57,000
519	Regional Services	CP427	Central Urban Operations	Expense	Clanfield Street - Wooster Street to Simpson Street	400,000	400,000	400,000	230,000	0	-170,000
520	Regional Services	CP427	Central Urban Operations	Expense	Power Street - Hollingsworth Street to Alexandra Street	0	0	0	12,500	0	12,500
521	Regional Services	CP427	Central Urban Operations	Expense	Pilbeam Drive Reseal	315,000	315,000	315,000	315,000	0	0
522	Regional Services	CP427	Central Urban Operations	Expense	Webber Park Stage 1A inlets/outlets	1,210,000	1,210,000	1,210,000	1,210,000	0	0
523	Regional Services	CP427	Central Urban Operations	Expense	German Street - Rosewood Drive to Sunset Drive	0	12,400	12,400	13,000	0	600
524	Regional Services	CP427	Central Urban Operations	Expense	Quay Street - William Street to Derby Street	713,000	713,000	713,000	500,000	0	-213,000
525	Regional Services	CP427	Central Urban Operations	Expense	Dean Street - Talbot Street to Elphinstone Street	0	71,500	71,500	75,200	0	3,700
526	Regional Services	CP427	Central Urban Operations	Expense	Haynes Street - Hollingsworth Street to Byrne Street	72,400	72,400	72,400	0	352,000	-72,400
527	Regional Services	CP427	Central Urban Operations	Expense	Main Street - Pearce Street to Rodger Street	100,000	470,000	470,000	377,000	0	-83,000
528	Regional Services	CP427	Central Urban Operations	Expense	Power Street - Frontage of No. 34	0	6,500	6,500	6,500	0	0
529	Regional Services	CP427	Central Urban Operations	Expense	Rodger Street - Medcraf Street to Buzzacott Street	0	0	0	5,000	0	5,000
530	Regional Services	CP427	Central Urban Operations	Expense	Stormwater - Minor Capital Program	100,000	100,000	100,000	29,000	100,000	-71,000
531	Regional Services	CP427	Central Urban Operations	Expense	Blackspot Allocation for 100% Projects	500,000	500,000	500,000	410,000	512,500	-90,000
532	Regional Services	CP427	Central Urban Operations	Expense	Boundary Road - Norman Road Intersection Upgrade	0	0	0	0	250,000	0
533	Regional Services	CP427	Central Urban Operations	Expense	Heavy Patching / Pavement Rehabilitation - Bulk Allocation	410,000	410,000	410,000	410,000	314,200	0
534	Regional Services	CP427	Central Urban Operations	Expense	Quay Street - Gavial Creek Bridge Major Renewal	1,000,000	1,000,000	1,000,000	100,000	4,200,000	-900,000
535	Regional Services	CP427	Central Urban Operations	Expense	South Rockhampton Main Drain	0	20,000	20,000	21,000	0	1,000
536	Regional Services	CP427	Central Urban Operations	Expense	[N] FP - Rockonia Road (Connor to Stack previously Callaghan Park	0	8,200	8,200	8,600	0	400
537	Regional Services	CP427	Central Urban Operations	Expense	Stanley Street - Alma Street Intersection	0	12,100	12,100	12,000	0	-100
538	Regional Services	CP427	Central Urban Operations	Expense	Denham Street - Campbell Street Roundabout	0	6,500	6,500	11,480	0	4,980
539	Regional Services	CP427	Central Urban Operations	Expense	PCYC Berserker Flood Valves WAQ Round 2	70,000	90,000	90,000	68,000	0	-22,000
540	Regional Services	CP427	Central Urban Operations	Expense	Canning Street - Derby Street Roundabout	0	0	0	330,000	0	330,000
541	Regional Services	CP427	Central Urban Operations	Expense	Alma Street - Denham Street Roundabout	0	0	0	333,000	0	333,000
542	Regional Services	CP427	Central Urban Operations	Expense	Chancellors Estate defect repairs	82,000	82,000	82,000	0	0	-82,000
543	Regional Services	CP427	Central Urban Operations	Expense	Heritage Village Mini Railway Relocation	0	0	0	2,000	0	2,000

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544	Regional Services	CP427	Central Urban Operations	Expense	Pilbeam Drive - Walkway connection to Frenchville Road	589,000	839,000	839,000	700,000	0	-139,000
545	Regional Services	CP427	Central Urban Operations	Expense	Footpath and cycleway Round 2 W4Q	470,000	287,311	287,311	287,000	0	-311
546	Regional Services	CP427	Central Urban Operations	Expense	Replacement & straightening Street Signage W4Q2	120,000	76,000	76,000	120,000	0	44,000
547	Regional Services	CP427	Central Urban Operations	Expense	Belmont Road - FRW Entrance to Edenbrook Boundary	220,000	220,000	220,000	0	0	-220,000
548	Regional Services	CP427	Central Urban Operations	Expense	Pilbeam Drive - Safety Audit Works	30,000	30,000	30,000	30,000	100,000	0
549	Regional Services	CP427	Central Urban Operations	Expense	Pilbeam Drive - Bridge to Existing Path W4Q Round	0	0	0	144,000	0	144,000
550	Regional Services	CP427	Central Urban Operations	Expense	Park Street Drainage - Stage 5A Tung Yeen St	887,592	887,592	887,592	1,098,000	0	210,408
551	Regional Services	CP427	Central Urban Operations	Expense	[R] UCC-RC-Haig Street-Wandal Road to Cavell Street	500,000	500,000	500,000	321,000	0	-179,000
552	Regional Services	CP427	Central Urban Operations	Expense	Maritime Infrastructure Design	100,000	100,000	100,000	50,000	0	-50,000
553	Regional Services	CP427	Central Urban Operations	Expense	Alexander St - Richardson Rd to Moores Creek Rd	2,100,000	2,100,000	2,100,000	1,800,000	2,972,500	-300,000
554	Regional Services	CP427	Central Urban Operations	Expense	Bennett st Ford to Eldon	205,000	205,000	200,000	200,000	200,000	0
555	Regional Services	CP427	Central Urban Operations	Expense	Kerb Ramp Program - Bulk Allocation	25,000	25,000	25,000	25,000	25,000	0
556	Regional Services	CP427	Central Urban Operations	Expense	North - hospital to Hunter	205,000	205,000	205,000	150,000	0	-55,000
557	Regional Services	CP427	Central Urban Operations	Expense	[U] UCC RC Quay Ln & Pilbeam Theatre Carpark (Revenue)	513,000	513,000	513,000	50,000	463,000	-463,000
558	Regional Services	CP427	Central Urban Operations	Expense	[R]-UCC-RC Schultz St - Denham St Ext to Verney St	188,000	188,000	188,000	0	0	-188,000
559	Regional Services	CP427	Central Urban Operations	Expense	[N] UCC-FP-Nobbs St	0	0	0	15,000	0	15,000
560	Regional Services	CP427	Central Urban Operations	Expense	Footpath Thozet Rd to Elphinstone Street	0	0	0	18,000	0	18,000
561	Regional Services	CP427	Central Urban Operations	Expense	[N] Disability Access Infrastructure - Ramps (Various locations in the broader	0	0	0	20,000	0	20,000
562	Regional Services	CP427	Central Urban Operations	Expense	[N] Sheehy & Denning Streets intersection - Road & Drainage works	0	0	0	0	168,140	0
563	Regional Services	CP427	Central Urban Operations	Expense	[N] UWC-SW-Railway Parade - Extension at new SPS	0	0	0	3,000	0	3,000
564	Regional Services	CP427	Central Urban Operations	Expense	Victoria Place	0	0	0	71,000	0	71,000
565	Regional Services	CP427	Central Urban Operations	Expense	[R] UCC-KC-Eton St (Denham St Extd to southern end)	0	0	0	35,000	0	35,000
566	Regional Services	CP427	Central Urban Operations	Expense	Gross Pollutant trap - Riverside	0	0	0	0	250,000	0
567	Regional Services	CP427	Central Urban Operations	Expense	Victoria Parade - Cambridge St to North St	0	0	0	20,000	0	20,000
568	Regional Services	CP427	Central Urban Operations	Expense	[N] Swadling Park Carpark	0	0	0	53,250	0	53,250
569	Regional Services	CP427	Central Urban Operations	Revenue	[N] New Footpath Package - W4QR3	0	0	0	-500,000	-500,000	-500,000
570	Regional Services	CP427	Central Urban Operations	Expense	[N] New Footpath Package - W4QR3	0	0	0	0	550,000	0
571	Regional Services	CP427	Central Urban Operations	Revenue	[N] Fishing Platforms - W4QR3	0	0	0	-400,000	-400,000	-400,000
572	Regional Services	CP427	Central Urban Operations	Expense	[N] Fishing Platforms - W4QR3	0	0	0	0	470,000	0
573	Regional Services	CP427	Central Urban Operations	Expense	Glenmore Road - Dooley to Park	0	0	0	0	390,000	0
574	Regional Services	CP427	Central Urban Operations	Expense	Upper Dawson Road - Brecknell Street to Ward Street	0	0	0	0	310,000	0
575	Regional Services	CP427	Central Urban Operations	Expense	Knight Street - Horace to Knight top end	0	0	0	0	900,000	0
576	Regional Services	CP427	Central Urban Operations	Expense	[N] Bolsover Street Streetscape - Derby St to Cambridge St	0	0	0	318,374	0	318,374
577	Regional Services	CP427	Central Urban Operations	Expense	Canooka Street - Curve Widening	0	0	0	0	500,000	0
578	Regional Services	CP427	Central Urban Operations	Expense	Bolsover - Denham to William	0	0	0	0	250,000	0
579	Regional Services	CP427	Central Urban Operations	Expense	Guardrail Renewal	0	0	0	0	50,000	0
580	Regional Services	CP427	Central Urban Operations	Expense	Bracher Road Rehab - Lion Creek to Wandal	0	0	0	0	500,000	0
581	Regional Services	CP427	Central Urban Operations	Expense	Bus Shelter program	0	0	0	0	50,000	0
582	Regional Services	CP427	Central Urban Operations	Expense	Thozet Road - Hinton to Bloxsum	0	0	0	0	210,000	0
583	Regional Services	CP427	Central Urban Operations	Expense	[N] Limestone Creek Diversion - open channel	0	0	0	0	250,000	0
584	Regional Services	CP427	Central Urban Operations	Expense	Musgrave Street	0	0	0	0	540,000	0
585	Regional Services	CP427	Central Urban Operations	Expense	Meter Street - Kerb and carparking	0	0	0	0	40,000	0
586	Regional Services	CP427	Central Urban Operations Total			20,454,992	21,103,403	21,098,403	18,386,454	22,680,740	-2,711,949
587	Regional Services	CP428	West Urban Operations	Expense	Annual Reseal Program CP428	513,000	400,000	400,000	400,000	507,000	0
588	Regional Services	CP428	West Urban Operations	Expense	Streetlighting Improvement Program	0	0	0	0	25,000	0
589	Regional Services	CP428	West Urban Operations	Expense	Low Cost Seals - minor roads	103,000	103,000	103,000	133,000	103,000	30,000
590	Regional Services	CP428	West Urban Operations	Expense	Macquarie Street - Foster Street to Douglas Street	0	0	600,000	600,000	1,712,000	0
591	Regional Services	CP428	West Urban Operations	Expense	[N] UWC-TM-Ranger St - Breakspear St to Lawrie St	0	0	0	7,000	0	7,000
592	Regional Services	CP428	West Urban Operations	Expense	Morgan Street - Upgrade as part of streetscape	185,000	185,000	185,000	185,000	0	0
593	Regional Services	CP428	West Urban Operations	Expense	Pepperina Lane - William Street to East Street Ext	0	2,400	2,400	8,600	0	6,200
594	Regional Services	CP428	West Urban Operations	Expense	William Street (Mt Morgan) - East Street to Black Street	0	0	0	0	41,000	0
595	Regional Services	CP428	West Urban Operations	Expense	Byrnes Parade - Service Road	6,000	6,000	6,000	6,000	0	0
596	Regional Services	CP428	West Urban Operations	Expense	Morgan Street Long Range Coach Stop	50,000	50,000	50,000	133,000	0	83,000
597	Regional Services	CP428	West Urban Operations	Expense	Macquarie Street - Sommerset Road to Foster Street W4Q	405,000	405,000	405,000	684,302	0	279,302
598	Regional Services	CP428	West Urban Operations	Expense	[U] UWC-FP-Morgan Street - CBD inc improve seating and rubbish bins W4QR2	420,000	450,000	450,000	420,000	145,000	-30,000
599	Regional Services	CP428	West Urban Operations	Expense	Gracemere CBD W4Q Round 2	480,000	494,000	494,000	650,000	0	156,000
600	Regional Services	CP428	West Urban Operations	Expense	Bland Street - Johnson rd (Cemetery frontage) to Arlott Street	0	80,000	80,000	70,000	0	-10,000
601	Regional Services	CP428	West Urban Operations	Expense	[R]-UWC-RC Barree Crescent	27,000	27,000	27,000	69,000	0	42,000
602	Regional Services	CP428	West Urban Operations	Expense	[R]-UWC-RC Ranger St - Fisher St to Lawrie St	106,000	106,000	106,000	0	0	-106,000
603	Regional Services	CP428	West Urban Operations	Expense	[N] Burnett Highway - School to Carige Avenue	0	0	0	59,000	0	59,000
604	Regional Services	CP428	West Urban Operations	Expense	Railway Parade	0	0	0	24,000	0	24,000

Line	Department	Cost Center	Cost Centre Description	Account Type	Project Description	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Draft Adopted Budget	Movement (March - September)
605	Regional Services	CP428	West Urban Operations	Expense	[U]-UWC-NC-Kent Street - Bouldercombe Ch 0.00-0.80	0	0	0	12,000	0	12,000
606	Regional Services	CP428	West Urban Operations	Expense	Mt Morgan Fishing Platform	0	0	0	5,000	0	5,000
607	Regional Services	CP428	West Urban Operations	Expense	Mt Morgan Depot Reseal	0	0	0	0	105,600	0
608	Regional Services	CP428	West Urban Operations Total			2,295,000	2,308,400	2,908,400	3,465,902	2,638,600	557,502
609	Regional Services	CP430	Engineering Services	Expense	Infrastructure Planning - Land Acquisitions and Resumptions	0	375,000	375,000	375,000	0	0
610	Regional Services	CP430	Engineering Services	Expense	LDCC Equipment Upgrade	0	100,000	100,000	100,000	20,000	0
611	Regional Services	CP430	Engineering Services	Expense	[N] Preliminary design and conceptual layouts	157,000	197,000	197,000	0	0	-197,000
612	Regional Services	CP430	Engineering Services	Expense	[N] New Design Office Survey equipment	0	60,000	60,000	60,000	0	0
613	Regional Services	CP430	Engineering Services	Expense	[N] Webber Park Drainage Scheme Stage 1	0	5,000	5,000	5,000	0	0
614	Regional Services	CP430	Engineering Services	Expense	[N] Drainage - Wackford Street Park Avenue	0	0	0	10,000	0	10,000
615	Regional Services	CP430	Engineering Services	Expense	[N] Purchase of Charles Street Residence (SES)	0	6,500	6,500	1,000	0	-5,500
616	Regional Services	CP430	Engineering Services	Expense	[N] Port Alma Boat Ramp - Land Acquisitions	0	0	100,000	100,000	0	0
617	Regional Services	CP430	Engineering Services	Revenue	SES Facilities grant	0	0	0	0	-75,000	0
618	Regional Services	CP430	Engineering Services	Expense	Flood Stations Network Investment plan	0	0	0	0	90,000	0
619	Regional Services	CP430	Engineering Services	Expense	Stormwater Quality Trial Sites	0	0	0	0	25,000	0
620	Regional Services	CP430	Engineering Services	Expense	Renewal of Design Office Survey equipment	0	0	0	0	45,000	0
621	Regional Services	CP430	Engineering Services Total			157,000	743,500	843,500	651,000	105,000	-192,500
622	Regional Services	CP431	Engineering Services Revenue	Revenue	[N] Developer Contributions Roadworks	-500,000	-500,000	-500,000	-500,000	-1,025,000	0
623	Regional Services	CP431	Engineering Services Revenue Total			-500,000	-500,000	-500,000	-500,000	-1,025,000	0
624	Regional Services	CP460	Riverbank Redevelopment Projects	Expense	[N] Riverbank Upper-Stage 1A Quay St-Fitzroy St to Denham St	0	44,500	44,500	44,500	0	0
625	Regional Services	CP460	Riverbank Redevelopment Projects	Expense	[N] Riverbank Upper-Stage 1B Quay St - Denham St to William	0	61,846	61,846	61,846	0	0
626	Regional Services	CP460	Riverbank Redevelopment Projects	Revenue	[N] Riverbank Upper-Stage 1C&D Denham St - Quay St to East St	0	-404,516	-404,516	-404,516	0	0
627	Regional Services	CP460	Riverbank Redevelopment Projects	Expense	[N] Riverbank Upper-Stage 1C&D Denham St - Quay St to East St	0	29,764	29,764	29,764	0	0
628	Regional Services	CP460	Riverbank Redevelopment Projects	Revenue	[N] Riverbank Lower - Stage 2A Central Activation Area	0	-295,125	-295,125	-295,125	0	0
629	Regional Services	CP460	Riverbank Redevelopment Projects	Expense	[N] Riverbank Lower - Stage 2A Central Activation Area	0	101,000	101,000	101,000	0	0
630	Regional Services	CP460	Riverbank Redevelopment Projects	Revenue	[N] Supercars	-1,000,000	-1,000,000	-1,000,000	0	0	1,000,000
631	Regional Services	CP460	Riverbank Redevelopment Projects	Expense	[N] Supercars	1,500,000	1,500,000	1,500,000	0	0	-1,500,000
632	Regional Services	CP460	Riverbank Redevelopment Projects	Revenue	[N] Riverbank Playground Amenities and Access - W4QR3	0	0	0	-545,000	-545,000	0
633	Regional Services	CP460	Riverbank Redevelopment Projects	Expense	[N] Riverbank Playground Amenities and Access - W4QR3	0	0	0	0	1,090,000	0
634	Regional Services	CP460	Riverbank Redevelopment Projects Total			500,000	37,469	37,469	-1,007,531	545,000	-1,045,000
635	Regional Services	CP470	Cbd Cultural Precinct	Expense	[U] CBD Cultural Precinct - Design	1,600,000	1,404,566	1,404,566	1,404,566	0	0
636	Regional Services	CP470	Cbd Cultural Precinct	Revenue	[N] Construction of new Art Gallery	-2,000,000	-2,000,000	0	0	0	0
637	Regional Services	CP470	Cbd Cultural Precinct	Expense	[N] Construction of new Art Gallery	0	900	900	0	0	-900
638	Regional Services	CP470	Cbd Cultural Precinct	Revenue	[N] New Art Gallery Construction - Federal Grant	0	0	0	0	-6,000,000	0
639	Regional Services	CP470	Cbd Cultural Precinct	Revenue	[N] New Art Gallery Construction-State Grant	0	0	0	0	-13,000,000	0
640	Regional Services	CP470	Cbd Cultural Precinct	Expense	[N] New Art Gallery Construction	2,000,000	1,920,722	2,000,000	600,000	21,350,000	-1,400,000
641	Regional Services	CP470	Cbd Cultural Precinct	Expense	[N] Car Parking Solution for CBD	50,000	120,421	120,421	120,421	0	0
642	Regional Services	CP470	Cbd Cultural Precinct	Expense	[N] CBD Cultural Precinct - Demolish One East St Property	200,000	294,000	294,000	294,000	0	0
643	Regional Services	CP470	Cbd Cultural Precinct	Expense	[N] CBD Car Parking - Purchase of 135 & 143 Alma St	200,000	269,196	269,196	300,000	0	30,804
644	Regional Services	CP470	Cbd Cultural Precinct	Expense	[U] CBD Cultural Precinct - Electrical Works	0	0	0	500,000	250,000	500,000
645	Regional Services	CP470	Cbd Cultural Precinct	Revenue	Fraser Park - New Amenities	0	0	0	0	-600,000	0
646	Regional Services	CP470	Cbd Cultural Precinct	Expense	Fraser Park - New Amenities	0	0	0	0	600,000	0
647	Regional Services	CP470	Cbd Cultural Precinct	Expense	[U] CBD Cultural Precinct - Custom House Design	0	0	0	0	500,000	0
648	Regional Services	CP470	Cbd Cultural Precinct	Expense	[U] CBD Cultural Precinct - East Street Interim Works	0	0	0	200,000	300,000	200,000
649	Regional Services	CP470	Cbd Cultural Precinct Total			2,050,000	2,009,805	4,089,083	3,418,987	3,400,000	-670,096
650	Regional Services	CP471	Rton Flood Mitigation Project	Revenue	[N] Levee Bank South Rockhampton	0	0	0	0	-30,000,000	0
651	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] Levee Bank South Rockhampton	6,000,000	6,096,150	6,100,000	0	31,300,000	-6,100,000
652	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Preliminaries	0	0	0	2,000,000	2,000,000	2,000,000
653	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Design Development	0	0	0	1,400,000	800,000	1,400,000
654	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Package 1 - Riverbank Protection Works	0	0	0	400,000	2,600,000	400,000
655	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Package 2 - Wood Street / Lucius Street drainage	0	0	0	700,000	300,000	700,000
656	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Package 3 - Stormwater relocation / protection a	0	0	0	0	300,000	0
657	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Package 4 - Water / Sewage Relocation / Protection	0	0	0	0	500,000	0
658	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Package 5 - Borrow Pit Preparation Works	0	0	0	0	1,300,000	0
659	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] SRFL - Package 6 - Public Utility Providers Design	0	0	0	800,000	200,000	800,000
660	Regional Services	CP471	Rton Flood Mitigation Project	Revenue	[N] Fitzroy River - Bank Protection - W4QR3	0	0	0	-1,750,000	-1,750,000	-1,750,000
661	Regional Services	CP471	Rton Flood Mitigation Project	Expense	[N] Fitzroy River - Bank Protection - W4QR3	0	0	0	0	3,500,000	0
662	Regional Services	CP471	Rton Flood Mitigation Project Total			6,000,000	6,096,150	6,100,000	3,550,000	11,050,000	-2,550,000
663	Regional Services	CP620	Waste	Expense	[N] Lakes Creek Rd Landfill - Capping Trimming Construct Earthworks - Embankment	487,216	641,409	641,409	661,154	0	19,745
664	Regional Services	CP620	Waste	Expense	Gracemere WTS Design and Construct	70,000	70,000	70,000	0	37,000	-70,000
665	Regional Services	CP620	Waste	Expense	[R] Rubbish Bins - Rockhampton Regional Council Renewal Prog	180,000	80,000	80,000	65,763	80,000	-14,237
666	Regional Services	CP620	Waste	Expense	[N] Capping & Closure of Stage 1 & 2 - Gracemere Landfill	0	0	0	12,885	1,257,115	12,885

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667	Regional Services	CP620	Waste	Expense	[N] Lakes Creek Road Landfill - Life Extension	2,050,000	2,420,638	2,420,638	2,839,513	450,000	418,875
668	Regional Services	CP620	Waste	Expense	[N] LCR Stormwater outlets at WTS	0	0	0	107,138	112,862	107,138
669	Regional Services	CP620	Waste	Expense	[R] LCR Electric & Boundary Fence	0	56,100	56,100	56,077	0	-23
670	Regional Services	CP620	Waste	Expense	[R] Water evaporation system Lakes Creek Landfill	0	11,496	11,496	23,036	210,000	11,540
671	Regional Services	CP620	Waste	Expense	Leachate Treatment System to allow discharge to sewer	0	42,779	42,779	24,500	0	-18,279
672	Regional Services	CP620	Waste	Expense	[N] Lakes Creek Road Landfill - Life Extension interim capping and cover	0	0	0	0	444,300	0
673	Regional Services	CP620	Waste	Expense	[U] Alton Downs Waste Transfer Station	80,000	100,000	100,000	203,651	0	103,651
674	Regional Services	CP620	Waste	Expense	[N] Donga Office Extension - Leading Hand LCRL	85,000	85,000	85,000	109,187	0	24,187
675	Regional Services	CP620	Waste	Expense	[N] Flying Debris netting to reduce light waste leaving tip face Lakes Creek Lan	50,000	50,000	50,000	80,250	128,800	30,250
676	Regional Services	CP620	Waste	Expense	[N] Heavy Equipment Service Trailer Lakes Creek Rd Landfill	25,000	25,000	25,000	0	25,000	-25,000
677	Regional Services	CP620	Waste	Expense	[U] Historical Closed Landfill Remediation	50,000	50,000	50,000	0	101,300	-50,000
678	Regional Services	CP620	Waste	Expense	[N] Landscaping Lakes Creek Rd Landfill	50,000	50,000	50,000	60,705	153,800	10,705
679	Regional Services	CP620	Waste	Expense	[N] Mower for Lakes Creek Rd Landfill	10,000	10,000	10,000	0	0	-10,000
680	Regional Services	CP620	Waste	Expense	[N] Bajool Waste Transfer Station	0	0	800,000	837,478	0	37,478
681	Regional Services	CP620	Waste	Expense	[N] Bushley Waste Transfer Station - Building	0	0	500,000	5,563	550,000	-494,437
682	Regional Services	CP620	Waste	Expense	[N] Bushley Waste Transfer Station - LAND	0	0	210,000	230,529	0	20,529
683	Regional Services	CP620	Waste	Revenue	[U] Levy Ready Project	0	0	-79,800	-109,242	-12,138	-29,442
684	Regional Services	CP620	Waste	Expense	[U] Levy Ready Project	0	0	114,000	163,845	0	49,845
685	Regional Services	CP620	Waste	Expense	Water Truck / Fire Cannon / Hose Reels	0	0	0	0	21,800	0
686	Regional Services	CP620	Waste	Expense	[N] Lakes Creek Road Land Acquisition	0	0	0	0	10,000	0
687	Regional Services	CP620	Waste	Expense	[N] Lakes Creek Road Landfill Capping Bail Area A	0	0	0	0	165,600	0
688	Regional Services	CP620	Waste	Expense	[R] Building - Fittings (Site Office) AssetID - 1070229	0	0	0	0	450	0
689	Regional Services	CP620	Waste	Expense	Lakes Creek Road Upgrades	0	0	0	0	110,800	0
690	Regional Services	CP620	Waste	Expense	[R] Building finishes Site Office Asset ID - 939602	0	0	0	0	1,750	0
691	Regional Services	CP620	Waste	Expense	[R] Surface Gracemere Waste Transfer Station Access Road Asset ID - 1011262	0	0	0	0	9,378	0
692	Regional Services	CP620	Waste	Expense	[R] Surface Mt Morgan Waste Transfer Station Access Road - Asset ID 1020120	0	0	0	0	6,938	0
693	Regional Services	CP620	Waste	Expense	[R] Building - Finishes (Site Office) AssetID - 1070228	0	0	0	0	1,500	0
694	Regional Services	CP620	Waste Total			3,137,216	3,692,422	5,236,622	5,372,032	3,866,255	135,410
695	Regional Services	CP761	Capital Control-Network Water-Mt Morgan	Expense	[R] M - Water Main Replacement Program	1,000,000	900,000	900,000	740,000	768,800	-160,000
696	Regional Services	CP761	Capital Control-Network Water-Mt Morgan	Expense	[R] M Water Meter Replacement	3,000	0	0	3,000	4,100	3,000
697	Regional Services	CP761	Capital Control-Network Water-Mt Morgan Total			1,003,000	900,000	900,000	743,000	772,900	-157,000
698	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[R] R -Water Main Replacement Program	2,200,000	1,700,000	1,500,000	1,800,000	2,870,000	300,000
699	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[R] R Water Meter Replacement	300,000	300,000	500,000	500,000	500,000	0
700	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[R] G Water Meter Replacement	6,000	10,000	10,000	10,000	7,200	0
701	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[R] R Valve & Hydrant Renewal	52,000	20,000	20,000	40,000	53,300	20,000
702	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[R] R - W Property Service Replacements	154,000	154,000	154,000	120,000	157,900	-34,000
703	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[N] R-W Main 150mm Gladstone Rd (Prospect-Port Curtis Rd)	0	70,000	70,000	0	70,000	-70,000
704	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[R] R W Main Yaamba Rd 600mm renewal	0	1,500,000	2,500,000	4,400,000	0	1,900,000
705	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[N] G W Main (Gravity) 150mm Elizabeth St extension	300,000	300,000	300,000	400,000	0	100,000
706	Regional Services	CP762	Capital Control-Network Water-Rockhampton	Expense	[R] R PRV's & District meters gatic lids	0	0	0	0	20,500	0
707	Regional Services	CP762	Capital Control-Network Water-Rockhampton Total			3,012,000	4,054,000	5,054,000	7,270,000	3,678,900	2,216,000
708	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[N] M W Dam No. 7 CCTV	0	15,000	15,000	22,000	0	7,000
709	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[N] M WTP CCTV installation	0	15,000	15,000	15,000	0	0
710	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[U] M W Dam No 7 - Raw Lift pump upgrade	0	1,000	1,000	0	0	-1,000
711	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[N] M WTP Clarifier Access Upgrade	20,000	25,000	25,000	40,000	0	15,000
712	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[N] M WTP Installation of Clarifier Sludge Blanket Level Sensor	0	2,500	2,500	0	0	-2,500
713	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[R] M WPS Baree WPS Electrical Upgrade	0	30,000	30,000	32,000	0	2,000
714	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[R] M WPS Fletcher Creek Electrical Re-commissioning	0	20,000	20,000	20,000	0	0
715	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[U] M WPS Black St WPS Shed Renewal	30,000	40,000	40,000	10,000	30,000	-30,000
716	Regional Services	CP764	Capital Control-Process Water-Mt Morgan	Expense	[R] M WPS East St Extended WPS Pipework renewal	0	0	0	30,000	0	30,000
717	Regional Services	CP764	Capital Control-Process Water-Mt Morgan Total			50,000	148,500	148,500	169,000	30,000	20,500
718	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] Water Barrage Gates Maintenance	82,000	154,000	154,000	165,000	90,100	11,000
719	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] WTP Glenmore concrete refurbishment	0	30,000	30,000	30,000	0	0
720	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] GWTP Sludge Scraper Mechanical Renewal	0	30,000	30,000	30,000	0	0
721	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] RWPS Low lift suction pipes Condition Assessment & remedial works	0	30,000	30,000	0	0	-30,000
722	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] Barrage Civil Preservation Works	0	75,000	75,000	0	0	-75,000
723	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] Barrage Gate Winch M&E renewal	51,000	150,000	150,000	150,000	107,600	0
724	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R WPS Brady St pump upgrade	0	20,000	20,000	40,000	0	20,000
725	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] RWPS Lakes Creek Electrical and control upgrade	0	30,000	30,000	30,000	0	0
726	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] GWTP Electrical and Control Renewal	1,000,000	950,000	950,000	25,000	1,000,000	-925,000

Line	Department	Cost Center	Cost Centre Description	Account Type	Project Description	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Draft Adopted Budget	Movement (March - September)
727	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] RWPS Low Lift Valves Renewal	84,000	134,000	134,000	134,000	0	-0
728	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[U] R WPS Low Lift Pump No 2 and 3 Renewal	485,000	385,000	385,000	150,000	400,000	-235,000
729	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[U] R Barrage Gate Height Increase Project	150,000	400,000	400,000	100,000	200,000	-300,000
730	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] Barrage Control Room Switchboard Upgrade	150,000	150,000	150,000	0	150,000	-150,000
731	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] GWTP Flocculation tank in-tank mechanicals	0	10,000	10,000	10,000	0	0
732	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] GWTP Poly Dosing Plant Renewal	61,000	61,000	61,000	0	0	-61,000
733	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[U] G WPS Old Cap Hwy mechanical and electrical upgrade	150,000	150,000	150,000	100,000	50,000	-50,000
734	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[N] R WPS Ibis Ave No. 2 Pump 3 Upgrade	363,000	480,000	480,000	10,000	470,000	-470,000
735	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R WPS Thozet Rd Mechanical and Electrical Renewal	0	0	0	27,200	0	27,200
736	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R WPS Agnes St No. 1-2-3 Pump renewal	0	0	0	0	322,900	0
737	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R WPS Low Lift rising main Condition Assessment & remedial works	0	0	0	0	31,800	0
738	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R W Reservoir Yaamba Rd Mechanical and Electrical Renewal	0	0	0	0	53,300	0
739	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R WPS Thozet Rd Mech-Elect and Valve Renewal	0	0	0	0	319,800	0
740	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R WPS Low Lift High Level Intake Structure refurbishment	0	0	0	0	102,500	0
741	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[N] R Land Acq GWTP	0	0	0	0	275,000	0
742	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[N] R WPS Norman Rd Generator Install	0	0	0	0	120,000	0
743	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[U] R GWTP Reservoir No 1 & 2 Safety Access Upgrade	0	0	0	0	100,000	0
744	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[N] R Reservoir Forbes Ave Rechlorination Facility	0	0	0	0	350,000	0
745	Regional Services	CP765	Capital Control-Process Water-Rockhampton	Expense	[R] R W Reservoir Yaamba Rd Roof and Floor Refurbishment	0	0	0	0	500,000	0
746	Regional Services	CP765	Capital Control-Process Water-Rockhampton Total			2,576,000	3,239,000	3,239,000	1,001,200	4,643,000	-2,237,800
747	Regional Services	CP781	Capital Control-Network Sewerage-Mt Morgan	Expense	[N] M-Sewer Stg 2 (11th of Railway line)	0	100,000	100,000	300,000	0	200,000
748	Regional Services	CP781	Capital Control-Network Sewerage-Mt Morgan Total			0	100,000	100,000	300,000	0	200,000
749	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Gce	Expense	[R] R - S - Jump up & mainline priority	418,000	418,000	418,000	600,000	650,000	182,000
750	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Gce	Expense	[R] R - S Access Chamber Raising	105,000	105,000	105,000	120,000	150,600	15,000
751	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Gce	Expense	[R] Sewer Main Relining & associated works	1,046,000	1,046,000	1,046,000	1,046,000	800,000	0
752	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Gce	Expense	[R] R Sewer Combined Lines Control	105,000	105,000	105,000	120,000	150,600	15,000
753	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Gce	Expense	[R] R S Main 225mm Card St diversion	0	0	0	6,400	223,600	6,400
754	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Gce	Expense	[U] R NRFMA Sewer Upgrade	0	0	0	0	250,000	0
755	Regional Services	CP782	Capital Control-Network Sewerage-Roc-Gce Total			1,674,000	1,674,000	1,674,000	1,892,400	2,224,800	218,400
756	Regional Services	CP784	Capital Control-Process Sewerage-Mt Morgan	Expense	[N] MMSTP Install Standby Inlet Screen	0	6,500	6,500	6,500	0	-0
757	Regional Services	CP784	Capital Control-Process Sewerage-Mt Morgan	Expense	[N] MMSTP Procure full list of critical spares	0	20,000	20,000	22,000	0	2,000
758	Regional Services	CP784	Capital Control-Process Sewerage-Mt Morgan	Expense	[R] M SPS Dee River Pump No 1 and 2 renewal	0	10,000	10,000	10,000	0	0
759	Regional Services	CP784	Capital Control-Process Sewerage-Mt Morgan	Expense	[N] M - SPS Railway Parade Construction	0	230,000	230,000	230,000	0	-0
760	Regional Services	CP784	Capital Control-Process Sewerage-Mt Morgan Total			0	266,500	266,500	268,500	0	2,000
761	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS No1 & No2 NRSTP Upgrade Switchboards	0	10,000	10,000	9,200	0	-800
762	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	R-STP Rockhampton North	0	0	0	0	210,100	0
763	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[N] S NRSTP Rockhampton South (Pipeline from West Rton catchment) SEW	0	122,000	122,000	250,000	170,000	128,000
764	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[N] S NRSTP Effluent Reuse Scheme	50,000	50,000	50,000	50,000	0	-0
765	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[U] GSTP Augmentation	2,500,000	1,950,000	1,933,936	200,000	1,000,000	-1,733,936
766	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] NRSTP Aerator replacement	0	135,000	135,000	240,000	0	105,000
767	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[U] Fisher St SPS - Upgrade pumps	31,000	31,000	31,000	0	0	-31,000
768	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] SRSTP Primary Sedimentation Tanks M&E renewal	60,000	120,000	120,000	208,000	0	88,000
769	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] SRSTP Primary Digesters Internal Renewal	60,000	105,000	105,000	120,000	61,500	15,000
770	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Armstrong St Pump No 1 and 2 renewal	0	0	0	72,000	0	72,000
771	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Hadgraft St Electrical Isolators and PLC renewal	30,000	10,000	10,000	10,000	0	0
772	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Hadgraft St Pump No 1 and 2 Renewal	80,000	80,000	80,000	80,000	0	-0
773	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Kerrigan St Comms Renewal (Unlicensed)	0	2,400	2,400	2,400	0	0
774	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] SRSTP Primary and Secondary Sludge Pump Renewals	0	80,000	80,000	58,200	0	-21,800
775	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] SPS Pump lifting chains renewal	0	30,000	30,000	35,000	0	5,000
776	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] NRSTP Complete Electrical Upgrade	1,538,000	1,675,512	1,675,512	2,300,000	0	624,488
777	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] NRSTP Outfall Pipe Condition Assess-Relining	0	40,000	40,000	40,000	0	0
778	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] NRSTP Sludge Lagoons Supernatant Return Renewal	0	25,000	25,000	30,000	0	5,000
779	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Blackall St No 1 and 2 Pump renewal	0	49,000	49,000	49,000	0	0
780	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Harman St Comms Renewal (Unlicensed)	0	2,400	2,400	2,400	0	0
781	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Kele Park Comms Renewal (Unlicensed)	0	2,400	2,400	2,400	0	0
782	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS York St Comms Renewal (Unlicensed)	0	2,400	2,400	2,400	0	0
783	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[U] R SPS Jardine Park Mechanical and Electrical Upgrade	250,000	250,000	250,000	125,000	125,000	-125,000
784	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] SRSTP Anoxic Mixers Renewal	0	7,000	7,000	12,500	0	5,500
785	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] NRSTP Secondary Clarifier Mech and Elec Renewal	150,000	50,000	50,000	50,000	153,800	-0
786	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Brothers Club Electrical and Comms Renewal (Unlicensed)	50,000	60,000	60,000	0	60,000	-60,000
787	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Fitzroy St Electrical and Comms Renewal (Unlicensed)	91,800	91,800	91,800	20,000	40,000	-71,800
788	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Melbourne St Electrical and Comms Renewal (Unlicensed)	91,800	91,800	91,800	20,000	71,800	-71,800
789	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Pennyquick St Electrical and Comms Renewal (Unlicensed)	91,800	91,800	91,800	20,000	71,800	-71,800

Line	Department	Cost Center	Cost Centre Description	Account Type	Project Description	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Draft Adopted Budget	Movement (March - September)
790	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[U] R SPS Ferguson St Sile renewal	120,000	120,000	120,000	20,000	100,000	-100,000
791	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[U] Welsh St Sewer Pump Station	0	50,000	50,000	50,000	0	0
792	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Arthur St Civil Structure Renewal	0	0	0	60,000	60,800	60,000
793	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[N] R SPS Chancellor Park driveway & fencing	0	0	0	28,500	0	28,500
794	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Hadgraft St Switchboard Renewal	0	0	115,000	0	120,000	-115,000
795	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Hadgraft St Valves	0	0	42,000	40,000	0	2,000
796	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] SRSTP Sludge Transfer Station Refurbishment and Odour Control	0	0	0	0	84,100	0
797	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Red Hill Pump No 1 and 2 Renewal	0	0	0	0	26,700	0
798	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Lakes Creek Rd East No 1-2 Pump & Valves	0	0	0	0	37,900	0
799	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Park St Complete Electrical and Comms (Unlicensed)	0	0	0	0	61,500	0
800	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Belmont Rd Pump No 1 and 2 Renewal	0	0	0	0	21,500	0
801	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Blue Gum Toe Complete Electrical and Comms (Unlicensed)	0	0	0	0	96,400	0
802	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Bodero Pump No 1 and 2 Renewal	0	0	0	0	20,500	0
803	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Bodero Electrical and Site Renewal	0	0	0	0	96,400	0
804	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Aquatic Place Complete Electrical and Comms (Unlicensed)	0	0	0	0	82,000	0
805	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Airport Carpark Electrical and Pump Renewal	0	0	0	0	82,000	0
806	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Canoona Rd SPS Electrical and Pump Renewal	0	0	0	0	82,000	0
807	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Airport Fuel Depot Pump No 1 and 2 Renewal	0	0	0	0	26,700	0
808	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Lion Creek Rd Pump Renewal	0	0	0	0	71,800	0
809	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Lakes Creek Rd West Pump No 2	0	0	0	0	24,600	0
810	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[R] R SPS Showgrounds Electrical renewal	0	0	0	20,000	40,000	20,000
811	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[N] SRSTP Mechanical Dewatering	0	0	0	0	500,000	0
812	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce	Expense	[N] SRSTP Construction of Recycled Water Scheme	0	0	0	0	500,000	0
813	Regional Services	CP785	Capital Control-Process Sewerage-Roc-Gce Total			5,194,400	5,334,512	5,475,448	4,227,000	4,098,900	-1,248,448
814	Regional Services	CP790	Fitzroy River Water General Admin	Revenue	Water Developer Contributions Received	-673,000	-673,000	-673,000	-224,065	-500,000	448,935
815	Regional Services	CP790	Fitzroy River Water General Admin	Revenue	Sewerage Developer Contributions Received	-416,000	-416,000	-416,000	-129,952	-300,000	286,048
816	Regional Services	CP790	Fitzroy River Water General Admin	Expense	[R] 34 Belmont Road - Building Renewal Program	10,000	10,000	10,000	12,000	10,300	2,000
817	Regional Services	CP790	Fitzroy River Water General Admin	Expense	[R] 32 Belmont Road - Building Renewal Program	10,000	10,000	10,000	20,000	10,300	10,000
818	Regional Services	CP790	Fitzroy River Water General Admin	Revenue	BoR Round1 funding Mt M Sewerage scheme	0	-150,000	-150,000	-150,000	0	0
819	Regional Services	CP790	Fitzroy River Water General Admin	Revenue	[R] Yaamba Rd 600mm water main relocation	0	-1,425,000	-2,425,000	-2,546,410	0	-121,410
820	Regional Services	CP790	Fitzroy River Water General Admin	Expense	[N] R GWTP New Storage Shed	220,000	200,000	200,000	200,000	0	-0
821	Regional Services	CP790	Fitzroy River Water General Admin	Expense	[N] R Sustainable Rockhampton Investment Fund	800,000	800,000	800,000	50,000	1,350,000	-750,000
822	Regional Services	CP790	Fitzroy River Water General Admin	Revenue	[R] R NRSTP Augmentation design (Expense C0640282)	0	0	0	-113,636	-113,637	-113,636
823	Regional Services	CP790	Fitzroy River Water General Admin	Revenue	[N] SRSTP Mechanical Dewatering	0	0	0	0	-112,800	0
824	Regional Services	CP790	Fitzroy River Water General Admin	Revenue	[N] SRSTP Construction of Recycled Water Scheme	0	0	0	0	-120,000	0
825	Regional Services	CP790	Fitzroy River Water General Admin Total			-49,000	-1,644,000	-2,644,000	-2,882,063	224,163	-238,033
826	Regional Services Total					49,596,805	52,280,723	56,958,824	48,692,552	60,758,109	-8,266,272
827	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[R] Funds Available - Prev - Juds Park Clubhouse	0	35,000	35,000	0	0	-35,000
828	Resourcing	CP910	Capital Control-Whole Of Council	Expense	Footpaths - see projects 1076326 & 1070609	0	28,500	28,500	0	0	-28,500
829	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[R] Councilor Projects Allowance (2018/19)	500,000	500,000	500,000	0	0	-500,000
830	Resourcing	CP910	Capital Control-Whole Of Council	Expense	*Remaining to be allocated*	0	36,750	36,750	0	0	-36,750
831	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Seating & Benches - State High Schools & Mt Archer (Pilbeam Dr)	0	2,000	2,000	2,000	0	0
832	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] UCC-FP-O'Shanesey Street	0	18,000	18,000	18,000	0	0
833	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Mt Morgan Dam Activities 16/17 & 17/18	70,000	140,000	140,000	0	0	-140,000
834	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] 1718 - Environment Trailer Addit Fitout	0	10,000	10,000	0	0	-10,000
835	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Adani Airport contribution	15,500,000	15,500,000	0	0	0	0
836	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Environmental Sustainability Initiatives 1819 Projects	0	0	0	12,360	0	12,360
837	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Councilor Project Contingency 18/19 & 19/20	0	0	0	50,660	10,000	50,660
838	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Environmental Sustainability Initiatives - Water Trailer	0	0	0	12,800	0	12,800
839	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Tropicana - related capital purchases - Lighting & other	0	0	0	0	105,241	0
840	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[U] Bulman Park Upgrade	0	0	0	0	149,141	0
841	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Apex Park Playground Addition	0	0	0	0	18,000	0
842	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Eichelberger Park Playground Addition	0	0	0	0	10,000	0
843	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Janet Pajolas Park All-Abilities Pathway's Park Bench Seating	0	0	0	0	5,000	0
844	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Park Bench Seating for Parks and Pathways	0	0	0	0	17,000	0
845	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Rockhampton Airport Eddie Hudson Memorabilia Refurbishment	0	0	0	0	20,000	0
846	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Lucas St Footpath Construction	0	0	0	0	30,000	0
847	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] 1/2 Size Basketball Court at All Blacks Park	0	0	0	0	30,000	0
848	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Benke Park Fountain	0	0	0	0	10,000	0
849	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Cedric Archer Park - Permanent Shade Shelters and Picnic Tables	0	0	0	0	70,000	0
850	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Rockhampton Zoo - New Animal Exhibit	0	0	0	0	210,000	0
851	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Public Exercise Equipment (Col Brown Park)	0	0	0	0	16,591	0
852	Resourcing	CP910	Capital Control-Whole Of Council	Expense	[N] Bajool Community Highway Signs (Place Making Sign - Bajool Town	0	0	0	0	10,000	0

Line	Department	Cost Center	Cost Centre Description	Account Type	Project Description	2018-19 Adopted Budget	2018-19 Carryover Budget	2018-19 September Revised Budget	2018-19 March Revised Budget	2019-20 Draft Adopted Budget	Movement (March - September)
853	Resourcing	CP910	Capital Control-Whole Of Council Total			16,070,000	16,270,250	770,250	95,820	710,973	-674,430
854	Resourcing Total					16,070,000	16,270,250	770,250	95,820	710,973	-674,430
855	Grand Total					100,330,514	106,428,249	96,945,071	84,599,612	83,093,483	-12,345,458

12 NOTICES OF MOTION

Nil

13 QUESTIONS ON NOTICE

Nil

14 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.

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.

RECOMMENDATION

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 Commercial Lease Amendment

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 CONFIDENTIAL REPORTS

16.1 COMMERCIAL LEASE AMENDMENT

File No: 12727

Attachments:

1. Current Lease Plan
2. Future Lease Plan

Authorising Officer: Drew Stevenson - Manager Corporate and Technology
Ross Cheesman - Deputy Chief Executive Officer

Author: Kellie Anderson - Coordinator Property and Insurance

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

Coordinator Property & Insurance reporting on proposed amendments to a commercial lease.

17 CLOSURE OF MEETING