



# **ORDINARY MEETING**

## **MINUTES**

**10 NOVEMBER 2020**

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MEETING ATTACHMENTS

- ANNEXURE A - Documents presented for reference to Item 6.1
- ANNEXURE B - Documents presented for reference to Item 9.5
- ANNEXURE C - Document presented for reference to Item 12.3

**REPORT OF THE ORDINARY MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 10 NOVEMBER 2020 COMMENCING AT 9:03AM**

## **1 OPENING**

- 1.1 Acknowledgement of Country
- 1.2 Opening prayer presented by Pastor John Rewald from Oasis New Life Centre

## **2 PRESENT**

### Members Present:

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

### In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services  
Ms L Leeder – Senior Committee Support Officer  
Ms K Walsh – Committee Support Officer

### Via Webex:

Ms A Cutler – General Manager Community Services  
Mr G Bowden – Executive Manager Advance Rockhampton  
Mr D Morrison – Manager Office of the Mayor  
Mr J Webb – Manager Communities and Culture  
Mr M Crow - Manager Infrastructure Planning  
Mr D Scott – Manager Planning and Regulatory Services  
Mr A Russell – Manager Strategy and Planning  
Ms T Fitzgibbon – Coordinator Development Assessment  
Ms C Bell – Coordinator Environmental Sustainability  
Mr C Wyatt – Coordinator Strategic Planning  
Mr S Harvey – Coordinator Infrastructure Planning  
Mr B Koelmeyer – Planning Officer  
Ms L Hales – Supervisor Major Venues  
Mr J Bulwinkel – Supervisor Sports and Administration  
Mr M Paudyal – Senior Development Engineer

*Note: To comply with social distancing measures the number of people permitted at any one time in Council Chambers is 14, with attendance in the room managed accordingly.*

### 3 APOLOGIES AND LEAVE OF ABSENCE

### 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 27 October 2020 be confirmed.

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

### 5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

9:08am

"I, Councillor Ellen Smith inform this meeting that I have a declarable conflict of interest in Item 9.2 – Australia Day Community Grants Program – Bouldercombe Progress Association. This declarable interest arises due to being a long-time member of the Bouldercombe Progress Association. I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on."

"I, Councillor Ellen Smith inform the meeting that I have a declarable conflict of interest in Item 9.4 – Rockhampton Ring Road Benefits and Impacts Report. This declarable interest arises as Hunter Street is noted in the body of the report – Transport/Traffic Impact Considerations - and my niece, Jacqueline Lebish and her husband Ross Lebish own properties at 48 Hunter Street and 60 Hunter Streets. I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on."

"I, Councillor Ellen Smith inform the meeting that I have a declarable conflict of interest in Item 9.10 – Planning Priorities for 2020-21 – Motorsports Precinct Planning. This declarable interest arises because I am related Gerard Halberstater who owns an adjoining property of the land which is identified in the report. I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on."

9:10AM

"I, Councillor Cherie Rutherford inform the meeting that I have a declarable conflict of interest in Item 9.10 – Planning Priorities for 2020-21 – Motorsports Precinct Planning. This declarable interest arises as my cousin Sandra Boag and her husband Ian Boag own a property in the vicinity of the land identified for the Motorsport Precinct. Also my father, Ken Mathers a former rider, has a historical link to Speedway and my Uncle Winston Mathers is still involved locally with the sport. Further my husband Michael and I volunteer during Speedway events on occasion. I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on."

## 6 PUBLIC FORUMS/DEPUTATIONS

### 6.1 DEPUTATION - D/28-2020 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION AND OPERATIONAL WORKS FOR ADVERTISING DEVICES (TWO (2) FREESTANDING SIGNS, ONE(1) CANOPY SIGN AND ONE (1) FASCIA SIGN)

**File No:** D/28-2020  
**Attachments:** Nil  
**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services  
**Author:** Bevan Koelmeyer - Planning Officer

#### SUMMARY

*RCI Group (applicant) and Gideon Town Planning (town planning consultant) have requested an opportunity to make a deputation at the Council Meeting on 27 October 2020 to discuss a Development Application for Material Change of Use for a Service Station and Operational Works for Advertising Devices (two (2) Freestanding Signs, one (1) Canopy Sign and one (1) Fascia Sign) over 20-26 Albert Street and 34 Kent Street, Rockhampton City - Lot 1, 2, 3, 4 and 5 on RP600729 (reference: D/28-2020).*

*The application will be presented at the Council Meeting on 10 November 2020.*

9:26AM

"I, Councillor Donna Kirkland, inform this meeting that I should declare a conflict of interest in this matter as it has just occurred to me that my son-in-law has a building somewhere in the vicinity of this, I don't know the exact address though. I do apologise, I need to get the details and advise the table. I will deal with the matter by leaving the room now and obtain the details."

Councillor Kirkland left the meeting room.

#### COUNCIL RESOLUTION

THAT the deputation by RCI Group and Gideon Town Planning be 'received'.

**Moved by:** Councillor Latcham  
**Seconded by:** Councillor Wickerson

#### MOTION CARRIED

Councillors Fisher, Wickerson, Rutherford, Smith, Williams and Latcham voted for the motion.

**7 PRESENTATION OF PETITIONS**

Nil

## 8 COUNCILLOR/DELEGATE REPORTS

### 8.1 LEAVE OF ABSENCE FOR COUNCILLOR TONY WILLIAMS - 23 TO 25 NOVEMBER 2020

**File No:** 10072  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Nicole Semfel - Executive Support Officer

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#### SUMMARY

*Councillor Tony Williams is seeking leave of absence from Monday 23 November 2020 to Wednesday 25 November 2020 inclusive.*

9:41AM Councillor Kirkland returned to the meeting room

#### COUNCIL RESOLUTION

THAT Councillor Tony Williams be granted leave of absence from Monday 23 November 2020 to Wednesday 25 November 2020 inclusive.

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

**MOTION CARRIED**



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**8.2 COUNCILLOR DISCRETIONARY FUND - ROCKHAMPTON WILDLIFE RESCUE**

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

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**SUMMARY**

*Approval is sought from Council for a donation from Councillor Fisher's, Councillor Smith's and Councillor Williams' Councillor Discretionary Fund towards Rockhampton Wildlife Rescue.*

**COUNCIL RESOLUTION**

THAT approval be granted to donate \$400 from Councillor Neil Fisher, \$250 from Councillor Ellen Smith, \$150 from Councillor Tony Williams, \$250 from Councillor Cherie Rutherford and \$300 from Councillor Drew Wickerson to Rockhampton Wildlife Rescue from their respective Councillor Discretionary Funds.

**Moved by:** Councillor Rutherford  
**Seconded by:** Councillor Kirkland

**MOTION CARRIED**

## 9 OFFICERS' REPORTS

### 9.1 COMMUNITIES AND CULTURE SOLE PROVIDER PROVISION

**File No:** 7104  
**Attachments:** Nil  
**Authorising Officer:** John Webb - Manager Communities and Culture  
Alicia Cutler - General Manager Community Services  
**Author:** Louise Hales - Supervisor Major Venues

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#### SUMMARY

*Council presents an annual program of exhibitions and performance and it is necessary to resolve that it would be impractical of Council to invite quotes for the content and physical productions.*

#### COUNCIL RESOLUTION

THAT Council is satisfied that there is only one supplier who is reasonably available and that because of the specialised nature of the services that are sought, it would be impractical for Council to invite quotes for the supply of the productions, exhibition and services as detailed in the report.

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

## 9.2 AUSTRALIA DAY COMMUNITY GRANTS PROGRAM

**File No:** 5095

**Attachments:**

1. Bouldercombe Progress Association⇒
2. Gracemere Men's Shed⇒

**Authorising Officer:** John Webb - Manager Communities and Culture  
Alicia Cutler - General Manager Community Services

**Author:** Louise Hales - Supervisor Major Venues

### SUMMARY

*In 2013 Council resolved to establish an Australia Day Community Grants Program to assist local organisations to coordinate community based Australia Day celebration across the region. Applications for funding to support activities for Australia Day 2021 are now presented for Council approval.*

### COUNCIL RESOLUTION

THAT Council:

1. Award a grant of \$750 to the Gracemere Men's Shed Inc to assist the group in presenting a community-focused Australia Day celebration in Gracemere in 2021; and
2. Allocate any remaining funds to Advance Rockhampton to facilitate celebrations in communities not mentioned above.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Kirkland

### MOTION CARRIED UNANIMOUSLY

Councillors Fisher, Kirkland, Rutherford, Latcham, Williams, Wickerson and Smith voted for the motion.

9:58AM Chief Executive Officer left the meeting room  
9:58AM Deputy Chief Executive Officer assumed the role as Executive Officer  
9:59AM Chief Executive Officer returned to the meeting room

10:01AM Councillor Ellen Smith, having earlier informed the meeting of a declarable conflict of interest and her decision to voluntarily not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

### COUNCIL RESOLUTION

THAT Council award a grant of \$700 to the Bouldercombe Progress Association Inc to assist the group in presenting a community-focused Australia Day celebration in Bouldercombe in 2021.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Williams

### MOTION CARRIED UNANIMOUSLY

Councillors Fisher, Kirkland, Rutherford, Latcham, Williams and Wickerson voted for the motion.

10:03AM Councillor Smith returned to the meeting room

**9.3 COVID VARIABLE FEE APPROVAL - PILBEAM THEATRE AND WALTER REID AUDITORIUM**

**File No:** 13405

**Attachments:**

1. [Pilbeam Theatre Fees](#)
2. [Other Major Venues Fees](#)

**Authorising Officer:** Alicia Cutler - General Manager Community Services

**Author:** John Webb - Manager Communities and Culture

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**SUMMARY**

*This reports seeks approval to temporarily reduce set performance rental fees for the Pilbeam Theatre and Walter Reid Auditorium for both commercial and not for profit hirers from within the Rockhampton Regional Council local government. The percentage of the fee will be proportional to the maximum allowable capacity by mandated COVID safe practice.*

**COUNCIL RESOLUTION**

THAT Council approve the following fee reductions proportional to the maximum COVID safe capacity for hirers within the Local Government area for the 2020/2021 financial year:

1. Pilbeam Theatre Performance Rental for Commercial and Local Not-for-Profit fees;
2. Walter Reid Cultural Centre Auditorium Standard and Per Hour fees; and
3. Walter Reid Cultural Centre Auditorium and Kiosk Standard fee.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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## 9.4 ROCKHAMPTON RING ROAD BENEFITS AND IMPACTS REPORT

**File No:** 13672  
**Attachments:** Nil  
**Authorising Officer:** Martin Crow - Acting General Manager Regional Services  
**Author:** Stuart Harvey - Coordinator Infrastructure Planning

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### SUMMARY

*Council has called for a report on the benefits and impacts of the Rockhampton Ring Road. This following report provides Council officers understanding of probable benefits and impacts for this proposed project.*

10:14AM

Councillor Ellen Smith, having earlier informed the meeting of a declarable conflict of interest and her decision to voluntarily not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

10:15AM

"I, Councillor Cherie Rutherford inform this meeting of a possible declarable conflict of interest as I reside at 20 Samuel Crescent, Parkhurst which is quite a way from where the Ring Road comes off and I don't believe that it impacts me, and I wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, whether I:

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

### COUNCIL RESOLUTION

THAT it is in the public interest that Councillor Rutherford participates and votes on the matter as all Councillors reside in the town and the Ring Road is not in the immediate area of the Councillor's residence, and a reasonable person would trust that the final decision is made in the public interest.

**Moved by:** Councillor Fisher  
**Seconded by:** Councillor Kirkland

### MOTION CARRIED

Councillors Fisher, Kirkland, Wickerson, Williams, Latcham voted for the motion. Councillor Rutherford did not participate in the vote.

10:46AM

"I, Councillor Neil Fisher inform the meeting of a declarable conflict of interest as with anything dealing with General Aviation area of Rockhampton Airport, also I am a member of Peace Christian Church which operate a hangar, Peace Aviation at Rockhampton Airport and my wife Sherrie Fisher is an administrator for Peace Christian Church. I propose to leave and stay away from the place where the meeting is being held while matters involving the general aviation area at the airport are discussed."

10:47AM

Councillor Neil Fisher left the place at which the meeting was held, including any area for the public and stayed away while matters involving the general aviation at the airport are discussed.

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10:48AM Councillor Tony Williams assumed the role of Chairperson.

10:48AM

"I, Councillor Tony Williams inform this meeting of a declarable conflict of interest as my brother Gerard Williams owns property in the Port Curtis area that may be affected by the proposed South Rockhampton Flood Levee."

10:48AM

"I, Councillor Donna Kirkland inform this meeting of a declarable conflict of interest as my husband Brett Kirkland and I are the Proprietors of Dalkrik Pty Ltd t/as Ultra Tune South Rockhampton, located as tenants at 55 Gladstone Road, Allenstown."

10:51AM Councillor Ellen Smith returned to the meeting room.

### COUNCIL RESOLUTION

THAT the matter lay on the table seeking further advice from the Chief Executive Officer in relation to conflicts of interest arising from wording in the report.

**Moved by: Councillor Latcham**  
**Seconded by: Councillor Wickerson**

**MOTION CARRIED**

### COUNCIL RESOLUTION

10:52AM Chairperson Councillor Tony Williams declared a recess until 11:00am.

**Moved by: Councillor Williams**  
**Seconded by: Councillor Latcham**

**MOTION CARRIED**

11:10AM The meeting resumed.

11:10AM Councillor Fisher resumed the role as Chairperson

#### Members Present:

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

#### In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr S Harvey – Coordinator Infrastructure Planning  
Ms L Leeder – Senior Committee Support Officer  
Ms K Walsh – Committee Support Officer

#### Via Webex:

Ms A Cutler – General Manager Community Services  
Mr P Kofod – General Manager Regional Services

Mr G Bowden – Executive Manager Advance Rockhampton  
Ms T Sweeney – Executive Manager Workforce and Governance  
Mr D Morrison – Manager Office of the Mayor  
Mr A Russell – Manager Strategy and Planning

11:11AM Councillor Smith left the meeting room.

### COUNCIL RESOLUTION

THAT the Rockhampton Ring Road Benefits and Impacts report be lifted from the table.

**Moved by:** Councillor Fisher  
**Seconded by:** Councillor Rutherford

### MOTION CARRIED

11:12AM

"I, Councillor Donna Kirkland inform this meeting of a declarable conflict of interest as my husband Brett Kirkland and I are the Proprietors of Dalkrik Pty Ltd t/as Ultra Tune South Rockhampton, located as tenants at 55 Gladstone Road, Allenstown, the business would stand to benefit from the Rockhampton Flood Levee and I would like to put it to the table that I remain for this particular discussion around receiving a report on the Rockhampton Ring Road which is separate to discussions around the South Rockhampton Flood Levee, and within this discussion there is a greater benefit to the wider community in relation to the discussion and the decision and wish to participate in the decision in relation to this matter. I acknowledge that eligible councillors must now determine, whether I:

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

### COUNCIL RESOLUTION

THAT it is in the public interest that Councillor Kirkland participates and votes on the matter which is separate to discussions around the South Rockhampton Flood Levee, and within this discussion there is a greater benefit to the wider community, and a reasonable person would trust that the final decision is made in the public interest.

**Moved by:** Councillor Rutherford  
**Seconded by:** Councillor Latcham

### MOTION CARRIED

Councillors Fisher, Rutherford, Latcham, Wickerson voted for the motion.  
Councillors Kirkland and Williams did not participate in the vote.

11:14AM

I, Councillor Tony Williams inform this meeting of a declarable conflict of interest as my brother Gerard Williams owns a property in Port Curtis on the benefit side of the South Rockhampton Flood Levee. I believe that this report does not reflect that decision as it not based around South Rockhampton Flood Levee and is based more on the wider community benefits from the Rockhampton Ring Road project and wish to participate in the discussion and the decision in relation to this matter. I acknowledge that eligible councillors must now determine, whether I:

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

**COUNCIL RESOLUTION**

THAT it is in the public interest that Councillor Williams participates and votes on the matter which is separate to discussions around the South Rockhampton Flood Levee, and within this discussion there is a greater benefit to the wider community, and a reasonable person would trust that the final decision is made in the public interest.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Latcham

**MOTION CARRIED**

Councillors Fisher, Wickerson, Rutherford, Latcham voted for the motion.  
Councillors Kirkland and Williams did not participate in the vote.

11:16AM

"I, Councillor Neil Fisher inform this meeting of a declarable conflict of interest as with anything dealing with General Aviation area of Rockhampton Airport also I am a member of Peace Christian Church which operate a hangar, Peace Aviation at Rockhampton Airport and my wife Sherrie Fisher is an administrator for Peace Christian Church. I propose to leave and stay away from the place where the meeting is being held while matters involving the general aviation area at the airport are discussed."

11:16AM

Councillor Neil Fisher, having earlier informed the meeting of a declarable conflict of interest and his decision to voluntarily not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matters involving the general aviation area at the airport are discussed.

11:16AM Councillor Williams assumed the Chair

11:24AM Councillor Fisher returned the meeting room and resumed the Chair

**COUNCIL RESOLUTION**

1. THAT the Rockhampton Ring Road Benefits and Impacts report be received.
2. THAT Council request a deputation with the Local Members and the Minister of Transport urgently.

**Moved by:** Councillor Kirkland

**Seconded by:** Councillor Williams

**MOTION CARRIED**

Councillors Fisher, Kirkland, Wickerson, Rutherford, Williams and Latcham voted for the motion.



11:37AM Councillor Smith returned to the meeting room

11:37AM

"I, Councillor Donna Kirkland inform the meeting that I have a declarable conflict of interest because a person who is a related party of mine has an interest in this matter. My son in law Troy Graham is part owner of the business HDE Engineering Designs and Professionals in partnership with his parents Phil and Tammy Graham whose Trust owns the property and the business located at 18 Albert Street, Rockhampton City. This is a declarable conflict of interest for Item 6.1 and Item 9.5. I propose to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on."

11:37AM

Councillor Donna Kirkland, having earlier informed the meeting of a declarable conflict of interest and her decision to voluntarily not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

#### **9.5 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A SERVICE STATION AND OPERATIONAL WORKS FOR ADVERTISING DEVICES (TWO (2) FREESTANDING SIGNS, ONE (1) CANOPY SIGN AND ONE (1) FASCIA SIGN)**

**File No:** D/28-2020

**Attachments:**

1. [Locality Plan](#)
2. [Site Plan](#)
3. [Floor Plan](#)
4. [Elevation Plans](#)
5. [3D Street-View Perspectives](#)

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services

**Author:** Bevan Koelmeyer - Planning Officer

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#### **SUMMARY**

*Development Application Number:* D/28-2020

*Applicant:* RCI Group

*Real Property Address:* Lot 1, 2, 3, 4 and 5 on RP600729

*Common Property Address:* 20-26 Albert Street and 34 Kent Street, Rockhampton City

*Area of Site:* 2,023 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015 (version 2.1)

*Planning Scheme Zone:* Low-Medium Density Residential Zone

*Planning Scheme Overlays:* Acid Sulfate Soils Overlay  
Airport Environs Overlay

*Existing Development:* Lot 1, 2, 4 and 5 on RP600729 - Dwelling House; Lot 3 on RP600729 - Vacant Land

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<i>Approval Sought:</i>	<i>Development Permit for a Material Change of Use for a Service Station and Operational Works for Advertising Devices (Two (2) Freestanding Signs, one (1) Canopy Sign and one (1) Fascia Sign)</i>
<i>Level of Assessment:</i>	<i>Impact Assessable</i>
<i>Submissions:</i>	<i>Nil</i>
<i>Referral Agency(s):</i>	<i>Department of State Development, Manufacturing, Infrastructure and Planning</i>
<i>Infrastructure Charges Area:</i>	<i>Charge Area 2</i>

## COUNCIL RESOLUTION

THAT in relation to the application for a Development Permit for a Material Change of Use for a Service Station and Operational Works for Advertising Devices (Two (2) Freestanding Signs, one (1) Canopy Sign and one (1) Fascia Sign), made by RCI Group, located at 20-26 Albert Street and 34 Kent Street, Rockhampton City, described as Lot 1, 2, 3, 4, and 5 on RP600729 - Council resolves to Refuse the application given the following reasons:

The proposed development will compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015* (version 2.1) because:

1. Part 3.3.10.1(4) – The proposed development is an expansion of the centres into the urban infill and intensification area;
2. Part 3.3.10.1(5) - The proposed development is not consistent with the zone outcomes and does not protect residential amenity commensurate with its location; and
3. Part 3.4.7.1(1) - The proposed development does not protect the health, well-being or amenity of community and individuals from noise emissions.

The proposed development does not meet the purpose at Part 6.2.2.2 of the Low-Medium Density Residential Zone Code because:

4. Part 6.2.2.2(c)(i) - The proposed development will compromise the residential character and existing amenity of the surrounding area;
5. Part 6.2.2.2(c)(ii) - The proposed development is not small-scale or consistent with the surrounding urban form;
6. Part 6.2.2.2(c)(iii) - The proposed development does not primarily function to service the needs of the immediate local residential community;
7. Part 6.2.2.2(c)(iv) - The proposed development will detract from the role and function of centres;
8. Part 6.2.2.2(c)(v) - The proposed development will result in the expansion of a centre zone; and
9. Part 6.2.2.2(j) - The proposed development will not maintain a high level of residential amenity due to noise and light emissions.

The proposed development does not comply with the specific benchmarks for assessment in the *Rockhampton Region Planning Scheme 2015* (version 2.1) because:

10. Low-Medium Density Residential Zone Code - Part 6.2.2.3 (Performance Outcome 10) - The scale and design of the fuel shop building is inappropriate for the Low-Medium Density Residential Zone. The building is not oriented to the street frontage of Kent Street and does not integrate with the streetscape and built form;

11. Part 6.2.2.3 (Performance Outcome 13) - The proposed development does not service the day-to-day needs of residents of the local neighbourhood and does not prominently display products outside of an enclosed building such as Outdoor Sales and the products predominantly displayed inside a building are not consistent with the Showroom definition. The proposed development will compromise the residential character and existing amenity of the surrounding area from noise and lighting impacts. The proposed development is not small in scale. The development is not consistent with the surrounding built form and streetscape and the use will compromise the role and function of existing centres. The proposed development does not minimise impacts on local amenity. Under SC6.9 Economic Impact Assessment Planning Scheme Policy a community, economic and planning need has not been demonstrated for the subject proposed development to be established in the Low-Medium Density Residential Zone. In conjunction, the proposed development is capable of being established at an appropriate available alternative site, which is suitably located in a designated centre zone (Specialised Centre Zone – Gladstone Road and George Street Precinct);
12. Part 6.2.2.3 (Performance Outcome 21) - The proposed development will not minimise its adverse impacts on the amenity of adjoining land uses and the surrounding area;
13. Advertising Devices Code - Part 9.3.2.3 (Performance Outcome 1) - The proposed development's Advertising Devices, specifically the Freestanding Signs, will adversely affect the visual amenity and dominate the streetscape of Albert Street. The Advertising Devices will result in the proliferation of unnecessary advertising along Albert Street; and
14. Landscape Code - Part 9.3.4.3 (Performance Outcome 10) - The proposed development's acoustic barrier fence is not compatible with the existing streetscape and will be a dominant feature of the development. The fence will not minimise adverse effects on the amenity of the adjoining property.
15. There is no community, planning and economic need for the proposed development.
16. There are a number of other service stations along Gladstone Road and Yaamba Road in the same direction of travel that cater for heavy vehicle refuelling.
17. The proposed development represents out of centre development.
18. There are alternative available sites for the proposed development within the appropriate Specialised Centre Zone – Gladstone Road and George Street Precinct.

**Moved by:** Councillor Smith

**Seconded by:** Councillor Wickerson

Councillors Smith, Wickerson, Williams voted for the motion.

Councillors Fisher, Rutherford and Latcham voted against the motion.

Councillor Fisher used his casting vote in the negative and the motion was lost.

**COUNCIL RESOLUTION**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Service Station and Operational Works for Advertising Devices (Two (2) Freestanding Signs, one (1) Canopy Sign and one (1) Fascia Sign), made by RCI Group, located at 20-26 Albert Street and 34 Kent Street, Rockhampton City, described as Lot 1, 2, 3, 4, and 5 on RP600729 - Council resolves to Approve the application subject to conditions (approved by the CEO).

**Reasons for Decision**

- a) The proposed development is located along a State Controlled Road corridor, with existing amenity impacts onto the adjoining residential properties;
- b) The Planning Scheme contemplates the establishment of non-residential land uses, and specifically references Service Stations within the Performance Outcomes of the Low-Medium Density Residential Zone Code;
- c) The proposed development will not adversely affect the safety, amenity and well-being of sensitive land uses in proximity to the subject site with appropriate mitigation measures that can be conditioned;
- d) The proposed use does not compromise the strategic framework in the Rockhampton Region Planning Scheme 2015;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity;
- f) The proposed development does not compromise the relevant State Planning Policy; and
- g) 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.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Latcham

**MOTION CARRIED**

Councillors Fisher, Latcham, Rutherford, Williams voted for the motion.  
Councillors Smith and Wickerson voted against the motion.

12:03PM Councillor Kirkland returned to the meeting room

12:03PM Acting Mayor Fisher declared that the meeting be adjourned until 1:03PM

1:06PM        The meeting resumed.

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr M O’Keeffe – Manager RRWR  
Ms L Leeder – Senior Committee Support Officer  
Ms K Walsh – Committee Support Officer

Via Webex:

Ms A Cutler – General Manager Community Services  
Mr G Bowden – Executive Manager Advance Rockhampton  
Ms T Sweeney – Executive Manager Workforce and Governance  
Mr D Morrison – Manager Office of the Mayor  
Mr A Russell – Manager Strategy and Planning  
Ms C Bell – Coordinator Environmental Sustainability  
Mr J Bulwinkel – Supervisor Sports and Administration

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**9.6 ROCKHAMPTON GRAMMAR SCHOOL REQUEST FOR RENEWAL OF EXISTING TRUSTEE LEASE FOR 30 YEARS IN SUPPORT OF THE CAPITAL DEVELOPMENT PLAN FOR RUGBY PARK**

<b>File No:</b>	<b>374</b>
<b>Attachments:</b>	<ol style="list-style-type: none"><li>1. <b>Master Plan: Option 1</b> <a href="#">↗</a></li><li>2. <b>Master Plan: Option 2</b> <a href="#">↗</a></li><li>3. <b>Encroachment of Botanic Gardens Depicted - Rugby Park</b> <a href="#">↗</a></li><li>4. <b>Reference Doc: Option 2</b> <a href="#">↗</a></li><li>5. <b>Master Plan: Option 3</b> <a href="#">↗</a></li><li>6. <b>Rugby Park: Capital Development Plan</b> <a href="#">↗</a></li><li>7. <b>Benefits Overview: Rockhampton Multipurpose Facility Rugby Park</b> <a href="#">↗</a></li><li>8. <b>Darumbal Letter of Support</b> <a href="#">↗</a></li><li>9. <b>Capras Community Care: Prospectus</b> <a href="#">↗</a></li></ol>
<b>Authorising Officer:</b>	<b>Aaron Pont - Manager Parks Alicia Cutler - General Manager Community Services</b>
<b>Author:</b>	<b>Justin Bulwinkel - Supervisor - Sports and Administration</b>
<b>Previous Items:</b>	<b>8.4 - Rockhampton Grammar School's Draft Development Plan for Rugby Park - Parks, Recreation and Sport Committee - 25 Sep 2019 12.30pm</b>

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**SUMMARY**

*Rockhampton Grammar School formally request to renew its existing Trustee Lease Agreement from 1 January 2022 for a 30 year term over Rugby Park, L379 Blackall Street, The Range (being Lot 522SP120476).*

*Compliant with Special Condition 4 of their existing agreement, Rockhampton Grammar School submit the Final Capital Development Plan for Rugby Park to Council. This Development plan proposes Option 1 within the plan for Council consideration and support conditional to the renewal of Trustee Lease (No 718174698) term.*

**PROCEDURAL MOTION**

THAT the matter lay on the table subject to a site inspection and a workshop.

**Moved by: Councillor Rutherford**

**MOTION CARRIED UNANIMOUSLY**

**9.7 WASTE TRANSFER STATION OPERATIONS**

**File No:** 7284  
**Attachments:** 1. Transaction Analysis for Waste Transfer Stations⇒  
**Authorising Officer:** Peter Kofod - General Manager Regional Services  
**Author:** Michael O'Keeffe - Manager Rockhampton Regional Waste and Recycling

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**SUMMARY**

*The purpose of this report is to present a number of options to change the operational hours for Council's Waste Transfer Stations. The options aim to provide sufficient operating hours based on current patronage. The key objective being a reduction in the cost of the service, whilst providing adequate access to the community.*

**PROCEDURAL MOTION**

THAT the matter lay on the table and be referred to a portfolio workshop on Tuesday 1 December 2020 prior to Council meeting 8 December 2020 for a decision.

**Moved by:** Councillor Latcham

**MOTION CARRIED UNANIMOUSLY**

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**9.8 COMMUNITY ASSISTANCE PROGRAM: ENVIRONMENT AND SUSTAINABILITY SCHEME - OCTOBER 2020 COMMUNITY INITIATIVES**

**File No:** 12535

**Attachments:**

1. [Assessment summary](#)
2. [FY2019-20 project summary](#)
3. [FY2020-21 project summary](#)

**Authorising Officer:** Alicia Cutler - General Manager Community Services

**Author:** Christine Bell - Coordinator Environmental Sustainability

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**SUMMARY**

*This report tables the latest round of community-based initiatives submitted for consideration under Council's Community Assistance Program – Environment and Sustainability Scheme. The report also provide an update on grant projects for both FY2019-20 and FY2020-21, including a number of recently completed community initiatives.*

**COUNCIL RESOLUTION**

That Council approves funding and support for the following community-led environment and sustainability initiative (figures are GST exclusive):

- St Peter's Catholic Primary School P&F Association, *Don't waste our environment* (waste and recycling initiative), \$3,000 grant (GST exclusive).

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



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**9.9 JOINT STANDING COMMITTEE ON TREATIES - MILITARY TRAINING SINGAPORE****File No:** 11092**Attachments:**

1. **Agreement between the Government of Australia and the Government of the Republic of Singapore concerning Military Training and Training Area Development in Australia** [⇒](#)
2. **National Interest Analysis [2020] ATNIA 13** [⇒](#)
3. **Council submission to the Joint Standing Committee on Treaties** [⇒](#)

**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Damon Morrison - Manager Office of the Mayor

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**SUMMARY**

*A written submission to the Joint Standing Committee Treaties into Military Training – Singapore is presented for Council's consideration and endorsement.*

**COUNCIL RESOLUTION**

THAT Council endorse the attached submission to the Joint Standing Committee on Treaties into Military Training – Singapore.

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

1:26PM

Councillor Ellen Smith, having earlier informed the meeting of a declarable conflict of interest and her decision to voluntarily not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

1:26PM

Councillor Cherie Rutherford, having earlier informed the meeting of a declarable conflict of interest and her decision to voluntarily not participate in the decision, left the place at which the meeting was held, including any area for the public and stayed away while the matter was discussed and voted on.

#### 9.10 PLANNING PRIORITIES FOR 2020-21

**File No:** 8785, 12534  
**Attachments:** Nil  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Angus Russell - Manager Strategy and Planning

#### SUMMARY

*Council's 2020-21 Operational Budget allocates \$500,000 to a general pool to advance planning of strategic projects or priorities for Council. This report recommends the allocation of these funds from this pool to specific projects.*

#### COUNCIL RESOLUTION

THAT the matter be referred to a workshop.

**Moved by:** Councillor Williams  
**Seconded by:** Councillor Wickerson

#### MOTION CARRIED

Councillors Fisher, Latcham, Kirkland, Wickerson and Williams voted for the motion

1:28PM Councillor Smith returned to the meeting room

1:28PM Councillor Rutherford returned to the meeting room

**9.11 SCHEDULE OF MEETINGS - JANUARY TO DECEMBER 2021**

**File No:** 1460  
**Attachments:** 1. [Draft Schedule](#)⇒  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Ross Cheesman - Deputy Chief Executive Officer

**SUMMARY**

*Deputy Chief Executive Officer presenting the proposed Schedule of Council Meetings and Councillor Workshops for the period 27 January 2021 to 14 December 2021.*

**COUNCIL RESOLUTION**

THAT the Schedule of Council Meetings and Portfolio Workshops for the period 27 January 2021 to 14 December 2021 be adopted.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Latcham

**MOTION CARRIED**

1:30PM Acting Mayor, Councillor Fisher adjourned the meeting until 1:50PM  
1:52PM The meeting resumed.

**Members Present:**

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

**In Attendance:**

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Ms L Leeder – Senior Committee Support Officer  
Ms K Walsh – Committee Support Officer

**Via Webex:**

Ms A Cutler – General Manager Community Services  
Mr P Kofod – General Manager Regional Services  
Mr G Bowden – Executive Manager Advance Rockhampton  
Mr D Morrison – Manager Office of the Mayor

**10 NOTICES OF MOTION**

Nil

**11 QUESTIONS ON NOTICE**

Nil

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## 12 URGENT BUSINESS QUESTIONS

### 12.1 APPOINTMENT OF ASSISTANT PORTFOLIO COUNCILLOR FOR WASTE AND WASTE TO RESOURCE IMPLEMENTATION

**File No:** 10072

**Responsible Officer:** Damon Morrison – Manager Office of the Mayor

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#### COUNCIL RESOLUTION

THAT Councillor Neil Fisher be appointed as Assistant Portfolio Councillor for the Waste and Waste to Resource Implementation Portfolio.

**Moved by:** Councillor Latcham

**Seconded by:** Councillor Wickerson

**MOTION CARRIED**

### 12.2 APPOINTMENT OF LOCAL DISASTER CHAIR AND DEPUTY CHAIR

**File No:** 3940

**Responsible Officer:** Damon Morrison – Manager Office of the Mayor

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#### COUNCIL RESOLUTION

THAT Councillor Tony Williams be appointed Chair of the Local Disaster Management Group and Councillor Neil Fisher be appointed as Deputy Chair of the Local Disaster Management Group.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Latcham

**MOTION CARRIED UNANIMOUSLY**

### 12.3 MEDIA RELEASE - RESIGNATION OF MARGARET STRELOW

**File No:** 10072

**Responsible Officer:** Damon Morrison – Manager Office of the Mayor

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#### COUNCIL RESOLUTION

THAT the media release on the resignation of Margaret Strelow from the Office of Mayor on behalf of the Councillors of Rockhampton Regional Council be tabled.

**Moved by:** Councillor Fisher

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

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**13 CLOSURE OF MEETING**

There being no further business the meeting closed at 2:01pm.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE



**MEETING  
ATTACHMENTS**

**10 NOVEMBER 2020**

## ANNEXURE A

Documents presented to Councillors for their reference during the Council meeting when dealing with:

**Item 6.1 – Deputation – D/28-2020 – Development Application for a Material Change of use for a Service Station and Operational Works for Advertising Devices (two (2) Freestanding Signs, one (1) Canopy Sign and one (1) Facia Sign)**





**Material Change of Use for a Service Station  
Operational Works for an Advertising Device**

20 - 26 Albert Street and 34 Kent Street, Rockhampton  
Lots 1-5 RP600729

- Stephen Moore (Managing Director – RCI Group)
- Gideon Genade (Gideon Town Planning)

# Planning Context



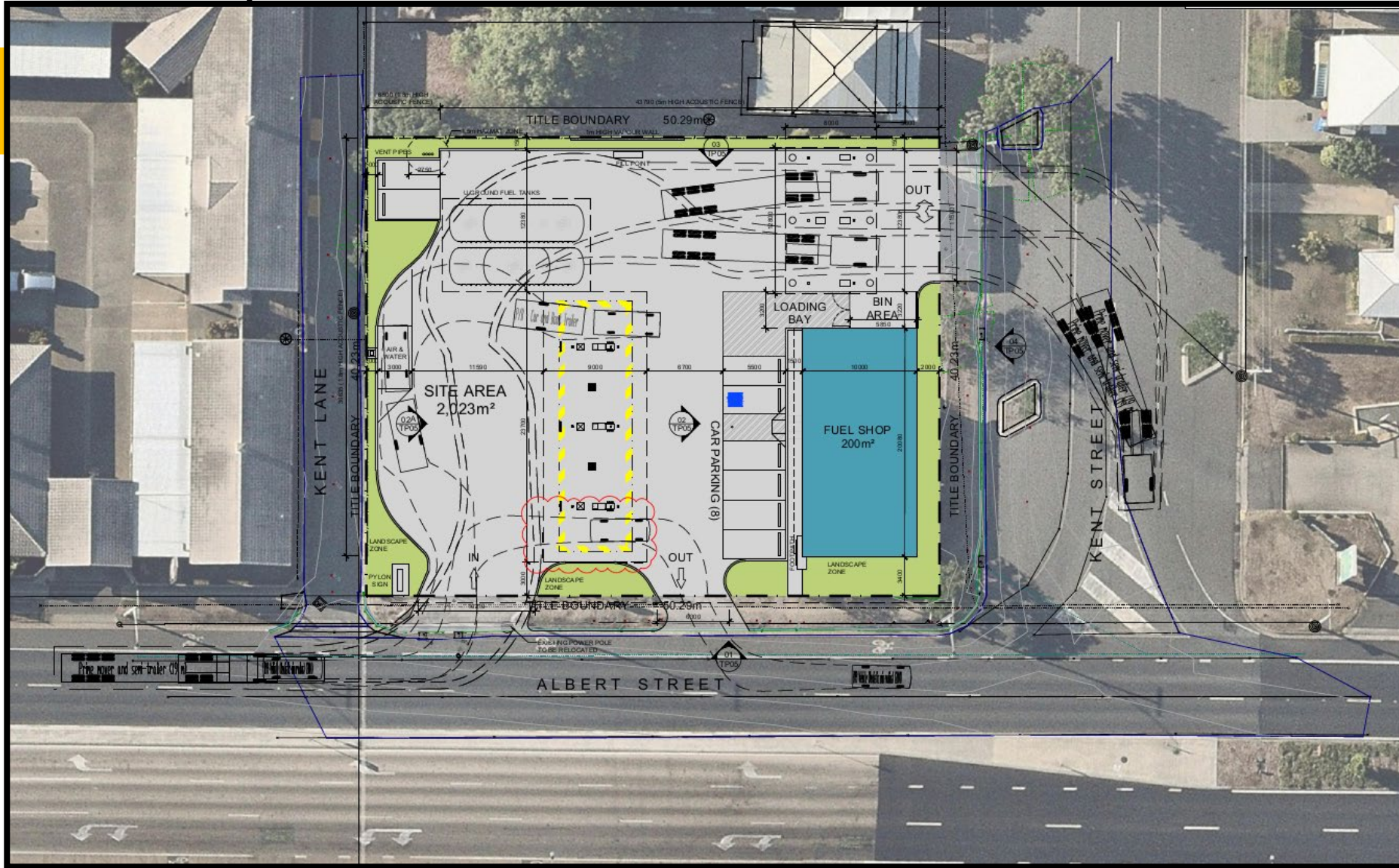
- 2023m<sup>2</sup>
- Low – Medium Density Residential Zone
- Priority Infrastructure Area
- Bruce Highway / Albert Street (State Controlled Road)
- Abandoned / dilapidated residential
- Transitioning Road Corridor





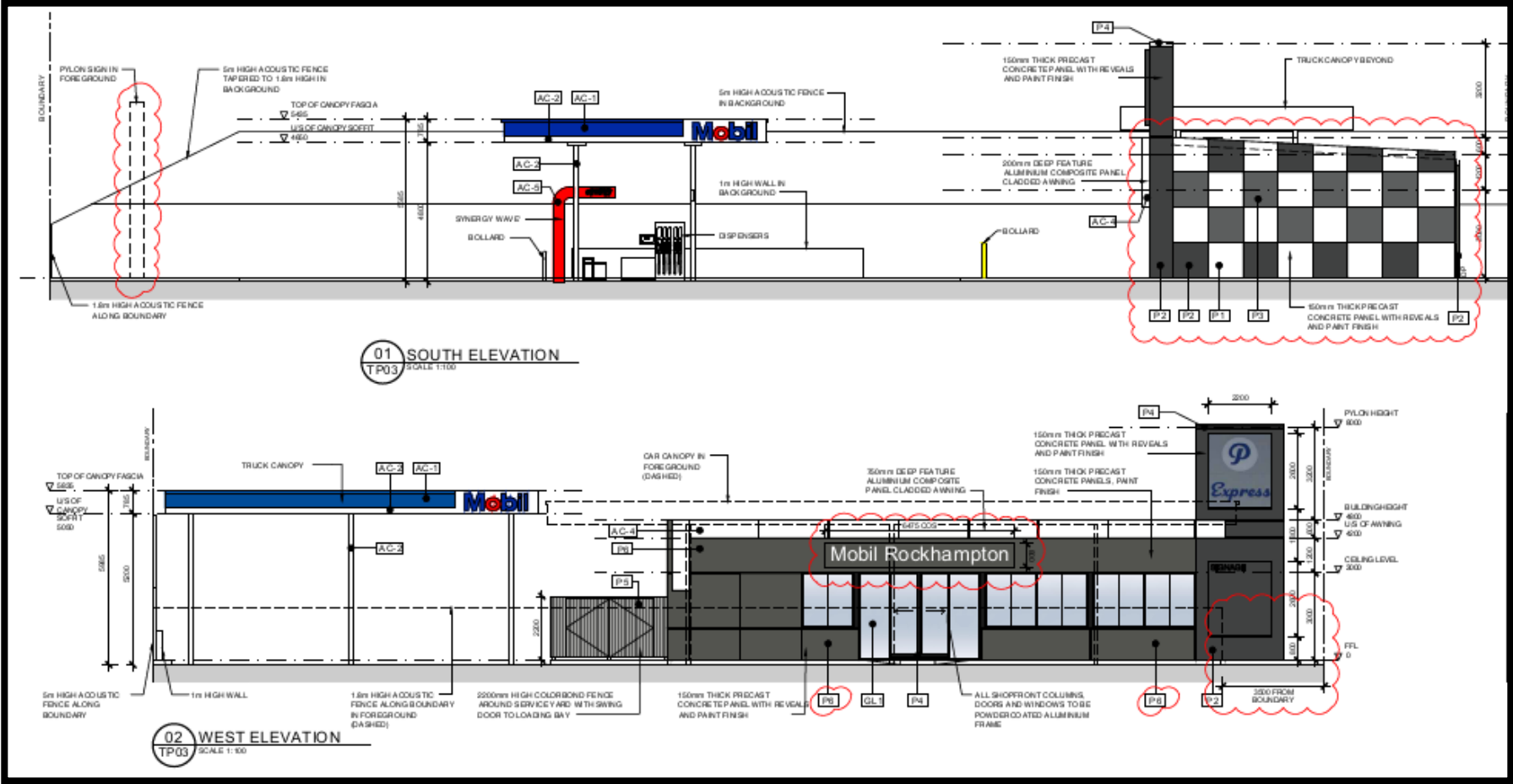


# Proposal Overview



- 6 refuelling points for standard vehicles and motorcycles
- 2 refuelling points for larger vehicles
- 200m<sup>2</sup> service station shop
- 8 onsite parking spaces
- Landscaping (265m<sup>2</sup>)
- Acoustic Barriers

# Built Form



- All elements well below height limitation.
- Development has a low site cover
- Articulated facades further complimented by landscaping

# Planning Assessment

## Assessment Authority

- Rockhampton Regional Council
- State Assessment and Referral Agency  
(Department of Transport and Main Road)

## Application Material

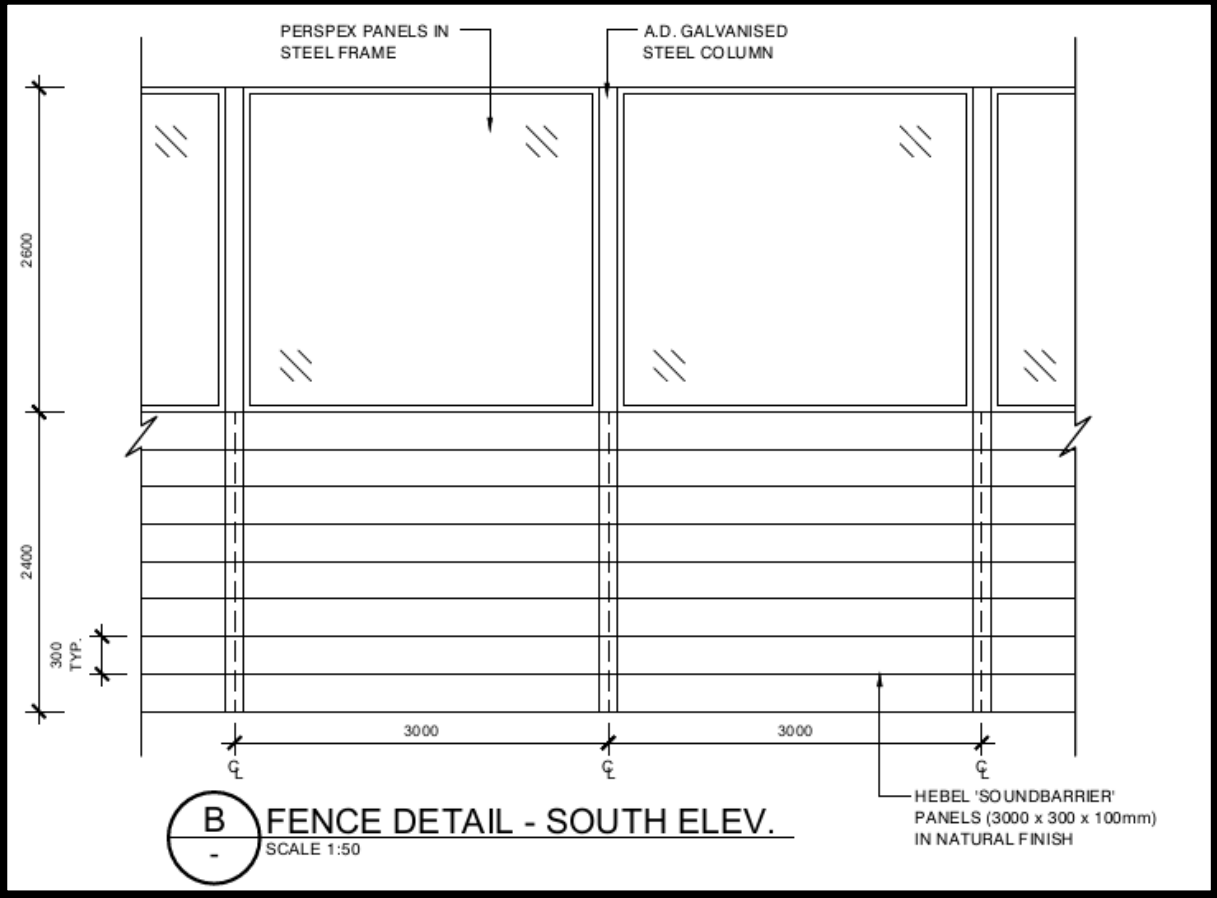
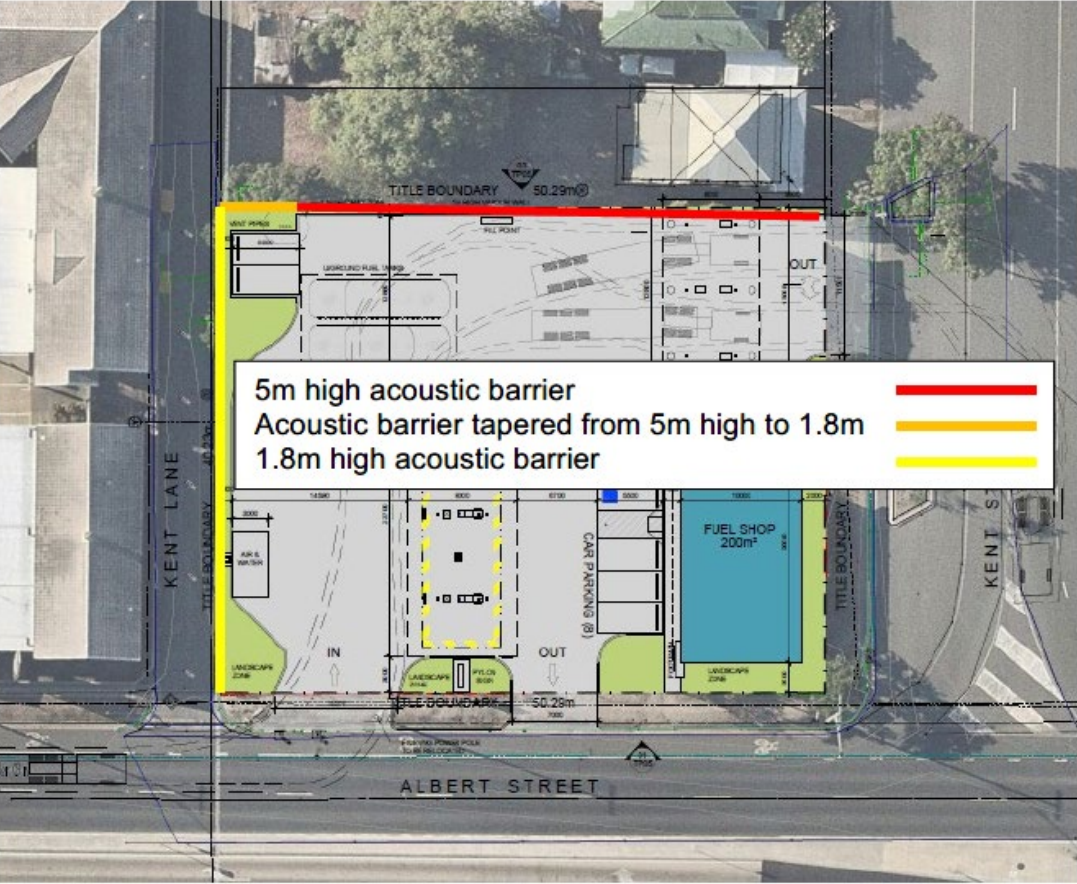
- Planning Report
- Environmental Noise Assessment
- Economic Need and Impact Assessment
- Engineering Report (Traffic Impact Assessment)
- Engineering Report (Stormwater Management)

## Key Outcomes:

- The State is supportive of the development and has issued Conditions of approval in favour of the development proposal.
  - The Rockhampton Regional Planning Scheme 2015 – makes provision for Non-Residential Development within the Low-Medium Density Residential Zone.
  - The Environmental Noise Assessment - ***“non-worsening of the existing noise environment”***
  - The Economic Need and Impact Assessment concluded that ***“there is an economic, community and planning need for the development”***
-



# Environmental Noise Assessment



*“noise barriers have been recommended to attenuate to at least achieve a “non-worsening” of the existing noise environment, which is predominantly due to road traffic”*

# Economic Need and Impact Assessment

## **Economic Need and Impact Assessment**, prepared by CDM Smith

- *“In addition to satisfying demand and economic needs within the trade area, there are also community needs which the proposed development could satisfy. For the community, the provision of a new facility will provide an additional service station and introduce a new fuel brand (Mobil) to Rockhampton residents. This provides for improved competition both at a site level and a fuel supply level. The proposed development will significantly enhance choice, convenience and competition within the local resident catchment, the Bruce Highway corridor, and by virtue of introducing a new fuel brand, Rockhampton more broadly.”*
- *“there is an economic, community and planning need for the development of a Mobil service station at 20-26 Albert Street, Rockhampton. Additionally, the operations of such a development would not be detrimental to the trading of the existing facilities.”*



# Economic Need and Impact Assessment

## **Peer Review**, prepared by Urban Economics

- Councils own peer review, undertaken by Urban Economics concluded that there is a *“modest or moderate level of economic and community need for the proposed service station”*

## **Further Peer Review**, prepared by Think Economics

- “demonstrates strong demand for the proposed service station”
- “there is considered need to support the proposed service station”

The area is currently under supplied and the benchmark rate of provision of 1 service station per 4000 persons as stated in Urban Economics Peer Review is not correct. It is 1 service station per 2000 persons for regional Queensland as per the ACCC service station supply assessment.

# Planning Assessment

## *Low – Medium Density Residential Zone*

### *Overall Outcomes*

non-residential uses only occur within the zone where they:

- (i) do not compromise the residential character and existing amenity of the surrounding area;
- (ii) are small-scale and consistent with the surrounding urban form;
- (iii) primarily function to service the needs of the immediate local residential community;
- (iv) do not detract from the role and function of centres;
- (v) do not result in the expansion of a centre zone;
- (vi) have direct access to higher order roads (minor urban collector or higher); and

-To remove any doubt a centre zone includes specialised centres

- (vii) provide for uses along Albert Street that can demonstrate a dependence on having a highway passing trade;

# Planning Assessment

## *Low – Medium Density Residential Zone Code*

- **PO13**

Non-residential development may locate in the low-medium density residential zone when the use can demonstrate the following:

- a) it services the day-to-day needs of residents of the local neighbourhood or is a community or emergency facility that primarily services the needs of the local neighbourhood; or
- b) **where located on Albert Street and can demonstrate a dependence on having highway passing trade. Therefore limited to:**
  - i. products predominantly displayed outside of any enclosed building and are demonstrably dependent on high visibility for attracting customers or businesses and typically include [outdoor sales](#); or
  - ii. products predominantly displayed inside a building, consistent with the [showroom](#) definition with [gross floor area](#) of no more than 500 square metres and is demonstrably dependent on high visibility for attracting customers or business; and
  - iii. **other uses which service and support the broad range of needs of highway users and include [food and drink outlet](#), [service station](#), [car wash](#) and the like;**
- c) it does not compromise the residential character and existing amenity of the surrounding area in relation to lighting, noise, dust and odour;
- d) is small in scale;
- e) is consistent with the surrounding built form and [streetscape](#);
- f) the use does not compromise the role and function of existing centres;
- g) does not adjoin an existing commercial centre zone;
- h) located in proximity to public transport facilities and public transport routes; and
- i) minimises impacts on local amenity and the local street network.

# Reasons for Approval

- The Planning Scheme contemplates the establishment of non-residential land uses, and specifically references **Service Stations** within the Performance Outcomes of the Low-Medium Density Residential Zone Code.
- Proposal is for the redevelopment of land adjoining a **State Controlled Road Corridor** that already has reduced residential amenity.
- All **amenity** impacts (build form, noise & lighting) can be managed through appropriate conditions.
- **No submissions** was made during Public Notification.
- Supported by:
  - Department of Transport and Main Road
  - Council Development Engineering
  - Council Public and Environmental Health

## **ANNEXURE B**

Documents presented to Councillors for their reference during the Council meeting when dealing with:

**Item 9.5 – Development Application for a Material Change of Use for a Service Station and Operational Works for Advertising Devices (two (2) Freestanding Signs, one (1) Canopy Sign and one (1) Fascia Sign)**

# **Development Application for a Material Change of Use for a Service Station and Operational Works for Advertising Devices**

*20-26 Albert Street and 34 Kent Street, Rockhampton City (Lots 1-5 on  
RP600729)*

**Ordinary Council Meeting – 10 November 2020**



# Development Proposal

20-26 Albert Street and 34 Kent Street, Rockhampton City





# Surrounding Area/Locality

20-26 Albert Street and 34 Kent Street, Rockhampton City



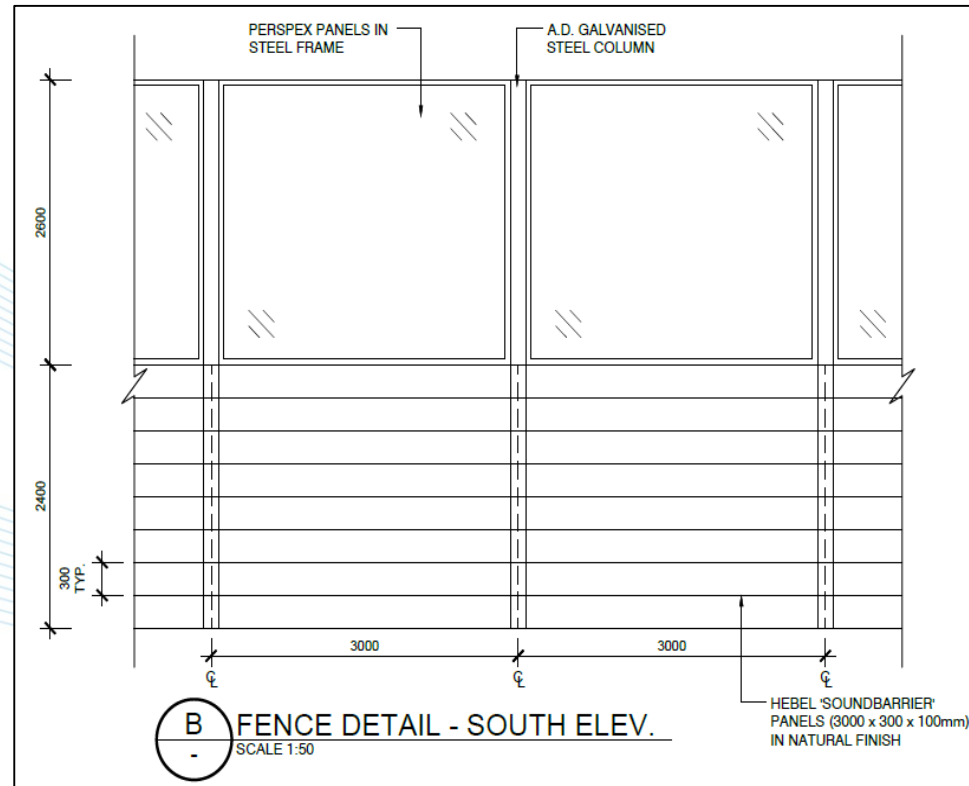
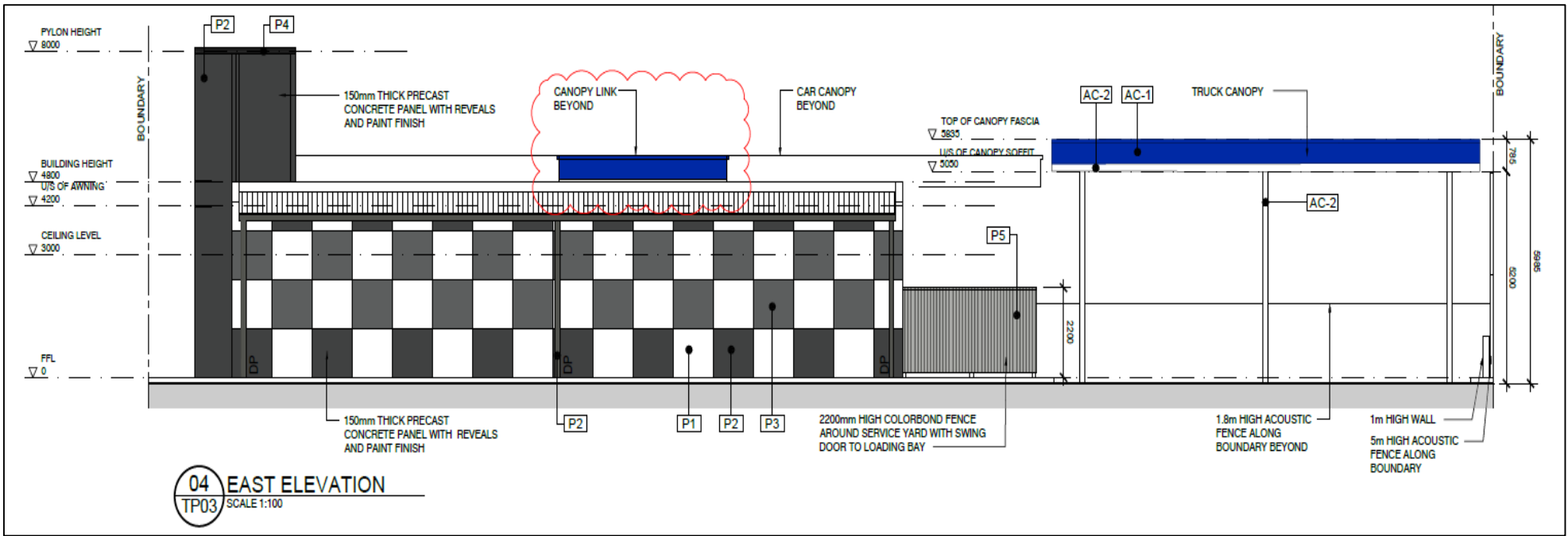


# Grounds for Refusal

20-26 Albert Street and 34 Kent Street, Rockhampton City

- The development will compromise the strategic framework of the Rockhampton Region Planning Scheme 2015 (version 2.1);
- The development is inconsistent with the purpose of the Low-Medium Density Residential Zone; and
- The development does not comply with specific assessment benchmarks included in the zone code and applicable development codes.





## **ANNEXURE C**

Documents presented to Councillors for their reference during the Council meeting when dealing with:

**Item 12.3 – Media Release – Resignation of Margaret Strelow**



## Media Release

10 November 2020

### Resignation of Margaret Strelow

Councillors have today paid tribute to former mayor Margaret Strelow who resigned from the position late yesterday afternoon.

Acting Mayor Neil Fisher said the announcement had come as a shock.

“There are a lot of people in the community and in Council who have been taken aback by her announcement and I want to say to them that we understand that feeling,” Acting Mayor Fisher said.

“Margaret was a fierce advocate for the region and I’d like to pay tribute to her tireless work and dedication during her stewardship of our community.

“Margaret was many things to Councillors during her tenure as Mayor. She was a mentor to us when making tough decisions and a calm voice of reason during disasters when our region needed leadership.

“There was a side to Margaret where you could see how deeply she cared not just about the region but the people in it. It was not something you’d see in the media but she did.

“Her years of experience at the table puts us in good stead and Councillors are committed to continue working together as a strong team,” Acting Mayor Fisher said.

CEO Evan Pardon said Council business would continue as normal while the process for electing a new Mayor was worked through.

“We welcome the clarity provided by Local Government Minister Stirling Hinchliffe today as we move through the process to fill the Office of the Mayor,” Mr Pardon said.

“In the interim, we will continue with the day to day business and will provide more information when it’s available. This is obviously a new situation so it will take time to work through the next steps but we will keep the community updated as we go along.”

**ENDS**