



ORDINARY MEETING

MINUTES

25 NOVEMBER 2025

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 25 NOVEMBER 2025 COMMENCING AT 9:00 AM**

1 OPENING

- 1.1 Acknowledgement of Country

2 PRESENT

Members Present:

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor M D Wickerson
Councillor S Latcham
Councillor E W Oram
Councillor C R Rutherford
Councillor M A Taylor
Councillor G D Mathers
Councillor E B Hilse

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 12 November 2025 be confirmed.

Moved by: Councillor Wickerson

Seconded by: Councillor Oram

MOTION CARRIED UNANIMOUSLY

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

"I Councillor Shane Latcham have a declarable conflict of interest in **Item 11.1 Request for Minor Change to Development Permit for Material Change of Use for a Club (extension) and Operational Works for Advertising Devices (1 x Freestanding Sign, 1 x Ground Sign and 2 x Wall Signs)** as the accumulated hospitality has now made it a conflict of interest. I am seeking decision from the table:

- I may participate in the decision about the matter, including by voting on the matter; or
- I must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible councillors discuss and vote on the matter."

COUNCIL RESOLUTION

THAT the table determines that it is in the public interest that Councillor Latcham participates and votes on **Item 11.1 Request for Minor Change to Development Permit for Material Change of Use for a Club (extension) and Operational Works for Advertising Devices (1 x Freestanding Sign, 1 x Ground Sign and 2 x Wall Signs)** and no conditions on participating be imposed.

Moved by: Councillor Hilse

Seconded by: Councillor Mathers

MOTION CARRIED

Councillor Wickerson voted against the motion.

6 BUSINESS OUTSTANDING

6.1 LIFTING MATTERS FROM THE TABLE

File No: 11715

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

SUMMARY

This report is being presented in order for matters that have been laid on the table at previous meetings to be formally lifted from the table prior to being dealt with at this meeting.

COUNCIL RESOLUTION

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

- Notice of Motion – Councillor Shane Latcham – Waste Transfer Stations Operations renamed to Regional Waste Facilities Operations

Moved by: Councillor Latcham

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

Nil

10 COUNCILLOR/DELEGATE REPORTS

Nil

11 OFFICERS' REPORTS

11.1 REQUEST FOR MINOR CHANGE TO DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR A CLUB (EXTENSION) AND OPERATIONAL WORKS FOR ADVERTISING DEVICES (1 X FREESTANDING SIGN, 1 X GROUND SIGN AND 2 X WALL SIGNS)

File No: D/74-2022
Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Doug Scott - Manager Planning & Regulatory Services
Author: Aidan Murray - Senior Planning Officer

SUMMARY

Development Application Number: D/74-2022
Applicant: Frenchville Sports Club Limited
Real Property Address: Lot 21 on SP329235 and Lot 20 on SP270237 (previously referred to as Lots 1 and 2 on RP605044 and Lots 20 and 21 on SP270237)
Common Property Address: 268 Eldon Street and 105 Clifton Street, Berserker (previously referred to as 268 and 272 Eldon Street and 105 Clifton Street, Berserker)
Area of Site: 3.04 hectares
Planning Scheme: *Rockhampton Region Planning Scheme 2015* (Version 2.2)
Planning Scheme Zone: Sport and Recreation Zone and Low Density Residential Zone
Existing Development: Club and Outdoor Sports and Recreation
Approval Sought: Minor Change to Development Permit D/74-2022 for Material Change of Use for a Club (extension) and Operational Works for Advertising Devices (1 x Freestanding Sign, 1 x Ground Sign and 2 x Wall Signs)
Affected Entity: None

COUNCIL RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Minor Change to D/74-2022 for Material Change of Use for Club (extension) and Operational Works for Advertising Devices (1 x Freestanding Sign, 1 x Ground Sign and 2 x Wall Sign), made by Frenchville Sports Club Ltd, located at 268 Eldon Street, Berserker described as Lot 21 on SP329235 and 105 Clifton Street, Berserker described as Lot 20 on SP270237, Council resolves to issue an Amended Decision Notice subject to the following conditions:

MATERIAL CHANGE OF USE FOR A CLUB (EXTENSION)**1.0 ADMINISTRATION**

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council’s satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use,unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Parking Works;
 - (ii) Roof and Allotment Drainage; and
 - (iii) Site Works.
 - 1.5.2 Plumbing and Drainage Works; and
 - 1.5.3 Building Works:
 - (i) Demolition Works; and
 - (ii) Building Works.
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 Lot 1 on RP605044, Lot 2 on RP605044 and Lot 21 on SP270237 must be amalgamated and registered as one lot prior to the commencement of the use.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan / Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version / Issue</u>
Area Plans	BSPN Architecture	13 October 2025	B2100039 / A0.03	A
Floor Plan – Site (Existing)	BSPN Architecture	20 May 2022	B2100039 / A1.00	2
Site Plan Proposed	BSPN Architecture	27 June 2024	B2100039 / A1.02	C
Elevations	BSPN Architecture	20 May 2022	B2100039 / A2.01	3
Elevations - Proposed	BSPN Architecture	4 March 2025	B2100039 / A2.11	G
Elevations – South, North and Amenities	BSPN Architecture	26 March 2025	B2100039 / A2.12	I
Street Elevations	BSPN Architecture	21 February 2025	B2100039 / A2.13	B
Landscape Plan	BSPN Architecture	26 May 2022	B2100039 / A9.02	2

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.

3.0 PARKING WORKS

- 3.1 A Development Permit for Operational Works (parking works) must be obtained prior to the commencement of any parking works on the development site.
- 3.2 All parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (parking works).
- 3.3 All car parking, access and vehicle manoeuvring areas must be paved or sealed to Council's satisfaction.
- 3.4 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
- 3.5 A minimum of twenty-four (24) additional parking spaces must be provided on-site. This includes two (2) additional universal access parking spaces.
- 3.6 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.
- 3.7 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (parking works).
- 3.8 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.

3.9 Signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.

3.10 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.

3.11 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

4.0 PLUMBING AND DRAINAGE WORKS

4.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.

4.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2018*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

4.3 The development must be remained connected to Council's reticulated sewerage and water networks.

4.4 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.

4.5 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.

4.6 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

4.7 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2018* and Council's Plumbing and Drainage Policies.

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

5.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the development site.

5.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).

5.3 All stormwater runoff from the proposed new roof and car-parking areas must be discharged to the existing internal drainage system.

5.4 All roof and allotment runoff from the development must be directed such that it must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.

6.0 SITE WORKS

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

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

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

7.0 BUILDING WORKS

- 7.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.
- 7.2 All proposed structures must be located clear of existing sewerage easement located adjacent to northern property boundary.
- 7.3 The development must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.
- 7.4 Building Over / Adjacent to Local Government Sewer Application must be submitted to Council for assessment of the footing design at Building Application stage. The existing sewerage main is greater than 3.5 metres in depth and piers may be required in the footings to comply with Council's Policy.
- 7.5 All proposed structures must maintain adequate clearance from any maintenance point (access chamber / lamp-hole) or connection point(s).
- Note: Adequate clearance will be decided at the assessment of Building Over/ Adjacent to Local Government Sewer Application, as sewerage infrastructure is greater than 3.5 metres in depth.
- 7.6 All waste storage areas must be:
- 7.6.1 aesthetically screened from any frontage or adjoining property; and
 - 7.6.2 surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
 - 7.6.3 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act*.

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.

8.0 ASSET MANAGEMENT

- 8.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 8.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

9.0 ENVIRONMENTAL

- 9.1 The Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be:

- 9.1.1 implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and
- 9.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.
- 10.0 LANDSCAPING
- 10.1 Landscaping must be constructed and/or established prior to the commencement of the use in all areas shown on the approved plans (refer to condition 2.1).
- 10.2 Landscaping must be designed in accordance with the requirements of *Australian Standard AS 1428 parts 1, 2, 3 and 4 — Design for access and mobility*.
- 10.3 Planting types used within the landscaping areas (refer to condition 2.1) must include either trees, shrubs or groundcovers, or any combination of these planting types. These plantings must be established and maintained generally at the following density rates, except as varied by Condition 10.5:
 - 10.3.1 trees at five (5) metre intervals;
 - 10.3.2 shrubs at two (2) metre intervals; and
 - 10.3.3 groundcovers at one (1) metre intervals.
- 10.4 At least fifty (50) per cent of all new plantings within the landscaping areas (refer to condition 2.1) must be locally native species with low water dependency and must comply with the following requirements:
 - 10.4.1 Plant species are chosen from sources recommended in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*; and
 - 10.4.2 Plant species must not include undesirable species identified in *Planning Scheme Policy SC6.12 – Landscape Design and Street Trees Planning Scheme Policy*.
- 10.5 Shade trees must be provided for all carparking spaces directly adjoining Clifton, Eldon and Leamington streets generally at a rate of one (1) tree per three (3) car parks. The shade trees must be provided generally along the road boundary, within the bounds of the site.
- 10.6 Shade trees must comply with the following requirements:
 - 10.6.1 Be planted clear of services and utilities;
 - 10.6.2 Be planted clear of park furniture and embellishments;
 - 10.6.3 Not obstruct pedestrian or bicycle traffic; and
 - 10.6.4 Comply with crime prevention through environmental design principles.
- 10.7 Shade trees within car parking areas are to be provided and planted within a deep natural ground/structured soil garden bed/island/bay and are protected by wheel stops or bollards as required.
- 10.8 Each shade tree has a clean trunk with a minimum height of two (2) metres and each shade tree is provided with a minimum planting area of 1.2 square metres with a minimum topsoil depth of 0.8 metres.
- 10.9 Root control barriers must be installed where invasive roots may cause damage to car parking areas, pedestrian paths and road carriageways.
- 10.10 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.
- 10.11 Landscaping, or any part thereof, upon reaching full maturity, must not:

10.11.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;

10.11.2 adversely affect any road lighting or public space lighting; or

10.11.3 adversely affect any Council infrastructure, or public utility plant.

11.0 ENVIRONMENTAL HEALTH

11.1 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"*.

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

12.0 OPERATING PROCEDURES

12.1 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 Leamington Street, Eldon Street, Clifton Street or Berserker Street.

12.2 All waste storage areas must be:

12.2.1 kept in a clean and tidy condition; and

12.2.2 maintained in accordance with *Environmental Protection Regulation 2019*.

12.3 The hours of operation for the approved development must be limited to 10:00 to 02:00, from Monday to Sunday including Public Holidays.

Note: *The hours of operation for the gaming room area are limited in accordance with development approval D-28-2021.*

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 Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism website www.tatsipca.qld.gov.au

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety Act 2011* and *Public Health Act 2005*.

NOTE 3. General Environmental Duty

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

NOTE 4. Licensable Activities

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

NOTE 5. 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.

OPERATIONAL WORKS FOR ADVERTISING DEVICES**1.0 ADMINISTRATION**

1.1 The Developer is responsible for ensuring compliance with the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

1.4 The following further development permits are required prior to the commencement of any works on the site:

1.4.1 Building Works.

1.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

2.1 The approved advertising device must be completed and maintained generally in accordance with the approved drawings and documents, except where amended by the conditions of this permit.

<u>Plan/Document Name</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/ Issue</u>
Elevation Details – RSL Memorial	BSPN Architecture	20 May 2022	B2100039/ A2.14	1
Signage	BSPN Architecture	4 July 2022	B2100039 / A8.01	1

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

3.0 OPERATING PROCEDURE

3.1 All advertising devices must only display or advertise a matter associated with the primary purpose for which the premises are used, or the purpose stated in this approval, except as varied by Condition 3.2.

3.2 The sign face for the approved digital freestanding sign (refer to Condition 2.1) that presents inward toward the Returned and Services League (RSL) memorial must only display advertisements associated with the memorial.

- 3.3 All text and images displayed on the approved advertising device:
- 3.3.1 must be static;
 - 3.3.2 must not imitate a traffic control device, move contrary to any traffic control device or include traffic instructions (for example 'stop'); and
 - 3.3.3 must not involve moving parts or flashing lights.
- 3.4 Any lighting devices associated with the advertising device, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents or motorists. Night lighting must be designed, constructed and operated in accordance with '*Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting*' and '*Civil Aviation Safety Authority (CASA) Guidelines: Lighting in the vicinity of aerodromes: Advice to lighting designers*'.
- 4.0 DIGITAL SCREEN DISPLAY FEATURES
- 4.1 The digital display screen must incorporate an automatic error detection system which will turn off the screen display or display a blank screen should the screen malfunction.
- 4.2 The display screen must incorporate a minimum of two (2) automated ambient light sensors capable of supporting a minimum of five (5) levels of stepped dimming to ensure display screen luminance can adjust automatically in response to surrounding ambient light conditions from dark of night to fully sunlit conditions.
- 4.3 The display screen must provide for on-site control, operation, configuration and diagnosis of the screen display.
- 4.4 Messages must remain static for a minimum dwell time of eight (8) seconds and are not to scroll across the screen or incorporate flashing, blinking, revolving, pulsating, high contrast or rotating effects animation.
- 4.5 Each change of advertisement is to be completed instantaneously (i.e. within 0.1 of a second).
- 5.0 DIGITAL SCREEN ADVERTISEMENTS AND MOVEMENT
- 5.1 The display screen must not be split to display multiple advertisements on the one (1) display screen.
- 5.2 Advertisements must not display text, photographs or symbols depicting, mimicking or that could be reasonably interpreted as a traffic control device.
- 5.3 Advertisements must not invite traffic to move contrary to any traffic control device or turn where there is fast moving traffic.
- 5.4 Advertisements must only promote a single, self-contained advertising message that is clear, succinct, and legible. The use of text components in a sequential manner, whereby text refers to or is reliant on previous or successive screen displays in order to convey an advertising message is not permitted.
- Note: An advertising message refers to the main point the advertisement is attempting to convey to its target audience. This condition seeks to ensure that vehicle drivers in particular are not required to spend an excessive amount of time reading and interpreting advertisements.
- 5.5 Changeover animation effects such as 'fade', 'zoom', or 'fly-in' between advertisements must not be used.
- 5.6 A blank black, white, or any coloured screen must not be displayed between advertisements.
- 5.7 Advertisements that incorporate moving visual images, such as videos or animations must not be displayed.

Note: Please refer to Table 1 for description of Video and Animation.

- 5.8 Advertising devices must not be capable of playing audio nor be synchronised with any outdoor sound system utilised for advertising purposes.

6.0 LUMINANCE

- 6.1 Luminance levels of the advertising device must not exceed the applicable levels listed in Table 2 below.

Table 2: Luminance levels for Advertising Devices

(Source: OMA)

Lighting Condition	Zone 1	Zone 2	Zone 3
Full Sun on Sign face	Maximum Output	Maximum Output	Maximum Output
Day Time Luminance	6000-7000 cd/m2	6000-7000 cd/m2	6000-7000 cd/m2
Morning/Evening/Twilight/ inclement weather	1000 cd/m2	700 cd/m2	600 cd/m2
Night Time	500 cd/m2	350 cd/m2	300 cd/m2

Note:

- Zone 1 very high ambient off street lighting i.e. central city locations
- Zone 2 high to medium off street ambient lighting
- Zone 3 low levels of off street ambient lighting, i.e. most residential areas, rural areas.

7.0 BUILDING WORKS

- 7.1 A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.

8.0 ASSET MANAGEMENT

- 8.1 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately, at no cost to Council, and completed within the following timeframes:

8.1.1 where damage causes a hazard to pedestrian/traffic safety or interrupts a community service, immediately; or

8.1.2 as soon as reasonably possible as agreed with Council.

9.0 ADVERTISING DEVICE CONSTRUCTION AND MAINTENANCE

- 9.1 The area surrounding the base of the approved freestanding sign must be landscaped with plants, which have a mature height of 1.2 metres above ground level. This landscaping area must be subject to an ongoing watering, maintenance and replanting programme.
- 9.2 Council reserves the right for uninterrupted access to the site at all times during construction.
- 9.3 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the *Environmental Protection Act 1994* and the *Environmental Protection Regulation 2019* must be observed at all times.

- 9.4 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.
- 9.5 Any proposed works within the vicinity (or zone of influence) of existing Council infrastructure will not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of proposed works will be at the developer's expense.
- 9.6 The freestanding sign must be designed and certified by a Registered Professional Engineer of Queensland and constructed in accordance with the requirements of the Queensland Development Code and the Building Code of Australia.
- 9.7 All conduits, wiring, switches or other control apparatus installed on an Advertising Device must be concealed from general view, with control apparatus secured in a manner to prevent unauthorised entry and display setting tampering.
- 9.8 All electrical services and systems must comply with *Australian and New Zealand Standard AS/NZS 3000:2007* – "Electrical Installations".
- 9.9 All advertising devices must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed, and be maintained in a safe, clean, condition that does not adversely impact the visual amenity
- 9.10 The approved freestanding sign (digital billboard) must not operate between 10:00pm and 6:00am at any time.

ADVISORY Notes

NOTE 1. Aboriginal Cultural Heritage Act, 2003

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 Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism website www.tatsipca.qld.gov.au

NOTE 2. Asbestos Removal

Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Work Health and Safety Act 2011* and the *Public Health Act 2005*.

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety of Public During Construction

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

RECOMMENDATION B

THAT in relation to the application for a Minor Change to Development Permit D/74-2022 for Material Change of Use for Club (extension) and Operational Works for Advertising Devices (1 x Freestanding Sign, 1 x Ground Sign and 2 x Wall Sign), made by Frenchville Sports Club Ltd, located at 268 Eldon Street, Berserker described as Lot 21 on SP329235 and 105 Clifton Street, Berserker described as Lot 20 on SP270237, Council resolves to issue an Amended Infrastructure Charges Notice for the amount of \$9,195.13.

Moved by: Councillor Mathers

Seconded by: Councillor Rutherford

MOTION CARRIED UNANIMOUSLY

11.2 ADOPTION OF TEMPORARY LOCAL PLANNING INSTRUMENT – RENEWABLE ENERGY AND BATTERY STORAGE FACILITIES**File No:** RRPS/2025-03-03**Authorising Officer:** Damon Morrison - Acting General Manager Community Services**Author:** Alyce James - Senior Strategic Planner

SUMMARY

The purpose of this report is to seek Council's adoption of the proposed Temporary Local Planning Instrument (TLPI) – Renewable Energy and Battery Storage Facilities which has been approved by the Minister for State Development, Infrastructure and Planning.

COUNCIL RESOLUTION

THAT Council resolves to:

1. Adopt the Temporary Local Planning Instrument No.1 of 2025 for Renewable Energy and Battery Storage Facilities;
2. Publish a Public Notice in accordance with the *Planning Act 2016* to commence the Temporary Local Planning Instrument; and
3. Commence the Temporary Local Planning Instrument No. 1 of 2025 from 28 November 2025.

Moved by: Councillor Mathers**Seconded by:** Councillor Oram**MOTION CARRIED UNANIMOUSLY**

11.3 SEE IT LIVE 2026 SEASON SOLE SUPPLIER**File No:** 7104**Authorising Officer:** John Webb - Manager Communities and Culture
Damon Morrison - Acting General Manager Community Services**Author:** Mark Millett - Coordinator Major Venues

SUMMARY

Rockhampton Regional Council, through Major Venues, presents an annual program of performances, and events. This report details a number of suppliers that provide content as part of this annual program. In accordance with s235(a) of the Local Government regulation, Council approval is sought to deem the nominated suppliers as sole suppliers.

COUNCIL RESOLUTION

THAT pursuant s235(a) of the *Local Government Regulation 2012*, Council approves the use of the nominated suppliers, as detailed in the report, as sole suppliers of productions and performances.

Moved by: Mayor Williams**Seconded by:** Councillor Wickerson**MOTION CARRIED UNANIMOUSLY**

**11.4 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD
ENDING 31 OCTOBER 2025**

File No: 1392
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Travis Pegrem - Acting General Manager Workforce and Governance

SUMMARY

Acting General Manager Workforce and Governance presenting the Whole of Council Corporate Performance Report for period ending 31 October 2025 for Councillor' information.

COUNCIL RESOLUTION

THAT the Whole of Council Performance Report for period ending 31 October 2025 be 'received'.

Moved by: Councillor Oram
Seconded by: Councillor Taylor
MOTION CARRIED UNANIMOUSLY

**11.5 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED
31 OCTOBER 2025**

File No: 8148
Authorising Officer: Marnie Taylor - General Manager Organisational Services
Author: Tisin Simon - Manager Finance

SUMMARY

The Manager Finance presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 October 2025.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 October 2025 be received.

Moved by: Mayor Williams
Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

**11.6 PROPOSED FEES AND CHARGES FOR COMMUNITY SERVICES & PARKS,
SPORT AND RECREATION 2025-2026****File No:** 7816**Authorising Officer:** Marnie Taylor - General Manager Organisational
Services**Author:** Tisin Simon - Manager Finance

SUMMARY

The intention of this report is to submit minor amendments to Council's Fees and Charges Schedule for the 2025-2026 financial year.

COUNCIL RESOLUTION

THAT in accordance with the requirements of the *Local Government Act 2009*, Council adopts the amendments to the Fees and Charges schedule for the 2025-2026 financial year.

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

11.7 SALE OF PROPERTIES FOR OVERDUE RATES - 2026**File No:** 521**Authorising Officer:** Marnie Taylor - General Manager Organisational Services**Author:** Tisin Simon - Manager Finance**SUMMARY**

Council has the authority pursuant to section 140(2) of the Local Government Regulation 2012 to sell the land described below for overdue rates and charges.

COUNCIL RESOLUTION

THAT Council:

- (a) Proceed with action to sell the properties as listed below (Property ID's provided) for overdue rates as provided for in *the Local Government Regulation 2012, Chapter 4, Part 12*; and
- (b) Delegate to the Chief Executive Officer its power to take all further steps under *Chapter 4, Part 12, Division 3 of the Local Government Regulation 2012* to effect sale of the land (including, for avoidance of doubt, the power to end sale proceedings).

772421	778728	788112	40909618
773662	778902	788821	842023
773795	779434	790175	842042
773913	782507	788586	842123
774332	783333	779399	842134
774445	785382	40770178	842206
775736	785491	827283	842516
775858	786455	826391	842548
775998	786726	826900	842642
41040764	787141	827043	842717
776062	787209	828140	843196
776327	787929	830004	41020982

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

Councillor Hilse voted against the motion.

11.8 OCTOBER BUDGET REVIEW 2025

File No: 8785
Authorising Officer: Marnie Taylor - General Manager Organisational Services
Author: Tisin Simon - Manager Finance

SUMMARY

General Manager Organisational Services/Chief Financial Officer presenting updated budget estimates to 31 October 2025.

COUNCIL RESOLUTION

THAT the October Budget Review 2025 report be received and the budget estimate changes be endorsed.

Moved by: Councillor Oram
Seconded by: Councillor Wickerson

MOTION CARRIED

Councillor Latcham voted against the motion.

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - COUNCILLOR ELLIOT HILSE - POWERLINK'S COMMITMENT TO LGA ENGAGEMENT AND UNDERGROUND POWER LINE DEVELOPMENT

File No: 10092

Authorising Officer: Justin Kann - Manager Office of the Mayor
Evan Pardon - Chief Executive Officer

Author: Megan Careless - Executive Support Officer

SUMMARY

Councillor Elliot Hilse has indicated his intention to move the following Notice of Motion at the next Council Meeting scheduled for Tuesday 25 November 2025:

COUNCIL RESOLUTION

THAT Powerlink Queensland, a state-owned entity, must agree that all LGAs (Local Councils) and the State Government be consulted on any power infrastructure upgrades and new projects and in-depth consideration be given to the underground installation of all future power line infrastructure in and around Bouldercombe and the wider Rockhampton Region.

Moved by: Councillor Hilse

Seconded by: Councillor Latcham

Councillor Hilse elected to withdraw the motion

COUNCIL RESOLUTION

THAT Rockhampton Regional Council write to Powerlink Queensland and request that they actively consult with the Community and The Rockhampton Regional Council on any potential power infrastructure upgrades or new projects, and prioritise underground powerline infrastructure within Council's Local Government Area.

Moved by: Councillor Hilse

Seconded by: Councillor Latcham

MOTION LOST

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

Nil

15 CLOSED SESSION

COUNCIL RESOLUTION'

9:54AM

THAT Council move into Closed Session pursuant to section 254J(1) of the *Local Government Regulation 2012* and the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J(3) of the *Local Government Regulation 2012*, for the reasons indicated.

16.1 Proposed sale of Council land - 630 Montgomerie Street, Lakes Creek (Lot 1 on RP603372)

In accordance with section 254J(3)(g) (i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; AND a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

16.2 Proposed sale of Council land - Lot 10 Lucas Street, Berserker (Lot 10 on RP603435)

In accordance with section 254J(3)(g) (i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; AND a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

16.3 Regional Waste Facilities Operations

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

16.4 Rockhampton Sports Precinct Land Transfer Contract

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Moved by: Mayor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

10.36AM

THAT pursuant to s5.12 of *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Mayor Williams

Seconded by: Councillor Wickerson

MOTION CARRIED

Meeting Adjourned**COUNCIL RESOLUTION**

10:36AM

That the meeting be adjourned for a 10 minute recess.

Moved by: Mayor Williams**Seconded by: Councillor Taylor****MOTION CARRIED****COUNCIL RESOLUTION**

10:50AM

That the meeting be resumed.

Moved by: Mayor Williams**Seconded by: Councillor Wickerson****MOTION CARRIED****Members Present:**

The Mayor, Councillor A P Williams (Chairperson)
Deputy Mayor, Councillor M D Wickerson
Councillor S Latcham
Councillor E W Oram
Councillor C R Rutherford
Councillor M A Taylor
Councillor G D Mathers
Councillor E B Hilse

In Attendance:

Mr E Pardon – Chief Executive Officer

16 CONFIDENTIAL REPORTS

16.1 PROPOSED SALE OF COUNCIL LAND - 630 MONTGOMERIE STREET, LAKES CREEK (LOT 1 ON RP603372)

File No: 1680

Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Marnie Taylor - General Manager Organisational Services

Author: Michelle Mills - Property and Resumptions Officer
Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(g) (i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; AND a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

SUMMARY

Reporting on a request to purchase Council owned land situated at 630 Montgomerie Street, Lakes Creek (Lot 1 on RP603372).

COUNCIL RESOLUTION

THAT Council:

1. Authorises the Chief Executive Officer (Property and Resumptions Officer) to:
 - a. Dispose of Council land, situated at 630 Montgomerie Street, Lakes Creek (Lot 1 on RP603372) via closed tender to all eligible adjoining owners in accordance with section 236(1)(c)(iv) of the *Local Government Regulation 2012*;
 - b. The sale be subject to the following conditions:
 - (i) The successful tenderer must amalgamate the land situated at 630 Montgomerie Street, Lakes Creek (Lot 1 on RP603372) with their adjoining lot on purchase; and
 - (ii) All costs incurred will be paid by the successful tenderer, including but not limited to stamp duty, survey costs, planning application costs (if applicable), purchaser's legal costs (if applicable) and registration fees.
2. Subject to the successful tender award, delegates, pursuant to section 257(1) of the *Local Government Act 2009*, to the Chief Executive Officer the power to execute the REIQ Contract of Sale on behalf of Council.

Moved by: Councillor Wickerson

Seconded by: Councillor Latcham

MOTION CARRIED UNANIMOUSLY

16.2 PROPOSED SALE OF COUNCIL LAND - LOT 10 LUCAS STREET, BERSERKER (LOT 10 ON RP603435)

File No: 1680

Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Marnie Taylor - General Manager Organisational Services

Author: Michelle Mills - Property and Resumptions Officer
Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(g) (i) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government; AND a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

SUMMARY

Reporting on a request to purchase Council owned land situated at Lot 10 Lucas Street, Berserker (Lot 10 on RP603435).

COUNCIL RESOLUTION

THAT Council:

1. Authorises the Chief Executive Officer (Property and Resumptions Officer) to:
 - a. Dispose of Council land, situated at Lot 10 Lucas Street, Berserker (Lot 10 on RP603435) to the adjoining owner of 4 Lucas Street, Berserker (Lot 8 on RP603435 and Lot 9 on RP603435) in accordance with section 236(1)(c)(iv) of the *Local Government Regulation 2012*, subject to the following conditions:
 - (i) The sale price will be determined by an independent valuation report;
 - (ii) The purchaser must amalgamate the land situated at Lot 10 Lucas Street, Berserker (Lot 10 on RP603435) with all their adjoining allotments on purchase;
 - (iii) The purchaser must grant Council a four (4) metre wide sewerage easement, in accordance with Council's standard terms document for easement dealing 718579623, over the sewer infrastructure traversing through the Council land (Lot 10 on RP603435) and all their adjoining allotments (Lot 8 on RP603435 and Lot 9 on RP603435); and
 - (iv) All costs incurred will be paid by the purchaser, including but not limited to the valuation report, stamp duty, survey costs, planning application costs (if applicable), purchaser's legal costs (if applicable) and registration fees.
2. Delegates, pursuant to section 257(1) of the *Local Government Act 2009*, to the Chief Executive Officer the power to execute the REIQ Contract of Sale on behalf of Council.

Moved by: Councillor Taylor

Seconded by: Councillor Rutherford

MOTION CARRIED UNANIMOUSLY

16.3 REGIONAL WASTE FACILITIES OPERATIONS

File No: 7284
Authorising Officer: Peter Kofod - General Manager Regional Services
Author: Michael O'Keeffe - Manager RRWR

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

SUMMARY

This report provides Council with a detailed overview of the budgetary, operational, and service level implications associated with the proposed changes to regional Waste Facilities, as outlined in a Councillor Notice of Motion presented on 14 October 2025.

COUNCIL RESOLUTION

THAT the report be received.

Moved by: Mayor Williams
Seconded by: Councillor Taylor
MOTION CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

THAT Council reduce the hours of operation at the Bajool, Bushley and Bouldercombe waste transfer stations to operate on Sunday only from 9:00am to 3:00pm; effective from 1 March 2026;

Moved by: Councillor Latcham
Seconded by: Councillor Oram
MOTION LOST

COUNCIL RESOLUTION

THAT Council amends the hours of operations at Gracemere waste transfer station on Saturday and Sunday to be from 7:00am to 3:00pm with weekdays from 9:00am to 3:00pm; effective from 1 March 2026;

Moved by: Councillor Oram
Seconded by: Councillor Latcham
MOTION CARRIED
Mayor Williams and Councillor Wickerson voted against the motion.

COUNCIL RESOLUTION

THAT Council undertakes a three (3) month trial period to accept Scrap Metal and Cardboard including from commercial customers at the Gracemere waste transfer station from customers using vehicles less than 4.5t GVM; effective from 1 March 2026; and

Moved by: Councillor Oram

Seconded by: Councillor Latcham

MOTION CARRIED

COUNCIL RESOLUTION

THAT Council officers provide a report with options on considerations for accepting Green Waste including from commercial customers at all waste transfer stations from customers using vehicles less than 4.5t GVM.

Moved by: Councillor Oram

Seconded by: Councillor Latcham

MOTION CARRIED UNANIMOUSLY

16.4 ROCKHAMPTON SPORTS PRECINCT LAND TRANSFER CONTRACT

File No: 4932
Authorising Officer: Damon Morrison - Acting General Manager
Communities and Lifestyle
Evan Pardon - Chief Executive Officer
Author: Steven Ellis - Coordinator Community Master Planning
Kellie Roberts - Coordinator Property and Insurance

In accordance with section 254J(3)(g) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

SUMMARY

Consideration to enter into a contract with the State of Queensland (Department of State Development, Infrastructure and Planning) for the transfer of land to Council to support the development of the Rockhampton Sports Precinct.

COUNCIL RESOLUTION

THAT Council:

1. authorises the Chief Executive Officer to enter into a contract and covenant with the State of Queensland (represented by the Department of State Development, Infrastructure and Planning) for the transfer of land (being part of Lot 70 on SP304746) to Council for the development of the Rockhampton Sports Precinct; and
2. delegates, pursuant to section 257(1) of the Local Government Act 2009, to the Chief Executive Officer (or delegate) the authority to negotiate, manage and execute the REIQ Contract of Sale and Form 31 Covenant on behalf of Council.

Moved by: Mayor Williams
Seconded by: Councillor Rutherford
MOTION CARRIED UNANIMOUSLY

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11:12 pm.

SIGNATURE

CHAIRPERSON

DATE