



ORDINARY MEETING

MINUTES

25 MARCH 2025

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**REPORT OF THE ORDINARY MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 25 MARCH 2025 COMMENCING AT 9:01 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

Leave of Absence for the meeting was previously granted to Councillor Drew Wickerson.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

THAT the minutes of the Ordinary Meeting of 11 March 2025 be confirmed.

Moved by: Councillor Oram

Seconded by: Councillor Taylor

MOTION CARRIED UNANIMOUSLY

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 PRESENTATION OF PETITIONS

Nil

9 COMMITTEE REPORTS

9.1 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEETING - 13 MARCH 2025

COUNCIL RESOLUTION

THAT the Minutes of the Audit and Business Improvement Committee meeting, held on 13 March 2025 as circulated, be received and that the recommendations contained within these minutes be adopted.

Moved by: Councillor Latcham

Seconded by: Councillor Mathers

MOTION CARRIED UNANIMOUSLY

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

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.1 EXTERNAL AUDIT PLAN 2025 AND QAO BRIEFING PAPER**

File No: 9509, 8151
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The External Audit Plan from Queensland Audit Office (Council's Contract Auditors, HLB Mann Judd Advisory and Accounting (HLB)), together with a Briefing Paper from the Queensland Audit Office (QAO) are provided for committee review.

COMMITTEE RECOMMENDATION

THAT the 2025 External Audit Plan be endorsed, and the Queensland Audit Office Briefing Paper be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.2 CEO UPDATE**

File No: 13900
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

Chief Executive Officer providing an update on matters of importance.

COMMITTEE RECOMMENDATION

THAT the Chief Executive Officer's update be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.3 ASSET MANAGEMENT**

File No: 13900
Authorising Officer: Martin Crow - Manager Infrastructure Planning
Michael O'Keeffe - Acting General Manager Regional Services
Author: Andrew Whitby - Coordinator Assets and GIS

SUMMARY

Coordinator Assets and GIS presenting an update on Asset Management matters.

COMMITTEE RECOMMENDATION

THAT the update on Asset Management matters be 'received'.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.4 INTERNAL AUDIT PROGRESS REPORT**

File No: 5207
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Acting Chief Executive Officer

SUMMARY

The attached report provides an update for the Audit and Business Improvement Committee on the progress of the internal audit function.

COMMITTEE RECOMMENDATION

THAT the Internal Audit Progress Report be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.5 STRATEGIC REPORT ON COUNCIL'S COMMERCIAL BUSINESS UNITS**

File No: 5207
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

A strategic report on Councils Commercial Business units in relation to the challenges and risks over the next 5 years is provided to the Committee.

COMMITTEE RECOMMENDATION

THAT the presentation on Councils Commercial Business units in relation to the challenges and risks over the next 5 years be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.6 INVESTIGATION AND LEGAL MATTERS PROGRESS REPORT**

File No: 1830
Authorising Officer: Damon Morrison - Manager Workforce and Governance
Ross Cheesman - Deputy Chief Executive Officer
Author: Travis Pegrem - Coordinator People and Capability

SUMMARY

Coordinator People and Capability presenting an update of financial year to date Investigative Matters and the current Legal Matters progress report.

COMMITTEE RECOMMENDATION

THAT the update of Investigation and Legal Matters Progress report be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.7 WORK HEALTH AND SAFETY UPDATE**

File No: 4868
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Damon Morrison - Manager Workforce and Governance

SUMMARY

Manager Workforce and Governance presenting an update on work health and safety matters for the information of the committee.

COMMITTEE RECOMMENDATION

THAT the Work Health and Safety update be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.8 RISK REGISTERS QUARTERLY UPDATE AS AT 10 JANUARY 2025**

File No: 8780
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Kisane Ramm - Senior Risk and Assurance Advisor

SUMMARY

Submission of the quarterly risk register updates, as at 10 January 2025, for the Committee's consideration and adoption by Council.

COMMITTEE RECOMMENDATION

THAT the Committee recommends Council adopt the attached risk register updates from management, dated 10 January 2025.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.9 INFORMATION SYSTEMS - CYBER SECURITY UPDATE**

File No: 12177
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Megan Younger - Manager Corporate and Technology Services

SUMMARY

The purpose of this report is to provide the committee with an overview of the current state of cyber security within Rockhampton Regional Council.

COMMITTEE RECOMMENDATION

THAT the Information Systems - Cyber Security Update report be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.10 LOSS / THEFT ITEMS - NOVEMBER 2024 TO FEBRUARY 2025**

File No: 3911
Authorising Officer: Megan Younger - Manager Corporate and Technology Services
Ross Cheesman - Acting Chief Executive Officer
Author: Kellie Roberts - Coordinator Property and Insurance

SUMMARY

This report presents details of the Loss/Theft Items for the period November 2024 to February 2025.

COMMITTEE RECOMMENDATION

THAT the Committee receives the Loss/Theft Items – November 2024 to February 2025 report.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.11 FINANCE SECTION UPDATE**

File No: 8148
Authorising Officer: Ross Cheesman - Acting Chief Executive Officer
Author: Marnie Taylor - Acting General Manager Corporate Services

SUMMARY

Chief Financial Officer providing a Financial Section Update on matters to date for 2024/2025 Financial Year.

COMMITTEE RECOMMENDATION

THAT the Finance Section Update be received.

Recommendation of the Audit and Business Improvement Committee, 13 March 2025**9.1.12 CAPITALISATIONS OF CAPITAL WORKS IN PROGRESS**

File No: 5960
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer providing an update regarding the capitalisation of capital works in progress.

COMMITTEE RECOMMENDATION

THAT the Capitalisation of Capital Works in Progress report be received.

10 COUNCILLOR/DELEGATE REPORTS

10.1 LEAVE OF ABSENCE - COUNCILLOR DREW WICKERSON - MONDAY 26 MAY TO FRIDAY 30 MAY 2025

File No: 10072

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

Author: Sharnie De Klerk - Executive Support Officer

SUMMARY

Councillor Drew Wickerson is seeking leave of absence for Monday, 26 May to Friday, 30 May 2025 inclusive.

COUNCIL RESOLUTION

THAT Councillor Drew Wickerson be granted leave of absence for Monday, 26 May to Friday, 30 May 2025 inclusive.

Moved by: Mayor Williams

Seconded by: Councillor Latcham

MOTION CARRIED UNANIMOUSLY

11 OFFICERS' REPORTS

11.1 REQUEST FOR EXEMPTION TO SHOWGROUNDS EVENT CURFEW - SALOON CAR CLUB

File No: 11039

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

Author: Mark Millett - Coordinator Major Venues

SUMMARY

The Rockhampton Saloon Car Club Inc. is requesting Council amend the existing event curfew of the Rockhampton Showgrounds to enable the operation of the Saloon Car Club's Bar (only) until 11.59pm during their speedway events.

COUNCIL RESOLUTION

THAT Council approves the alteration of the Rockhampton Showgrounds event program curfew of 10.30pm to midnight to include the operation of the Saloon Car Club's Bar. Noting that racing (engine noise) and amplified noise must cease by 10.30pm. This curfew exemption being only until end of 2025, with council able to revoke the exemption should community complaints be received. At the end of 2025 a review to determine whether curfew exemption can be extended.

Moved by: Councillor Hilse

Seconded by: Councillor Taylor

MOTION CARRIED

11.2 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT FOR A SUBDIVISION (ONE INTO TWO LOTS)

File No: D/167-2024
Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Angela Arnold - Acting Manager Planning and Regulatory Services
Alicia Cutler - General Manager Community Services
Author: Sophie Muggeridge - Planning Officer

SUMMARY

Development Application Number: D/167-2024
Applicant: Diawyn Pty Ltd
Real Property Address: Lot 1 on SP26698
Common Property Address: 9 Kelly Road, Gracemere
Area of Site: 13.41 hectares
Planning Scheme: Rockhampton Region Planning Scheme 2015 (v4.4)
Planning Scheme Zone: Low Impact Industry Zone
Planning Scheme Overlays: Acid Sulfate Soils Overlay;
Airport Environs Overlay;
Biodiversity Areas Overlay; and
Flood Hazard Overlay.
Existing Development: Low Impact Industry
Approval Sought: Development Permit for Reconfiguring a Lot for a Subdivision (one lot into two lots)
Category of Assessment: Assessable subject to Impact assessment
Submissions: One submission
Referral Agency: Department of Housing, Local Government, Planning and Public Works (State Assessment and Referral Agency Department)

COUNCIL RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot for a Subdivision (one lot into two lots), made by Diawyn Pty Ltd, located at 9 Kelly Road, Gracemere, described as Lot 1 on SP26698, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	
Reconfiguring a Lot for a Subdivision (one lot into two lots)	
Reasons for Decision	
<p>a) 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; and</p> <p>b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	
<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Local Government Infrastructure Plan; • Strategic Framework; • Low Impact Industry Zone Code; • Access, Parking and Transport Code; • Landscape Code; • Stormwater Management Code; • Water and Sewer Code; • Filling and Excavation Code; • Reconfiguring a Lot Code; and • Flood Hazard Overlay Code 	
Compliance with assessment benchmarks	
<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.</p>	
Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
Flood Hazard Overlay Code	<p>8.2.8.2 Purpose (2), (f); and Performance Outcome (PO) 14</p> <p>The proposed development does not comply with Acceptable Outcome (AO) 14.1 or the corresponding PO or Overall Outcome (2), (f), because the proposal is for the creation of a new lot (proposed Lot 2) in an area impacted by the flood hazard.</p> <p>Despite this, the proposed development does comply with Strategic Outcome 3.4.1 (3) and Specific Outcome 3.4.3.1 (1) of the Natural Environment and Hazards theme of the Strategic Framework, because:</p>

	<ul style="list-style-type: none"> Proposed Lot 2 is only partially mapped as being affected by the Flood Hazard Overlay. The developable area (i.e. excluding the Flood Hazard Overlay) of each proposed lot exceeds the minimum lot size requirement for a lot within the Low Impact Industry Zone and can comfortably accommodate a future industrial land use outside of the hazard; and A condition of approval has also been imposed requiring a drainage easement over the extent of the Flood Hazard Overlay. The drainage easement will ensure no further development can occur within the flood hazard areas. <p>On this basis, it is considered there is no increased risk to people or property from flooding as a result of the proposed subdivision and the development does not conflict with the Strategic Framework of the <i>Rockhampton Region Planning Scheme 2015</i>.</p>
Relevant Matters	
The proposed development was not assessed against any relevant matters outside of the matters prescribed by regulation.	
Matters raised in submissions	
The proposal was the subject of public notification between 4 February 2025 and 18 February 2025, in accordance with the requirements of the Planning Act 2016 and the Development Assessment Rules, and one (1) submission was received.	
Proposed Lot 2 access	<p>The submitter raised concerns in relation to the proposed access strip for Lot 2. Specifically, increased traffic, dust, noise, the removal of trees within the lot for the access that may reduce privacy for the adjoining property owner and damage to the existing rural pipeline.</p> <p>The proposed access strip is compliant with the requirements of table 9.3.5.3.2 of the Access, Parking and Transport Code and table 9.3.5.3.2 of the Reconfiguring a Lot Code of the <i>Rockhampton Region Planning Scheme 2015</i>.</p> <p>All access works and potential environmental impacts for a future land use on proposed Lot 2 would require an assessment against the relevant codes of the planning scheme prior to the commencement of the use. The concerns raised are not considered as part this approval. Furthermore, direct access to proposed Lot 2 from the Capricorn Highway is not permitted as an alternative as per the response from the Department of Housing, Local Government, Planning and Public Works (SARA) as a referral agency to the application.</p>
Matters prescribed by regulation	
<ul style="list-style-type: none"> The Rockhampton Region Planning Scheme 2015 (version 4.4). Central Queensland Regional Plan 2013; and The common material, being the material submitted with the application. 	

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Reconfiguring a Lot for a Subdivision (one lot into two lots), made by Diawyn Pty Ltd, located at 9 Kelly Road, Gracemere described as Lot 1 on SP26698, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises 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 Unless otherwise stated, all conditions, works, or requirements of this development approval must be undertaken and completed:
- 1.3.1 to Council's satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the issue of the Survey Plan Approval Certificate.
- 1.4 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.5 Easements must be provided over all land assessed to be within a one per cent (1%) Annual exceedance probability defined flood event, within proposed Lot 2. Easement documents must accompany the Survey Plan for endorsement by Council, prior to the issue of the Survey Plan Approval Certificate.

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:

Plan/Document Name	Prepared by	Date	Reference No.	Version/ Issue
Site Plan	Design & Architecture	12 November 2024	GG-011	3

- 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 ELECTRICITY

- 3.1 Electricity services must be provided to each lot in accordance with the standards and requirements of the relevant service provider.

4.0 TELECOMMUNICATIONS

- 4.1 Telecommunications services can be provided to each lot in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits, pipes and conduits that provide a connection to the telecommunications network.

5.0 ASSET MANAGEMENT

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

6.0 OPERATING PROCEDURES

- 6.1 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 Kelly Road.

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 Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. Infrastructure Charges Notice

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

NOTE 3. Rural Addressing

All Rural addressing must be provided to each lot in accordance with Council's rural addressing procedures and must be in accordance with *Australian/New Zealand Standard for Rural and Urban Addressing (AS4819:2011)*.

Moved by: Councillor Mathers

Seconded by: Councillor Latcham

MOTION CARRIED UNANIMOUSLY

11.3 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR AN OFFICE

File No: D/135-2024
Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Angela Arnold - Acting Manager Planning and Regulatory Services
Alicia Cutler - General Manager Community Services
Author: Sophie Muggeridge - Planning Officer

SUMMARY

Development Application Number: D/135-2024
Applicant: Access Recreation Incorporated
Real Property Address: Lot 300 on R1675, Lot 234 on CP892530, Lot 303 and 304 on RP905533
Common Property Address: 89 William Street and 189 and 197 Denison Street, Rockhampton City
Area of Site: 4,925 square meters
Planning Scheme: Rockhampton Region Planning Scheme 2015 (v4.4)
Planning Scheme Zone: Principal Centre
Planning Scheme Precinct: Denison Street Precinct
Planning Scheme Overlays: Acid Sulfate Soils Overlay;
Airport Environs Overlay; and
Heritage Place Overlay.
Existing Development: Saint Pauls Anglican Cathedral Hall
Approval Sought: Development Permit for a Material Change of Use for an Office
Category of Assessment: Assessable subject to Impact assessment
Submissions: Nil
Referral Agency: Department of Housing, Local Government, Planning and Public Works (State Assessment and Referral Agency Department)

COUNCIL RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for an Office, made by Access Recreation Incorporated, located at 89 William Street and 189 and 197 Denison Street, Rockhampton City, described as Lot 300 on R1675, Lot 234 on CP892530, Lot 303 and 304 on RP905533, Council resolves to provide the following reasons for its decision:

STATEMENT OF REASONS

Description of the development	
Material Change of Use for an Office	
Reasons for Decision	
<p>a) 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; and</p> <p>b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.</p>	
Assessment Benchmarks	
<p>The development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Local Government Infrastructure Plan; • Strategic Framework; • Principal Centre Zone Code; • Access, Parking and Transport Code; • Landscape Code; • Stormwater Management Code; • Waste Management Code; and • Water and Sewer Code; 	
Compliance with assessment benchmarks	
<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.</p>	
Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
Strategic Framework Principal Centre Zone Code	<p>Settlement Pattern: 3.3.10 – Urban Infill and Intensification</p> <p>Principal Centre Zone Purpose (5), (c)</p> <p>Performance Outcome (PO) 39</p> <p>The proposed development conflicts with Performance Outcome 39 of the Principal Centre Zone Code as the establishment of a large scale office use, above 500 square metres, is not contemplated within the Denison Street precinct. The proposed development also presents conflicts with both the purpose of the Principal Centre Zone Code and aspects of the Strategic Framework, more specifically 3.3.10 – urban infill and intensification designation.</p> <p>Despite the above conflicts, the proposed development does comply on balance with the remainder of the strategic framework themes because:</p> <ul style="list-style-type: none"> • The development will not compromise the natural environment as the subject site is not affected by natural hazards, complying with <i>3.4 Natural environment and hazards theme</i>;

	<ul style="list-style-type: none"> • The development is for an Office use for a non for profit disability organisation within the Principal Centre Zone which encourages the community to access uses that provide a service, complying with <i>3.5 Community identity and diversity theme</i>; • The development is accessible and located off a Minor Urban Collector Road, is connected to the CBD pedestrian network and the existing transport network with a bus stop 120 metres east of the subject site (Derby St), complying with <i>3.6 Access and mobility theme</i>; • The development is connected to existing infrastructure and services, complying with <i>3.7 Infrastructure and services theme</i>; and • The development will consolidate the services associated with the proposed office, providing the opportunity to expand within the region and offer further employment opportunities, complying with <i>3.8 Natural resources and economic development theme</i>. <p>Further, despite the land uses conflict with the Denison Street precinct, the proposed office is considered a compatible land use within the core precinct which adjoins the subject lots. The proposed development is not anticipated to detract from the role and function of the Principal Centre Zone and regard to relevant matters is considered to outweigh those conflicts.</p>
Principal Centre Zone Code	<p>Performance Outcome (PO) 15</p> <p>The proposed development does not comply (in part) with Acceptable Outcome (AO) 15.3 because part of the proposed car parking area is located along the Denison Street road frontage.</p> <p>Despite this partial conflict, the proposed development is designed to contribute positively to the street frontage because:</p> <ul style="list-style-type: none"> • The proposed building is articulated with various materials, colours and windows to break up the façade and is orientated towards the Denison Street road frontage. • The existing footpath along Denison Street is retained and will be complimented with an internal pathway that is proposed around the entrance of the building; and • Landscaping, including carparking landscaping has been incorporated into the design to ensure the amenity of the site contributes positively to the area. <p>Therefore, the proposed development is taken to comply with PO 15.</p>
Waste Management Code	<p>Acceptable Outcome 3.1</p> <p>The proposed development does not comply with Acceptable Outcome (AO) 3.1 (b) because the proposed waste storage area is located less than 2 metres from the property boundary.</p> <p>Despite this, the proposed waste storage area minimises adverse impacts on adjoining properties because:</p> <ul style="list-style-type: none"> • The proposed waste storage area is set back approximately 10 metres from the adjoining property to the east of the

	<p>structure; and</p> <ul style="list-style-type: none"> • Whilst the location is along Alma Lane, being a street frontage, is a no-through road and only utilised as rear access for those properties with access. Furthermore, conditions have been imposed to ensure the waste storage area is appropriately screened. <p>Therefore, the proposed development is taken to comply with PO 3.</p>
Relevant Matters	
<p>The proposed development was assessed against the following relevant matters:</p> <ul style="list-style-type: none"> - The existing structures located on Lot 234 are no longer utilised or owned by the adjoining Anglican Church; - The proposed office is considered a compatible land use within the core precinct which adjoins the subject lots and the development site is located within close proximity to the Rockhampton CBD; and - The proposal only results in a 98.69 square metre increase in gross floor area (GFA) above what is accepted within the Principal Centre Zone for an office. 	
Matters raised in submissions	
<p>The proposal was the subject of public notification between 18 November 2024 and 6 December 2024, in accordance with the requirements of the Planning Act 2016 and the Development Assessment Rules, and no submissions were received.</p>	
Matters prescribed by regulation	
<ul style="list-style-type: none"> • The Rockhampton Region Planning Scheme 2015 (version 4.4). • Central Queensland Regional Plan 2013; and • The common material, being the material submitted with the application. 	

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for an Office, made by Access Recreation Incorporated, located at 89 William Street, 189 and 197 Denison Street, Rockhampton City, described as Lot 300 on R1675, Lot 234 on CP892530, Lot 303 and 304 on RP905533, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises 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 Unless otherwise stated, all conditions, works, or requirements of this development must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:

- 1.3.1 to Council's satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the commencement of the use,
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Access and Parking Works;
 - (ii) Sewerage Works;
 - (iii) Stormwater Works;
 - (iv) Roof and Allotment Drainage;
 - 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 234 CP892530, Lot 304 RP905533 and Lot 303 RP905533 must be amalgamated and registered as one lot prior to the commencement of the use.
- 1.10 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under section 145 of the Planning Act 2016, unless otherwise stated.
- 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</u>
Cover Sheet	Designtek	3 September 2024	S-00	1
Site Plan – Existing and Demolition	Designtek	3 September 2024	S-01	1

Site Plan - Proposed	Designtek	3 September 2024	S-02	1
Site Plan - Landscaping	Designtek	5 March 2025	A1-06	3
Site Plan – Existing Services	Designtek	3 September 2024	S-04	1
Proposed Floor Plans	Designtek	3 September 2024	A-01	1
External Elevations	Designtek	3 September 2024	A-02	1
Sections	Designtek	3 September 2024	A-03	1
Engineering Infrastructure Report	Janes & Stewart Structural & Civil Consultants	19 September 2024	24055REP01	A
Stormwater Management Report	Janes & Stewart Structural & Civil Consultants	19 September 2024	24055REP02	A
Site Plan Hydraulic Services	Designtek	7 February 2025	24-0270	03

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 ACCESS AND PARKING WORKS

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

3.2 All access and 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 (access and parking works).

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

3.4 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.

3.5 Access to the development from Denison Street must be limited to ‘left in, left out’ only.

3.6 The northernmost driveway servicing the drop-off facility adjacent to the Denison Street frontage of the proposed new office must be ingress only.

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

- 3.8 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities".
- 3.9 A minimum of forty (40) parking spaces must be provided on-site.
- 3.10 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".
- 3.11 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the Australian Standard AS2890 "Parking facilities" and the provisions of a Development Permit for Operational Works (access and parking works).
- 3.12 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".
- 3.13 Road signage and pavement markings must be installed in accordance with Australian Standard AS1742.1 "Manual of uniform traffic control devices".
- 3.14 All internal pedestrian pathways must be designed and constructed in accordance with Australian Standard AS1428 "Design for access and mobility".
- 3.15 Service and delivery vehicles, including refuse collection vehicles must enter via Denison Street and exit via Alma Lane.
- 4.0 **SEWERAGE WORKS**
- 4.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the development site.
- 4.2 All sewerage 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 and the provisions of a Development Permit for Operational Works (sewerage works).
- 4.3 The development must be connected to Council's reticulated sewerage network.
- 4.4 A new sewerage connection point must be provided from the proposed new access chamber adjacent the Alma Lane cul-de-sac.
- 4.5 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.
- 4.6 Sewer connections 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 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the Capricorn Municipal Development Guidelines.
- 4.8 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.
- 4.9 A new sewerage connection point must be provided to the existing lot to the north being Lot 300 on R1675. This will require a sewerage mains extension from the existing sewerage infrastructure within the development site or from the sewerage infrastructure within Alma Lane. Alternatively, the sanitary drainage for Lot 300 on R1675 can be relocated to a new connection point provided from the infrastructure within Alma Lane (consent from the owner of Lot 300 on R1675 should be obtained

for the diversion of the sanitary drainage).

5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 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.
- 5.2 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.
- 5.3 The development must be connected to Council's reticulated sewerage and water networks.
- 5.4 Any redundant water connection point(s) must be disconnected.
- 5.5 Internal Plumbing and Sanitary Drainage of existing buildings must be contained within the lot it serves.
- 5.6 Adequate domestic and fire-fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.
- 5.7 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.
- 5.8 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.
- 5.9 Any internal sanitary drainage to be relocated for Lot 300 on R1675 must be contained within the lot it serves.

6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 6.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1) subject to ensuring compliance and any alterations required by the Environmental Protection Act 1992, Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 6.4 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including retention systems, inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.

7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 7.1 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.

- 7.2 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).
- 7.3 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.
- 8.0 SITE WORKS
- 8.1 All earthworks must be undertaken in accordance with Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments".
- 8.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 9.0 BUILDING WORKS
- 9.1 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.
- 9.2 A Development Permit for Building Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 9.3 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view, to Council's satisfaction.
- 9.4 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".
- 9.5 Access to and use of the land the subject of this application must comply with the provisions of the Anti-Discrimination Act 1991. If this statute requires the provision of access or facilities in a way that is inconsistent with this development approval, those facilities must be provided.
- 9.6 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the Environmental Protection Regulation 2019 and must be:
- 9.6.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 9.6.2 surrounded by at least a 1.8 metre high aesthetically screened fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
 - 9.6.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning; and
 - 9.6.4 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer.
- 9.7 Any internal sanitary drainage to be relocated for Lot 300 on R1675 must be contained within the lot it serves.

10.0 LANDSCAPING WORKS

- 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 — 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:
- 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 Landscaping, or any part thereof, upon reaching full maturity, must not:
- 10.5.1 obstruct sight visibility zones as defined in the Austroads 'Guide to Traffic Engineering Practice' series of publications;
 - 10.5.2 adversely affect any road lighting or public space lighting; or
 - 10.5.3 adversely affect any Council infrastructure, or public utility plant.
- 10.6 The landscaped areas must be subject to:
- 10.6.1 a watering and maintenance plan during the establishment moment; and
 - 10.6.2 an ongoing maintenance and replanting programme.

11.0 ELECTRICITY

- 11.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.

12.0 TELECOMMUNICATIONS

- 12.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.

13.0 ASSET MANAGEMENT

- 13.1 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.
- 13.2 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.

- 13.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the Asset Design and As Constructed Manual (ADAC).

14.0 ENVIRONMENTAL

- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location and topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) implementation,

for the construction and post-construction phases of work.

- 14.2 An Erosion Control and Stormwater Control Management Plan prepared and certified by suitably qualified person (Certified Professional in Erosion and Sediment Control or a Registered Professional Engineer of Queensland) in accordance with the State Planning Policy 2017 and Capricorn Municipal Design Guidelines requirements, must be:

- 14.2.1 implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and
- 14.2.2 available on-site for inspection by Council Officers whilst all works are being carried out.

15.0 OPERATING PROCEDURES

- 15.1 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 Denison Street, or Alma Lane.

- 15.2 All waste storage areas must be:

- 15.2.1 kept in a clean and tidy condition; and
- 15.2.2 maintained in accordance with Environmental Protection Regulation 2019.

ADVISORY NOTESNOTE 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 Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website www.dsdsatsip.qld.gov.au

NOTE 2. Sanitary Drainage for Lot 300 R1675

The sanitary drainage for adjacent Lot 300 R1675 must remain operable during all stages of construction. Any interim measures required to facilitate this arrangement until the new connection is provided is the responsibility of the Developer.

NOTE 3. 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 4. 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 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.

NOTE 6. Infrastructure Charges Notice

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

NOTE 7. Rating Category

Please note, a Material Change of Use approval may result in an adjustment to a property's rating category. Please contact Council's Rates Department should you require further information.

NOTE 8. Landscaping

The removal of the Cocus Palm on the Denham Street road frontage is supported, however, additional approval must be obtained by Council's Parks Department prior to the removal of or interference with any street tree located on Council Land.

Moved by: **Councillor Hilse**

Seconded by: **Councillor Latcham**

MOTION CARRIED UNANIMOUSLY

11.4 COUNTRY ROADS CONNECT PROGRAM

File No: 12534
Authorising Officer: Peter Kofod - General Manager Regional Services
Ross Cheesman - Deputy Chief Executive Officer
Author: Martin Crow - Manager Infrastructure Planning

SUMMARY

Council Officers requesting support for the submission of a funding application under the State Government's Country Roads Connect Program for Stanwell–Waroula Road.

COUNCIL RESOLUTION

THAT Council endorse the submission of a funding application for the Stanwell-Waroula Road project under the State Government's Country Roads Connect Program.

Moved by: Councillor Taylor
Seconded by: Councillor Rutherford

MOTION CARRIED UNANIMOUSLY

11.5 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 28 FEBRUARY 2025

File No: 8148
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

SUMMARY

The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 28 February 2025.

COUNCIL RESOLUTION

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 28 February 2025 be received.

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

11.6 DISASTER READY FUND, ROUND 3**File No:** 15722/12534**Authorising Officer:** Peter Kofod - General Manager Regional Services**Author:** Ann Davie - Senior Advisor Community Development

SUMMARY

This report provides information about the Australian Government Disaster Ready Fund, Round 3 grant program and recommended projects to be submitted for funding.

COUNCIL RESOLUTION

THAT Council endorse the following projects to seek funding under the Australian Government Disaster Ready Fund, Round 3 and consider Council's co-contribution in the 2025/2026 budget development.

1. Rockhampton Airport Temporary Barrier
2. Strengthening Climate Risk Management in the Rockhampton Region

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

**11.7 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD
ENDING FEBRUARY 2025**

File No: 1392
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Ross Cheesman - Deputy Chief Executive Officer

SUMMARY

Deputy CEO presenting the Whole of Council Corporate Performance Report for period ending 28 February 2025 for Councillors' information.

COUNCIL RESOLUTION

THAT the Whole of Council Corporate Performance Report for period ending 28 February 2025 be "received".

Moved by: Councillor Rutherford
Seconded by: Councillor Mathers

MOTION CARRIED UNANIMOUSLY

Meeting Adjourned**COUNCIL RESOLUTION**

9:47AM
That the meeting be adjourned, to resume at 10:00AM.

Moved by: Mayor Williams
Seconded by: Councillor Oram

MOTION CARRIED

Meeting Resumed**COUNCIL RESOLUTION**

10:00AM
That the meeting be resumed

Moved by: Mayor Williams
Seconded by: Councillor Taylor

MOTION CARRIED

12 NOTICES OF MOTION

12.1 NOTICE OF MOTION - COUNCILLOR GRANT MATHERS - PLACE OF LAST RESORT

File No: 8023

Responsible Officer: Nicole Semfel - Executive Assistant to the Mayor
Evan Pardon - Chief Executive Officer

SUMMARY

Councillor Grant Mathers has indicated his intention to move the following Notice of Motion at the next Ordinary Council Meeting scheduled for Tuesday 25 March 2025, as follows:

Suspension of Standing Orders

COUNCIL RESOLUTION

10:06AM

That pursuant to s7.8 Council Meeting Procedures the provisions of the Rockhampton Regional Council Meeting Procedures be suspended to allow adequate time for informal discussion on Item 12.1 – Notice of Motion – Councillor Grant Mathers – Place of Last Resort prior to entering into formal debate.

Moved by: Mayor Williams

Seconded by: Councillor Mathers

MOTION CARRIED

Resumption of Standing Orders

COUNCIL RESOLUTION

10:08AM

That pursuant to s7.8 Council Meeting Procedures the provisions of the Rockhampton Regional Council Meeting Procedures be resumed.

Moved by: Mayor Williams

Seconded by: Councillor Mathers

MOTION CARRIED

COUNCIL RESOLUTION

THAT Council commits to supporting the homeless members of our community who are sleeping rough by establishing a temporary “Place of Last Resort”. This place would be an area of land allocated by Council with basic amenities such as running water, toilets, waste collection, power, and in relatively close proximity to public transport and services.

THAT Council request officers, as a priority, collate a list of potential properties to be presented at a Briefing Session along with details such as the operations, sunset clause and associated costs.

Moved by: Councillor Mathers

Seconded by: Councillor Hilse

DIVISION:

Councillors Taylor, Rutherford, Oram, Mathers and Hilse voted in the affirmative.

Councillors Williams and Latcham voted in the negative.

MOTION CARRIED

13 QUESTIONS ON NOTICE

Nil

14 URGENT BUSINESS\QUESTIONS

15 CLOSED SESSION

COUNCIL RESOLUTION

10:22AM

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 Appeal against Council's decision to refuse Development Application D/59-2024 for a Material Change of Use for an Undefined Use (Battery Storage Facility) and Reconfiguring a Lot for a Lease (22 Years)

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

16.2 Potential Lease of Unused Portion of Water Allocation

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 Taylor
MOTION CARRIED

COUNCIL RESOLUTION

11:05AM

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

Moved by: Councillor Taylor
Seconded by: Councillor Hilse
MOTION CARRIED

16 CONFIDENTIAL REPORTS

16.1 APPEAL AGAINST COUNCIL'S DECISION TO REFUSE DEVELOPMENT APPLICATION D/59-2024 FOR A MATERIAL CHANGE OF USE FOR AN UNDEFINED USE (BATTERY STORAGE FACILITY) AND RECONFIGURING A LOT FOR A LEASE (22 YEARS)

File No: D/59-2024

Authorising Officer: Amanda O'Mara - Coordinator Development Assessment
Angela Arnold - Acting Manager Planning and Regulatory Services
Alicia Cutler - General Manager Community Services

Author: Kathy McDonald - Principal Planning Officer

In accordance with section 254J(3)(e) of the *Local Government Regulation 2012* it is considered necessary to close the meeting to discuss legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

SUMMARY

To decide a course of action in relation to the appeal lodged in the Planning and Environment Court, against Rockhampton Regional Council's decision to refuse Development Application D/59-2024 for a Material Change of Use for an Undefined Use (Battery Storage Facility) and Reconfiguring a Lot for a Lease (22 Years) over Lot 1 Burnett Highway, Bouldercombe, described as Lot 1 on RP860060.

INTRODUCTION

Development Application Number: D/59-2024

Applicant: Spiire Australia Pty Ltd

Real Property Address: Lot 1 on RP860060

Common Property Address: Lot 1 Burnett Highway, Bouldercombe

Approval Sought: Development Permit for a Material Change of Use for an Undefined Use (Battery Storage Facility) and Reconfiguring a Lot for a Lease (22 Years)

COUNCIL RESOLUTION

THAT Council proceed with Recommendation A as outlined in the report.

Moved by: Councillor Oram
Seconded by: Councillor Hilse
MOTION CARRIED

Councillor Williams and Latcham voted against.

16.2 POTENTIAL LEASE OF UNUSED PORTION OF WATER ALLOCATION

File No: 1267
Authorising Officer: Ross Cheesman - Deputy Chief Executive Officer
Author: Marnie Taylor - Chief Financial Officer

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

Report discussing the opportunity to lease the unused portion of Council's Water Allocation from the Fitzroy Barrage Water Supply Scheme.

COUNCIL RESOLUTION

THAT the matter lay on the table until the next Ordinary Council meeting on the 8th April 2025.

Moved by: Mayor Williams
Seconded by: Councillor Latcham
MOTION CARRIED

17 CLOSURE OF MEETING

There being no further business the meeting closed at 11:06am.

SIGNATURE

CHAIRPERSON

DATE