



PLANNING AND REGULATORY COMMITTEE MEETING

AGENDA

20 SEPTEMBER 2016

Your attendance is required at a meeting of the Planning and Regulatory Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 20 September 2016 commencing at 9.00am for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be the initials "C R" followed by a long horizontal stroke.

CHIEF EXECUTIVE OFFICER
14 September 2016

Next Meeting Date: 04.10.16

Please note:

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

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1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr M Rowe – General Manager Community Services (Executive Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Margaret Strelow - Leave of Absence from 13 September 2016 to 4 October 2016

4 CONFIRMATION OF MINUTES

Minutes of the Planning and Regulatory Committee held 6 September 2016

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

File No: 10097
Attachments: 1. Business Outstanding Table
Authorising Officer: Evan Pardon - Chief Executive Officer
Author: Evan Pardon - Chief Executive Officer

SUMMARY

The Business Outstanding table is used as a tool to monitor outstanding items resolved at previous Council or Committee Meetings. The current Business Outstanding table for the Planning and Regulatory Committee is presented for Councillors' information.

OFFICER'S RECOMMENDATION

THAT the Business Outstanding Table for the Planning and Regulatory Committee be received.

BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

Business Outstanding Table

Meeting Date: 20 September 2016

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
07 June 2016	Amendment Subordinate Local Law No. 5 (Parking) 2011	THAT Council take the necessary actions in accordance with the <i>Local Government Act 2009</i> to amend Schedule 2 <i>Subordinate Local Law No.5 (Parking) 2011</i> to give effect to the insertion of Quay and Denham Street Carpark Lot 1 RP607540 as a declared off-street regulated parking area.	Catherine Hayes	21/06/16	Local Law amendment to be progressed via local laws review.

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 PLANNING SECTION - AUGUST OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report - August 2016
Authorising Officer: Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

The monthly operations report for the Planning Section (Development Assessment and Building Compliance) as at 31 August 2016 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Planning Section (Development Assessment and Building Compliance) report for August 2016 be received.

COMMENTARY

The monthly operations report for the Planning Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2016/17 Operational Plan Key Performance Indicators.

The Coordinator's performance summary for each of the units is provided below.

Development Assessment

The Development Assessment Unit had another good month, although it did have a few decisions that went out just outside of the 20 business day timeframe. It also had one information request issued just outside of the statutory timeframe. All other targets were met.

Building Compliance

Building had 96% of its decisions made within the 20 business day timeframe and Plumbing had 100% of its decisions made within the 20 business day timeframe.

CONCLUSION

It is recommended that the monthly operations report for the Planning Section (Development Assessment and Building Compliance) be received.

PLANNING SECTION - AUGUST OPERATIONS REPORT

Monthly Report - August 2016

Meeting Date: 20 September 2016

Attachment No: 1

MONTHLY OPERATIONS REPORT
PLANNING SECTION
Period Ended AUGUST 2016

VARIATIONS, ISSUES AND INNOVATIONS

Innovations

Nil.

Improvements / Deterioration in Levels of Services or Cost Drivers

Nil.

LINKAGES TO OPERATIONAL PLAN

1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS

The response times for completing the predominant customer requests in the reporting period for *August* are as below:

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	Under Long Term Investigation	Completion Standard (days)	Avg Completion Time (days)		Avg Duration (days) 12 Months (complete and incomplete)	
			Received	Completed				Current Mth	6 Months		
Building Enquiry - General Info/Admin etc	81	27	30	11	72	0	5	● 1.91	● 15.77	● 20.31	7.75
Other Building Compliant Issue	65	9	2	1	57	0	1	● 1.00	● 21.40	● 42.09	10.56
Planning Compliance Request/Enquiry	55	12	19	11	51	0	45	● 5.09	● 14.72	● 22.40	13.67
Duty Planner (New Enquiry)	1	1	139	136	3	0	1	● 0.55	● 0.60	● 1.00	0.70
Telephone Enquiry (Existing Application/Call Back)	2	2	29	26	3	0	1	● 0.85	● 1.08	● 1.80	1.63
Plumbing Issues General	17	9	12	7	12	1	5	● 1.29	● 4.77	● 5.51	3.44

Comments & Additional Information

Nil

2. COMPLIANCE WITH STATUTORY AND REGULATORY REQUIREMENTS INCLUDING SAFETY, RISK AND OTHER LEGISLATIVE MATTERS

Safety Statistics

The safety statistics for the reporting period are:

	FIRST QUARTER		
	Jun	Jul	Aug
Number of Lost Time Injuries	0	1	0
Number of Days Lost Due to Injury	0	2	0
Total Number of Incidents Reported	0	1	1
Number of Incomplete Hazard Inspections	0	0	0

Risk Management Summary

Example from Section Risk Register (excludes risks accepted/ALARP)

Please Note: The risks listed below are ‘what if’ scenarios and do not necessarily reflect what has occurred.

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	Very High	Develop strategies to address threat, train existing staff to address, and hire staff with required skill sets. Educate community, develop strategic partnerships, and identify external resources.	31/12/17	Ongoing	Developing strategies to meet resourcing needs to address threats. Community education programs and strategic partnership in accordance with resourcing.
Changes to State law that reduce revenues for essential Council services, e.g. Development Assessment will result in less capacity to provide planning services, requiring supplemental funding from other sources, e.g. increased rates.	High 4	Monitor and respond when and as appropriate	N/A		

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
Failure to collect revenue results in fewer funds available and lack of confidence in Council business practices.					
	High 5	Process and workflow to address has been developed and approved by Council.	31/12/16	70%	Report going to Committee

Legislative Compliance & Standards

Legislative Compliance Matter	Due Date	% Completed	Comments
Outdated employee immunisations, tickets, and/or licenses	Various	90%	
Outdated legislative compliance mandatory training and/or qualifications	Various	100%	
Overdue performance reviews	Various	100%	

3. ACHIEVEMENT OF CAPITAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

No capital projects are relevant to the Planning Section.

4. ACHIEVEMENT OF OPERATIONAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

Project	Revised Budget	Actual (incl. committals)	% budget expended	Explanation
<i>Rockhampton Regional Planning Scheme</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>This project is a large operational plan that spans over several years</i>

5. **DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS**

Service Delivery Standard	Target	Current Performance
Development Assessment		
Applications received:	15	
Applications decided:	16	
Acknowledgement notices (where required) sent out within 10 business days of application being properly made	100%	100%
Information requests (where required) sent out within timeframes required under SPA	100%	94%
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under SPA)	100%	88%
Decision notices are issued within 5 business days of the decision being made	100%	100%
Building		
Applications received:	31	
Applications decided:	23	
Building Approvals - Decisions are made within 20 business day timeframe	100%	96%
Plumbing		
Applications received:	43	
Applications decided:	39	
Compliance request are decided within 20 business day timeframe	100%	100%

FINANCIAL MATTERS

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$
REGIONAL SERVICES					
DEVELOPMENT & BUILDING					
<i>Development Assessment</i>					
Revenues	(726,750)	0	0	(144,763)	(144,763)
Expenses	1,329,207	0	52,404	173,403	225,808
Transfer / Overhead Allocation	35,000	0	0	3,465	3,465
Total Unit: Development Assessment	637,457	0	52,404	32,105	84,510
<i>Building Compliance</i>					
Revenues	(745,000)	0	0	(123,312)	(123,312)
Expenses	975,699	0	0	105,990	105,990
Transfer / Overhead Allocation	(220,920)	0	4,059	(37,719)	(33,660)
Total Unit: Building Compliance	9,779	0	4,059	(55,040)	(50,981)
<i>Development & Building Management</i>					
Expenses	278,997	0	4,848	33,812	38,660
Total Unit: Development & Building Management	278,997	0	4,848	33,812	38,660
Total Section: DEVELOPMENT & BUILDING	926,233	0	61,311	10,877	72,189
Total Department: REGIONAL SERVICES	926,233	0	61,311	10,877	72,189
Grand Total:	926,233	0	61,311	10,877	72,189

8.2 DELIVERY OF CONSISTENT STANDARD BUILDING SERVICES AND FURTHER REPORT FOR PLANNING SERVICES - JULY OPERATIONS REPORT

File No:	7028
Attachments:	1. Old Report for Building Approvals Stats 2. New Report for Building Approval Stats 3. Further Monthly Report for July 2016
Authorising Officer:	Trevor Green - Manager Planning & Regulatory Services Michael Rowe - General Manager Community Services
Author:	Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report is provided on request of the Planning and Regulatory Committee and explains how Council delivers consistent standard building certification services.

An updated monthly operations report for Planning Section (Development Assessment & Building Compliance) as at 31 July 2016 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT this report and the updated Planning Section (Development Assessment and Building Compliance) report for July 2016 be received.

BACKGROUND

At the General Meeting of 13 September 2016 (Item 9.2), Council resolved to adopt the recommendations of the Planning and Regulatory Committee meeting of 6 September 2016 which included Committee recommendation (Item 8.1) as follows:

1. That the Planning Section report for July 2016 be received; and
2. That a report for the delivery of consistent standard building services be presented to the next Planning and Regulatory Committee meeting.

The request for the report came from Committee discussion on the July monthly operations report for building:

There was only a quarter of the applications decided within 20 business days for Building due to Council's Building Surveyor being on leave. The remainder of applications were decided outside of the 20 day timeframe, with the majority being only a few days over.

COMMENTARY

Officers acknowledge that the report of 23% building decision rate within the specified timeframe and the reason provided, did not read well and on reflection should have been reason for further investigation of the data provided from Council's Pathway system.

As a consequence of the Committee's request, this investigation has since been conducted, indicating that the data provided in relation to building certifications, has been in fact, incorrect.

The Pathway report has not been taking into account information requests that had been issued, or extensions. As a result in the previous report for July it showed that only a quarter of approvals had been issued within the 20 business day timeframe. A copy of this report is attached. Development Assessment and Building Compliance have since asked Information Technology to run the same report for Building that it runs for Development Assessment. This new Pathway report shows the milestones (including information requests and extensions), which means that it cannot be misinterpreted as the total number of days. Copies of the old and new Pathway reports are attached.

With this new Pathway report, Building had 100% of its decisions made within the 20 business day time frame (or extended timeframe) for July (not a quarter as was originally reported for July). All previous reports were also incorrect and showed a lower percentage of compliance.

In relation to the delivery of consistent standard building certification services, there is an agreement between Livingstone Shire Council and Rockhampton Regional Council, that during periods where either of the building surveyors is on leave, the Building Surveyor from the other Council will provide certification functions for the other Council. For long periods of leave, Council has the option to contract the building certifying functions to approved Building Surveyors.

CONCLUSION

The Committee's request for this report has resulted in an investigation and subsequent review of the Pathway reporting system for building certification reports. There are currently processes in place for the delivery of consistent standard building certification services.

It is also recommended that the updated monthly report for the Planning Section (Development Assessment and Building Compliance) for July 2016 be received. The performance information contained within the attached report relates directly to the adopted 2016/17 Operational Plan Key Performance Indicators.

**DELIVERY OF CONSISTENT
STANDARD BUILDING SERVICES AND
FURTHER REPORT FOR
PLANNING SERVICES –
JULY OPERATIONS REPORT**

**Old Report for Building Approvals
Statistics**

Meeting Date: 20 September 2016

Attachment No: 1

MONTHLY OPERATIONS REPORT
PLANNING SECTION
Period Ended JULY 2016

VARIATIONS, ISSUES AND INNOVATIONS

Innovations

Nil.

Improvements / Deterioration in Levels of Services or Cost Drivers

Nil.

LINKAGES TO OPERATIONAL PLAN

1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS

The response times for completing the predominant customer requests in the reporting period for JULY are as below:

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	Under Long Term Investigation	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Building Enquiry - General Info/Admin etc	102	28	23	18	79	0	5	● 4.67	● 18.80	● 21.51	7.48
Other Building Compliant Issue	66	9	6	2	61	0	1	● 0.50	● 29.00	● 33.92	9.33
Planning Compliance Request/Enquiry	69	15	10	4	59	0	45	● 1.75	● 15.38	● 22.30	13.44
Duty Planner (New Enquiry)	4	4	117	116	1	0	1	● 0.64	● 0.69	● 0.99	0.71
Telephone Enquiry (Existing Application/Call Back)	3	3	33	31	2	1	1	● 1.23	● 1.01	● 1.80	1.69
Plumbing Issues General	9	4	34	22	17	0	5	● 4.09	● 4.53	● 5.30	3.13

Comments & Additional Information

Nil

2. COMPLIANCE WITH STATUTORY AND REGULATORY REQUIREMENTS INCLUDING SAFETY, RISK AND OTHER LEGISLATIVE MATTERS

Safety Statistics

The safety statistics for the reporting period are:

	FIRST QUARTER		
	May	Jun	Jul
Number of Lost Time Injuries	0	0	1
Number of Days Lost Due to Injury	0	0	2
Total Number of Incidents Reported	0	0	1
Number of Incomplete Hazard Inspections	1	0	0

Risk Management Summary

Example from Section Risk Register (excludes risks accepted/ALARP)

Please Note: The risks listed below are 'what if' scenarios and do not necessarily reflect what has occurred.

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	Very High	Develop strategies to address threat, train existing staff to address, and hire staff with required skill sets. Educate community, develop strategic partnerships, and identify external resources.	31/12/17		Difficult to achieve when there is little money to do these things.
Changes to State law that reduce revenues for essential Council services, e.g. Development Assessment will result in less capacity to provide planning services, requiring	High 4	Monitor and respond when and as appropriate	N/A		

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
supplemental funding from other sources, e.g. increased rates.					
Failure to collect revenue results in fewer funds available and lack of confidence in Council business practices.	High 5	Process and workflow to address has been developed and approved by Council.	31/12/16	70%	Report going to Committee
Continuing changes to state legislation and regulatory requirements on Council increase the risk of Council not being able to fully comply with all requirements. Consequences include possible fines, further limitations on Council functions, failure to provide essential resources to enable Council to achieve regional development objectives.	Moderate 5	Respond as events occur and provide submissions to articulate impacts on RRC operations	N/A		

Legislative Compliance & Standards

Legislative Compliance Matter	Due Date	% Completed	Comments
Outdated employee immunisations, tickets, and/or licenses	Various	80%	
Outdated legislative compliance mandatory training and/or qualifications	Various	70%	
Overdue performance reviews	Various	100%	

3. ACHIEVEMENT OF CAPITAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

No capital projects are relevant to the Planning Section.

4. ACHIEVEMENT OF OPERATIONAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

Project	Revised Budget	Actual (incl. committals)	% budget expended	Explanation
Rockhampton Regional Planning Scheme	N/A	N/A	N/A	This project is a large operational plan that spans over several years

5. DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS

Service Delivery Standard	Target	Current Performance
Development Assessment		
Applications received:	15	
Applications decided:	22	
Acknowledgement notices (where required) sent out within 10 business days of application being properly made	100%	100%
Information requests (where required) sent out within timeframes required under SPA	100%	100%
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under SPA)	100%	90%
Decision notices are issued within 5 business days of the decision being made	100%	100%
Building		
Applications received:	25	
Applications decided:	13	
Building Approvals - Decisions are made within 20 business day timeframe	100%	100%
Plumbing		
Applications received:	27	
Applications decided:	23	
Compliance request are decided within 20 business day timeframe	100%	100%

FINANCIAL MATTERS

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$
REGIONAL SERVICES					
DEVELOPMENT & BUILDING					
<i>Development Assessment</i>					
Revenues	(726,750)	0	0	(74,464)	(74,464)
Expenses	1,329,207	0	77,768	91,579	169,347
Transfer / Overhead Allocation	35,000	0	0	1,678	1,678
Total Unit: Development Assessment	637,457	0	77,768	18,793	96,562
<i>Building Compliance</i>					
Revenues	(745,000)	0	0	(55,597)	(55,597)
Expenses	975,699	0	0	45,048	45,048
Transfer / Overhead Allocation	(220,920)	0	4,059	(18,879)	(14,820)
Total Unit: Building Compliance	9,779	0	4,059	(29,428)	(25,369)
<i>Development & Building Management</i>					
Expenses	278,997	0	14,140	16,435	30,575
Total Unit: Development & Building Management	278,997	0	14,140	16,435	30,575
Total Section: DEVELOPMENT & BUILDING	926,233	0	95,967	5,800	101,767
Total Department: REGIONAL SERVICES	926,233	0	95,967	5,800	101,767
Grand Total:	926,233	0	95,967	5,800	101,767

**DELIVERY OF CONSISTENT
STANDARD BUILDING SERVICES AND
FURTHER REPORT FOR
PLANNING SERVICES
JULY OPERATIONS REPORT**

**New Report for Building Approval
Statistics**

Meeting Date: 20 September 2016

Attachment No: 2



Building Tasks Completed July 2016

Task Code	Task Description	Date Completed	Duration (Days)
151-2016-B-DOM			
DA-08A	5a Issue Request Info for 6 mth response	19/07/2016 1:25:22PM	103
DA-08B	5b Await Requested Info - 6 mths	19/07/2016 1:25:48PM	1
DA-18A	6 Decision Stage - Assessment	19/07/2016 1:30:19PM	1
460-2016-B-DOM			
DA-08A	5a Issue Request Info for 6 mth response	22/07/2016 8:53:16AM	1
DA-08B	5b Await Requested Info - 6 mths	22/07/2016 8:35:38AM	51
576-2016-B-COM			
DA-18A	6 Decision Stage - Assessment	21/07/2016 1:35:08PM	1
635-2016-B-PA			
DA-07A	2 Extend Application Assessment Period - Ltr	14/07/2016 2:40:05PM	12
636-2016-B-DOM			
DA-18A	6 Decision Stage - Assessment	15/07/2016 1:15:00PM	1
657-2016-B-DOM			
DA-08A	5a Issue Request Info for 6 mth response	21/07/2016 9:44:05AM	1
DA-08B	5b Await Requested Info - 6 mths	28/07/2016 1:46:06PM	6
DA-18A	6 Decision Stage - Assessment	28/07/2016 1:53:27PM	1
677-2016-B-DOM			
DA-18A	6 Decision Stage - Assessment	13/07/2016 8:14:42AM	1
687-2016-B-DOM			
DA-18A	6 Decision Stage - Assessment	21/07/2016 12:40:06PM	1
688-2016-B-PA			
DA-07A	2 Extend Application Assessment Period - Ltr	28/07/2016 11:34:46AM	7
689-2016-B-PA			
DA-07A	2 Extend Application Assessment Period - Ltr	28/07/2016 12:04:26PM	7
707-2016-B-DOM			
DA-08A	5a Issue Request Info for 6 mth response	21/07/2016 9:25:33AM	1
734-2016-B-DOM			
DA-08A	5a Issue Request Info for 6 mth response	27/07/2016 2:54:05PM	1
742-2016-B-DOM			
DA-08A	5a Issue Request Info for 6 mth response	29/07/2016 1:47:35PM	1

**DELIVERY OF CONSISTENT
STANDARD BUILDING SERVICES AND
FURTHER REPORT FOR
PLANNING SERVICES
JULY OPERATIONS REPORT**

Further Monthly Report for July 2016

Meeting Date: 20 September 2016

Attachment No: 3

MONTHLY OPERATIONS REPORT
PLANNING SECTION
Period Ended JULY 2016

VARIATIONS, ISSUES AND INNOVATIONS

Innovations

Nil.

Improvements / Deterioration in Levels of Services or Cost Drivers

Nil.

LINKAGES TO OPERATIONAL PLAN

1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS

The response times for completing the predominant customer requests in the reporting period for JULY are as below:

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	Under Long Term Investigation	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
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Other Building Compliant Issue	66	9	6	2	61	0	1	● 0.50	● 29.00	● 33.92	9.33
Planning Compliance Request/Enquiry	69	15	10	4	59	0	45	● 1.75	● 15.38	● 22.30	13.44
Duty Planner (New Enquiry)	4	4	117	116	1	0	1	● 0.64	● 0.69	● 0.99	0.71
Telephone Enquiry (Existing Application/Call Back)	3	3	33	31	2	1	1	● 1.23	● 1.01	● 1.80	1.69
Plumbing Issues General	9	4	34	22	17	0	5	● 4.09	● 4.53	● 5.30	3.13

Comments & Additional Information

Nil

2. COMPLIANCE WITH STATUTORY AND REGULATORY REQUIREMENTS INCLUDING SAFETY, RISK AND OTHER LEGISLATIVE MATTERS

Safety Statistics

The safety statistics for the reporting period are:

	FIRST QUARTER		
	May	Jun	Jul
Number of Lost Time Injuries	0	0	1
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Risk Management Summary

Example from Section Risk Register (excludes risks accepted/ALARP)

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Changes to State law that reduce revenues for essential Council services, e.g. Development Assessment will result in less capacity to provide planning services, requiring	High 4	Monitor and respond when and as appropriate	N/A		

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supplemental funding from other sources, e.g. increased rates.					
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Continuing changes to state legislation and regulatory requirements on Council increase the risk of Council not being able to fully comply with all requirements. Consequences include possible fines, further limitations on Council functions, failure to provide essential resources to enable Council to achieve regional development objectives.	Moderate 5	Respond as events occur and provide submissions to articulate impacts on RRC operations	N/A		

Legislative Compliance & Standards

Legislative Compliance Matter	Due Date	% Completed	Comments
Outdated employee immunisations, tickets, and/or licenses	Various	80%	
Outdated legislative compliance mandatory training and/or qualifications	Various	70%	
Overdue performance reviews	Various	100%	

3. ACHIEVEMENT OF CAPITAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

No capital projects are relevant to the Planning Section.

4. **ACHIEVEMENT OF OPERATIONAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME**

Project	Revised Budget	Actual (incl. committals)	% budget expended	Explanation
Rockhampton Regional Planning Scheme	N/A	N/A	N/A	<i>This project is a large operational plan that spans over several years</i>

5. **DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS**

Service Delivery Standard	Target	Current Performance
Development Assessment		
Applications received:	15	
Applications decided:	22	
Acknowledgement notices (where required) sent out within 10 business days of application being properly made	100%	100%
Information requests (where required) sent out within timeframes required under SPA	100%	100%
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under SPA)	100%	90%
Decision notices are issued within 5 business days of the decision being made	100%	100%
Building		
Applications received:	25	
Applications decided:	13	
Building Approvals - Decisions are made within 20 business day timeframe	100%	100%
Plumbing		
Applications received:	27	
Applications decided:	23	
Compliance request are decided within 20 business day timeframe	100%	100%

FINANCIAL MATTERS

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$
REGIONAL SERVICES					
DEVELOPMENT & BUILDING					
<i>Development Assessment</i>					
Revenues	(726,750)	0	0	(74,464)	(74,464)
Expenses	1,329,207	0	77,768	91,579	169,347
Transfer / Overhead Allocation	35,000	0	0	1,678	1,678
Total Unit: Development Assessment	637,457	0	77,768	18,793	96,562
<i>Building Compliance</i>					
Revenues	(745,000)	0	0	(55,597)	(55,597)
Expenses	975,699	0	0	45,048	45,048
Transfer / Overhead Allocation	(220,920)	0	4,059	(18,879)	(14,820)
Total Unit: Building Compliance	9,779	0	4,059	(29,428)	(25,369)
<i>Development & Building Management</i>					
Expenses	278,997	0	14,140	16,435	30,575
Total Unit: Development & Building Management	278,997	0	14,140	16,435	30,575
Total Section: DEVELOPMENT & BUILDING	926,233	0	95,967	5,800	101,767
Total Department: REGIONAL SERVICES	926,233	0	95,967	5,800	101,767
Grand Total:	926,233	0	95,967	5,800	101,767

8.3 APPLICATIONS TO BE DECIDED UNDER DELEGATION

File No:	7028
Attachments:	Nil
Authorising Officer:	Trevor Green - Manager Planning & Regulatory Services Michael Rowe - General Manager Community Services
Author:	Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the development applications received in August 2016 and whether they will be decided under delegation or decided by Council.

OFFICER'S RECOMMENDATION

THAT this report be received and the manner in which the applications be determined be endorsed.

BACKGROUND

Matters are referred to Committee for decision where:

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

The following applications were received in August 2016. They will be decided in the following manner:

Application type	Address	Decision
D/144-2016 - Request to apply superseded scheme for MCU for Educational Establishment	8 Archer Street, Rockhampton City	Delegation
D/143-2016 - Operational Works for Access and Parking Works	293 Campbell Street, Rockhampton City	Delegation
D/142-2016 - Request to apply superseded scheme for MCU for Outdoor Sport and Recreation	504 Quay Street, Depot Hill	Delegation
D/141-2016 - MCU for Multi unit dwelling (13 units)	37 Alma Street, Rockhampton City	At information request stage, may go to Committee for a refusal if development not improved through response to information request
D/140-2016 - MCU for Low impact industry (Extension)	228 Alexandra Street, Kawana	Delegation
D/139-2016 - Operational Works for Stormwater, Access and Parking	2 Jellicoe Street, Allenstown	Delegation
D/138-2016 - MCU for single dwelling house	32 Reaney Street, Berserker	Delegation but may go to Committee
D/137 – 2016 - Request to apply superseded scheme for operational works	2 Pilbeam Drive, Frenchville	Delegation

Application type	Address	Decision
D/136-2016 - Request to apply superseded scheme for MCU for Duplex	267 Lakes Creek Road, Koongal	Already decided under Delegation
D/135-2016 - MCU and Operational Works for Commercial Premises, Shop and Indoor Sport and Recreation	49 Archer Street, Rockhampton City	Delegation
D/134-2016 - MCU Warehouse (Extension)	228 Alexandra Street, Kawana	Withdrawn by Applicant
D/133-2016 - ROL (two lots into 2 lots)	10 Edward Street, Berserker	Delegation
D/132-2016 - Request to apply superseded scheme for ROL (! Into 4)	229-237 German Street, Norman Gardens	Delegation
D/131-2016 - MCU and Operational Works for Health Care Services and Shop	3 O'Shanesy Street, Gracemere	Committee – inconsistent with intent of zoning
D/130-2016 - Operational Works for Road works, Stormwater, Water Infrastructure and Drainage	7-9 Card Street, Berserker	Delegation
D/129-2016 - Operational Works for Road works, Access and Parking	296 Dalma-Ridgелands Road, Ridgелands	Delegation
D/128-2016 - MCU Marine Industry	11 Emu Park Road, Lakes Creek	Delegation
D/127-2016 - MCU Warehouse, Transport Depot and Bulk Landscape Supplies	53622 Burnett Highway, Bouldercombe	Delegation
D/125-2016 - Request to apply superseded scheme	29 and 31 Albert Street, Rockhampton City	Delegation
D/124-2016 - Operational Works for Stormwater, Drainage Works, Earthworks and Access Works	17 Greenwood Close, Frenchville	Delegation
D/123-2016 - Request to apply superseded scheme for ROL (2 into 4)	66 Alfred Road and 277 Yeppoon Rd Parkhurst	Already decided under delegation
D/122-2016 - Request to apply superseded scheme for ROL (1 into 2)	66 Alfred Road, Parkhurst	Already decided under delegation
D/121-2016 - Request to apply superseded scheme for ROL (1 into 2)	277 Yeppoon Road, Parkhurst	Already decided under delegation
D/120-2016 - ROL (three lots into three lots) and Operational Works	17, 19 and Lot 501 Tomtit Avenue, Parkhurst	Delegation

Application type	Address	Decision
D/119-2016 - Operational Works for Retaining Wall and Earthworks	4 Cascade Close, Frenchville	Delegation
D/118-2016 - Operational Works for Advertising Device (Pylon Sign)	56-62 Derby Street, Rockhampton City	Delegation

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

CONCLUSION

The report on applications received in August 2016 and the manner in which they will be decided be endorsed.

8.4 D/3-2016 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE A MULTIPLE DWELLING (EIGHT UNITS)

File No: D/3-2016

Attachments:

1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/3-2016

Applicant: Kascol Design Studios

Real Property Address: Lot 13 on RP603409 and Lot 15 on RP603409, Parish of Archer

Common Property Address: 110 and 112 Clifton Street, Berserker

Area of Site: 2,266 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone

Planning Scheme Overlays: Nil

Existing Development: Two (2) Dwelling Houses

Existing Approvals: New Dwelling (3780/RHISTC), and New Dwelling (3781/RHISTC)

Approval Sought: Development Permit for a Material Change of Use for a Multiple Dwelling (eight units)

Level of Assessment: Impact Assessable

Submissions: Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	11 January 2016
<i>Acknowledgment Notice issued:</i>	25 January 2016
<i>Request for Further Information sent:</i>	9 February 2016
<i>Request for Further Information responded to:</i>	22 June 2016
<i>Submission period commenced:</i>	20 July 2016
<i>Submission period end:</i>	17 August 2016
<i>Last receipt of information from applicant:</i>	22 August 2016
<i>Council request for additional time (until 17 October 2016)</i>	1 September 2016
<i>Statutory due determination date:</i>	18 October 2016

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

That in relation to the application for a Development Permit for a Material Change of Use for Multiple Dwelling (eight units), made by Kascol Design Studios, located at 110 Clifton Street and 112 Clifton Street, Berserker, described as Lot 13 on RP603409 and Lot 15 on RP603409, Council resolves to Approve the application despite its conflict with the planning scheme (subject to Recommendations B and C) and provide the following grounds to justify the decision despite the conflict:

- a) A mixture of residential land use types that provide for long-term residency are promoted as a result of the proposal, while also maintaining the existing low rise urban form which is predominant in the surrounding area;
- b) The proposal will result in the formation of low-rise multiple dwellings which are located in proximity to parks and public transport nodes;
- c) The development encourages sustainable in-fill development in an area that has full access to social and medical amenities;
- 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; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Multiple Dwelling (eight units), made by Kascol Design Studios, located at 110 Clifton Street and 112 Clifton Street, Berserker, described as Lot 13 on RP603409 and Lot 15 on RP603409, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Access and Parking Works;
 - (iii) Stormwater Works;

- (iv) Roof and Allotment Drainage Works; and
- (v) Site Works
- 1.6.2 Plumbing and Drainage Works; and
- 1.6.3 Building Works.
- 1.7 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.
- 1.8 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.9 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.
- 1.10 Lot 13 RP 603409 and Lot 15 RP 603409 must be amalgamated and registered as one title prior to issue of a Development Permit for Building Works.

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 the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Site Plan	DAJC050915, Sheet A101, Revision C	8 March 2016
Landscaping Plan	DAJC050915, Sheet A102, Revision C	8 March 2016
Floor Plan Units 1, 2, 7, 8	DAJC050915, Sheet A103, Revision C	8 March 2016
Floor Plan Units 3 - 6	DAJC050915, Sheet A104, Revision C	8 March 2016
North and South Elevation Unit 2, 7	DAJC050915, Sheet A105, Revision C	8 March 2016
North and South Elevation Unit 9	DAJC050915, Sheet A106, Revision C	8 March 2016
North and South Elevation Unit 4 - 7	DAJC050915, Sheet A107, Revision C	8 March 2016
East and West Elevation Unit 1	DAJC050915, Sheet A108, Revision C	8 March 2016
East and West Elevation Unit 7	DAJC050915, Sheet A109, Revision C	8 March 2016
East and West Elevation Unit 4 - 7	DAJC050915, Sheet A110, Revision C	8 March 2016
Swept Paths Analysis Plan	K3384, Drawing P006, Issue B	15 April 2016
Conceptual Stormwater Management Plan	K3384-0003/A	15 April 2016

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised

document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Operational Works.

3.0 ROAD WORKS

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

3.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, relevant *Australian Standards* and the provisions of a Development Permit for Operational Works (road works).

3.3 A concrete pathway, with a minimum width of 1.2 metres, must be constructed on the southern side of Clifton Street for the full frontage of the site.

4.0 ACCESS AND PARKING WORKS

4.1 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 site.

4.2 All 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).

4.3 All parking spaces, access driveway(s), and vehicular manoeuvring areas associated with this proposed development must be concrete paved or asphalted.

4.4 The existing access to the development at Lot 13 on RP603409 and Lot 15 on RP603409 must be closed.

4.5 A new access to the development must be provided at Clifton Street in accordance with the *Capricorn Municipal Development Guidelines* standards.

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

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

4.8 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard 2890.2 "Parking Facilities - Off Street Commercial Facilities"*.

4.9 A minimum of twelve (12) parking spaces must be provided on-site. This includes eight (8) covered car parking spaces and four (4) visitor's car parking spaces.

4.10 Universal access parking spaces must be provided in accordance with *Australian Standard AS2890.6 "Parking Facilities - Off-Street parking for people with disabilities"*.

4.11 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans which demonstrate the turning movements/swept paths of the largest vehicle to access the site including refuse collection vehicles.

4.12 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"*.

4.13 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.

5.0 SEWERAGE WORKS

5.1 All 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* and the *Plumbing and Drainage Act 2002*.

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- 5.2 The development must be connected to Council's reticulated sewerage network via single service connection point. All other redundant service connection point(s) must be removed.
- 5.3 The existing sewerage connection point(s) must be retained and upgraded, if necessary, to service the development.
- 5.4 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.
- 5.5 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.

6.0 WATER WORKS

- 6.1 All 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* and the *Plumbing and Drainage Act 2002*.
- 6.2 The development must be connected to Council's reticulated water supply network via single service connection point. All other redundant service connection point(s) must be removed.
- 6.3 The existing water service connection point(s) must be retained and upgraded, if necessary, to service the development.
- 6.4 The proposed development must be provided with a master meter at the property boundary and sub meters for each sole occupancy building in accordance with the *Queensland Plumbing and Drainage Code* and Council's Sub-metering Policy.
- 6.5 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 6.6 A new fire hydrant must be installed on 100 millimetre diameter water main at Clifton Street in front of the common property boundary.

7.0 PLUMBING AND DRAINAGE WORKS

- 7.1 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act 2002* and Council's Plumbing and Drainage Policies.
- 7.2 Disconnection of internal plumbing and sanitary drainage works associated with the existing dwellings must be in accordance with regulated work under the *Plumbing and Drainage Act 2002*.

8.0 STORMWATER WORKS

- 8.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 8.2 All stormwater 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 (stormwater works).
- 8.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 8.4 Stormwater pipe works must be constructed to accommodate stormwater from adjacent eastern property. Detailed design must be finalised and approval must be obtained at Operational Works application stage.

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- 8.5 Proposed stormwater detention tank must be re-designed or re-located to maintain adequate distance with existing sewerage main. Detail must be finalised at the Operational Works application stage.
- 8.6 The proposed development must achieve no increase in peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 9.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 9.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 9.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 9.3 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.
- 10.0 SITE WORKS
- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan which clearly identifies the following:
- 10.2.1 the location of cut and/or fill;
 - 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 10.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 10.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.
- 10.3 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 10.4 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 adjoining properties or infrastructure.
- 10.5 Proposed retaining walls must be re-designed to suit with proposed stormwater pipe structures for the eastern property. Detailed design must be finalised and approved at the Operational Works application stage.
- 10.6 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with the approved design.
- 10.7 The approved design and/or the construction of the retaining walls must not be modified or altered without Council's prior written approval.
- 11.0 BUILDING WORKS
- 11.1 The existing dwellings on the subject land must be demolished and a Development Permit for Building Works (demolition) must be obtained prior to the commencement of demolition works on the development site.
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- 11.2 All external elements, such as air conditioners, pool and spa pumps and associated equipment, must be adequately screened from public view, to Council's satisfaction.
- 11.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 11.4 All building works and proposed car parking roof structures must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4* for building over or near relevant infrastructure

12.0 LANDSCAPING WORKS

- 12.1 All landscaping must be constructed and/or established in accordance with the approved plans (refer to condition 2.1), prior to the commencement of the use.
- 12.2 The landscaped areas must be subject to:
- 12.2.1 a watering and maintenance plan during the establishment moment; and
 - 12.2.2 an ongoing maintenance and replanting programme.
- 12.3 The private open space of each unit must be appropriately screened to Council's satisfaction to prevent viewing of the private open space from a public space and adjoining properties.

13.0 ELECTRICITY

- 13.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 13.2 Evidence that the development is provided with electricity services from the relevant service provider must be provided to Council, prior to the commencement of the use.

14.0 TELECOMMUNICATIONS

- 14.1 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.
- 14.2 Evidence that the development is provided with telecommunications services from the relevant service provider must be provided to Council, prior to the commencement of the use.

Note: The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.

Note: For telecommunications services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra or a "Notice of Practical Completion" where such services are provided by the NBN.

15.0 ASSET MANAGEMENT

- 15.1 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 at full cost to the Developer.
- 15.2 Any damage to existing water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and

pavement markings which may have been removed.

- 15.3 '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 Manual for Submission of Digital As Constructed Information.

16.0 OPERATING PROCEDURES

- 16.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Clifton Street.

17.0 ENVIRONMENTAL HEALTH

- 17.1 Noise emitted from the activity must not cause an environmental nuisance.
- 17.2 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website www.datsima.qld.gov.au

NOTE 2. Asbestos Removal

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. 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. Adopted Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a Multiple Dwelling (eight units), made by Kascol Design Studios, located at 110 Clifton Street and 112 Clifton Street, Berserker, described as Lot 13 on RP603409 and Lot 15 on RP603409, Council resolves to issue an Infrastructure Charges Notice for the amount of \$102,000.00.

BACKGROUND

PROPOSAL IN DETAIL

The proposal is for a Material Change of Use for a Multiple Dwelling (eight units), located at 110 and 112 Clifton Street, Berserker. The proposed layout involves four (4) stand-alone units oriented towards the Clifton Street road frontage, while the remaining four (4) units are located to the rear of the premises, forming an attached structure. Units 1, 2, 7 and 8 each have three (3) bedrooms, while units 3 to 6 have two (2) bedrooms.

Twelve (12) on-site car parks are proposed, with four (4) spaces allocated for visitor car parking. The car parks are accessed by a proposed internal road which traverses through the centre of the site from the Clifton Street entry point. On-site landscaping is proposed throughout the site with areas of private open space afforded for each of the eight (8) units. Landscaped treatments are positioned on each of the property boundaries with a 1.8 metre high fence proposed along the road boundary.

SITE AND LOCALITY

The subject site is located in the Low Density Residential Zone under the *Rockhampton Region Planning Scheme 2015*. The site currently includes two (2) separate allotments being Lot 13 and Lot 15 on RP603409 with a total site area of 2,266 square metres. Each lot currently contains a Dwelling House which are both oriented towards the Clifton Street road frontage, with the rear of both lots remaining undeveloped.

Surrounding the site are predominantly single-detached dwelling houses with the Frenchville Sports Club located across the road (Clifton Street). A large retail centre at the Musgrave Street thoroughfare is located approximately 600 metres from the site.

PLANNING ASSESSMENT

MATTERS FOR CONSIDERATION

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the Integrated Development Assessment System provisions of the *Sustainable Planning Act 2009*, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Development Engineering Comments – 1 July 2016

Support, subject to conditions.

Public and Environmental Health Comments – 12 January 2016

Support, subject to conditions.

Other Staff Technical Comments

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

TOWN PLANNING COMMENTS

Central Queensland Regional Plan 2013

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

State Planning Policy 2014

This policy came into effect on 2 December 2013 (amended in July 2014) and replaced all former State Planning Policies. This policy requires development applications to be assessed against its requirements until the identified state interests have been appropriately reflected in the local planning scheme.

Liveable communities

Not Applicable.

Mining and extractive resources

Not Applicable.

Biodiversity

Not Applicable.

Coastal environment

Not Applicable.

Water quality

Complies. The site is located within a climatic region for stormwater management as identified on the Department's broad scale mapping. The development will be conditioned to ensure that all stormwater drainage works are constructed in accordance with the *Capricorn Municipal Development Guidelines*. Further, all stormwater works must be constructed so that it drains to a lawful point of discharge, and does not create a worsening to any surrounding properties or infrastructure.

Natural hazard, risk and resilience

Complies. The site is not identified as containing a Flood Hazard in accordance with overlay mapping under the *Rockhampton Region Planning Scheme 2015*. As such, the proposal will not adversely affect any identifiable flood hazard.

Emissions and hazardous activities

Not Applicable.

State transport infrastructure

Not Applicable.

Strategic airports and aviation facilities

Complies. The site is located within an obstacle limitation surface for the Rockhampton Regional Airport. The height of the proposed structures will not exceed twelve (12) metres, and therefore will not encroach into the operational airspace of the Rockhampton Regional Airport.

Rockhampton Region Planning Scheme 2015**Strategic framework**

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

3.3.8.1 Specific outcomes

- (1) Urban and new urban areas are characterised by walkability between housing and activity nodes, such as a park, shop or bus stop. They offer a choice of housing types, including dwelling houses, semi-detached or dual occupancy housing, row or terrace houses, some multiple dwellings and possibly live/work buildings. While dwelling houses are the most common use, many dwelling houses are on a range of smaller lots.

Complies: The proposal involves the construction of eight (8) multiple dwellings which will encourage a diversity of housing options in the Low Density Residential Zone. Further, the proposal will maintain existing pedestrian thoroughfares between activity nodes including parks, retail centres, and public transport stops.

- (2) Urban and new urban areas allow for adaptable small-scale multiple dwellings that provide intergenerational housing options catering to young people, families and

support for ageing in place. In this regard, development for multiple dwellings is directed to the low-medium and high density residential zones or where located in proximity to centres, services and the public transport network.

Complies: Eight (8) multiple dwellings are proposed to be located in the Low Density Residential Zone. Although the site is not located in the low-medium or high density residential zone, the proposal does involve the construction of small-scale multiple dwellings which provide intergenerational housing options for a broad demographic. Further, the site is located in proximity to recreational areas and the local public transport network.

- (3) Urban and new urban areas have a feel of openness at the street level. Streets are characterised by street trees which provide shade and character, footpaths for walking trips, and streets shared by cars and bikes. New streets are laid out on a grid-based pattern in order to provide good connectivity and legibility and to reduce the need to drive.

Complies: The proposal will not result in the degradation of any existing street trees or pedestrian footpaths located on Clifton Street, or the surrounding road network. Further, the proposal does not involve the creation of any new street networks.

- (4) The planning scheme has identified sufficient land supply for future greenfield development up to 2026. No further residential development is to occur beyond the areas designated as urban and new urban as shown on the strategic framework maps (SFM-1 to SFM-4) before 2026. Future urban areas will only be considered for future residential development when addressing the outcomes identified under section 3.3.9.

Editor's note—The term "greenfield" refers to development areas that have not previously been used for urban purposes.

Editor's note—Residential growth is contained within urban and new urban areas through the low density residential zone and low-medium density residential zone.

Editor's note—Future urban areas have been generally identified by the emerging community zone.

The proposal is located within the urban and new urban designation, and is not situated in an area which is identified as future urban.

- (5) Urban development is contained within the urban and new urban areas to achieve the following outcomes:
- (a) the impacts from natural hazards are mitigated or avoided, including the potential future impacts resulting from climate change;
 - (b) biophysical values and green breaks are maintained;
 - (c) land identified on the Agricultural Land Classification (ALC) overlay maps is protected and not compromised by urban development;
 - (d) rural, natural asset, landscape and environmental values are protected;
 - (e) a coordinated sequence that ensures the efficient delivery of infrastructure and services;
 - (f) safe and efficient access to retail goods and services, community and recreational facilities and employment opportunities;
 - (g) a range of housing and lifestyle options consistent with the forecast changing demographic characteristics and expectations;
 - (h) the opportunity for increasingly sustainable and healthy lifestyles, including a reduced dependence on motor vehicles by providing convenient access to public transport, walking and cycling; and
 - (i) infill and intensification is focused around centres and transport facilities.

Complies: The proposal is wholly contained within the urban and new urban designation and promotes a range of housing options which can accommodate a broad demographic. Further, the site is located in proximity to existing recreational areas and retail centres and is positioned in an area which will not exacerbate any potential natural hazards.

- (6) Housing other than dwelling houses are preferred on lots with particular attributes, like corner lots, lots with rear lane access, and lots located near open space, centres or public transport and are within easy walking and cycling distance to a range of local facilities, like shops, schools and parks.

Complies: The proposal involves the construction of eight (8) multiple dwellings and is located on a site which is in direct proximity to a sport and recreation zone. The site is also located within walking and cycling distance of existing retail centres which are concentrated around the Musgrave Street thoroughfare.

- (7) A variety of residential lot sizes and designs is provided to cater for diverse and changing housing needs within the community.

Not applicable: The proposal does not involve the creation of any new allotments.

Editor's note—A variety of lot sizes is achieved through implementing the provisions of the reconfiguring a lot code.

- (8) Urban and new urban areas contain existing land uses that provide for a localised service function such as small-scale food and drink outlets and services. These land uses can continue; however, the expansion of these uses or the establishment of new uses must provide for a local convenience function, not conflict with sensitive land uses, not compromise the role and function of designated centres and be consistent with the relevant zone code.

Not applicable: The proposal does not involve the introduction of any localised service functions.

- (9) No expansion of existing centres or industrial areas will occur into residential zoned areas (unless otherwise identified within the planning scheme). This will:

- (a) maintain the viability and sustainability of existing centres and industrial areas;
- (b) provide certainty to the owners and occupants;
- (c) encourage the reinvestment and redevelopment of existing centres and industrial areas; and
- (d) prevent the spread of 'ribbon' development along state controlled roads and major roads.

Not applicable: The proposal does not involve the expansion of any existing centres or industrial areas.

- (10) Neighbourhood centres do not expand to service a wider local centre catchment.

Not applicable: The proposal does not involve the expansion of any neighbourhood centres.

- (11) Greenfield urban and new urban areas in Rockhampton and Gracemere will provide at least fifteen (15) dwellings per hectare of land (net developable area). On larger sites, a structure plan must be provided in accordance with the relevant zone code and planning scheme policies.

Not applicable: The site is not located in a greenfield urban or new urban area.

Editor's note—The term "greenfield" refers to development areas that have not previously been used for urban purposes.

Editor's note—Residential growth is contained within urban and new urban areas through the low density residential zone and low-medium density residential zone.

- (12) These new communities are well planned and demonstrate the following:
- (a) subdivision occurs in a sequenced manner in coordination with future planned infrastructure and services;
 - (b) the land does not have significant environmental or ecological values, including but not limited to areas of environmental significance, wildlife and environmental corridors and waterways and wetlands;
 - (c) the physical characteristics of the land are suitable for development. If the land is subject to adverse impacts from natural hazards, development in greenfield areas is avoided unless the risk can be mitigated to protect people and property to an acceptable level;
 - (d) development will not result in visual impacts, loss of scenic values and permanent scarring of the landscape;
 - (e) future social and economic needs and characteristics are catered for;
 - (f) development does not cause or exacerbate existing land use conflicts with respect to major industrial uses (including the Gracemere and Parkhurst industrial areas) or other land uses such as existing intensive rural land uses or extractive industry;
 - (g) development provides for a variety of residential lot sizes and designs;
 - (h) the balance of land or future stages of large greenfield sites are retained in large parcels;
 - (i) development occurs in a way that provides for the most efficient connection and maintenance of trunk infrastructure; and
 - (j) development is consistent with the strategic framework maps (SFM-1 to SFM-4).

Not applicable: The proposal is located within an existing urban area and does not involve the introduction of a new community.

Editor's note—The biodiversity overlay identifies areas of environmental value and new development may be required to submit an environmental report demonstrating that no environmental values exist or impacts are minimised, avoidance is not feasible and an environmental offset is provided.

Editor's note—A variety of lot sizes and the preferred subdivision design is achieved through implementing the provisions of the reconfiguring a lot code.

- (13) Greenfield urban and new urban areas may provide higher residential densities (generally in accordance with the urban infill and intensification section) when adjoining a new centre that is designated within this strategic framework.

Not applicable: The site is not located within a greenfield urban or new urban area.

- (14) Until planned and developed, urban and new urban areas are maintained in large parcels to prevent fragmentation which will compromise the future coordination of urban development.

Complies: The proposal does not involve the further fragmentation of existing urban land and will not compromise the future coordination of urban development in the Rockhampton region.

Rockhampton

- (15) Future greenfield development in Rockhampton is directed to Norman Gardens and Parkhurst to avoid areas affected by flooding to the south and west and steep land/environmental constraints to the east.

Not applicable: The proposal is not located in a greenfield urban area and is not situated in proximity to Norman Gardens.

- (16) The planned Central Queensland University (CQU) priority development area is a significant greenfield development site within the urban area which will provide additional opportunities to accommodate residential growth.

Not applicable: The site is not located in the CQU priority development area.

- (17) Infill development is encouraged in existing urban areas, particularly within proximity to centres, transport, and community and recreation facilities.

Complies: The site is located within an existing urban area and encourages infill development on an existing site which is located in direct proximity to a sport and recreation zone, and within walking and cycling distance of the existing retail centre located on the Musgrave Street thoroughfare.

- (18) The residential stables precinct will continue to be a suitable location for the stabling of horses within proximity to Callaghan Park, provided that impacts upon surrounding sensitive land uses are mitigated.

Not applicable: The site is not located within the residential stables precinct.

- (19) No additional local centres or higher order centres are required within greenfield areas with the exception of a local centre in North Parkhurst (along William Palfrey Road on Lot 5 SP238731) that develops commensurate with the population of the immediate catchment.

Not applicable: The proposal does not involve the introduction of any additional local centres or higher order centres within greenfield urban areas.

The performance assessment of the proposal demonstrates that the development will not compromise the *Rockhampton Region Planning Scheme 2015* strategic outcomes.

Low Density Residential Zone

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

- (1) The purpose of the low density residential zone code is to provide for predominantly dwelling houses supported by community related activities and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the zone code is to:
 - (a) provide locations where residential uses, predominantly in the form and type of single detached one (1) storey and two (2) storey dwelling houses on individual lots are preferred to develop;
 - (b) provide for the development of a mixture of other residential land use types that provide for long-term residency, where they are sited and designed to maintain the existing urban form (low rise and low density) and amenity of the surrounding area;
 - (c) minimise land use conflict and ensure that community and recreation facilities develop only where they are consistent with amenity and characteristics of the surrounding area; and
 - (d) ensure that development within the zone has appropriate standards of infrastructure and essential services.
- (3) The purposes of the zone will be achieved through the following overall outcomes:
 - (a) development provides for predominantly single detached dwellings and dual occupancies on individual lots of varying sizes maintaining a generally a low-rise built form and low density character;
 - (b) residential development within the zone is of a type which primarily provides for the long-term accommodation of residents;

- (c) low-rise multiple dwellings, relocatable home parks, residential care facilities, retirement facilities and tourist parks develop in the zone when they are situated in proximity (convenient walking distance) to parks, centres and major community facilities (hospital, university, etcetera) and have access to higher order roads (minor urban collector or higher), or public transport;
- (d) 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; and
 - (vi) in proximity to higher order roads (minor urban collector or higher);

Editor's note—To remove any doubt a centre zone includes specialised centres.

- (e) no additional local centres or higher order centres are required within the low density residential zone. South Gracemere is to accommodate a neighbourhood centre commensurate with the population of the immediate catchment;
- (f) new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;
- (g) development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;
- (h) development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;
- (i) new residential developments are not located in proximity to existing incompatible uses such as rural uses, industrial uses and major community facilities without separation distances, landscaping and screening that minimise impacts on amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;
- (j) new residential developments are located and integrated with existing neighbourhoods;
- (k) development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints (including but not limited to topography, bushfire and flooding);
- (l) development provides connection to pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;
- (m) development is serviced by infrastructure that is commensurate with the needs of the use; and
- (n) the establishment of one (1) precinct within the zone where particular requirements are identified:
 - (i) residential stables precinct.

The proposal generally complies with the relevant strategic outcomes and the purpose of the Low Density Residential Zone as highlighted above.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application:

- Low Density Residential Zone;
- Access, Parking and Mobility Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code; and
- Water and Sewer Code.

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

Low Density Residential Code		
Performance Outcome/s		Officer’s Response
PO11	<p>The development is located and designed so that buildings and structures make provision for:</p> <p>(a) an appropriate scale and size that reflects the purpose of the zone;</p> <p>(b) access to natural light and ventilation;</p> <p>(c) landscaping;</p> <p>(d) privacy and noise attenuation;</p> <p>(e) screening of materials when stored outside buildings;</p> <p>(f) integration with the streetscape and built form;</p> <p>(g) oriented to the street frontage;</p> <p>(h) landscape features of the site; and</p> <p>(i) access to open space.</p>	<p>Only two (2) units within the proposed development will be oriented towards the street and will not have a dedicated pedestrian entry point that is accessible from the street.</p> <p>Despite this, the siting of the two (2) front units are setback from the road frontage in a manner that is consistent with the existing residential development on Clifton Street. The front setback of the proposal will also accommodate a landscaped area which will maintain and enhance the residential amenity of the surrounding area. Further, the proposal generally complies with the remaining acceptable outcomes outlined including the minimum setbacks, maximum length of exterior walls and fencing.</p>
PO12	<p>Vehicle parking facilities are located and concealed to ensure an attractive streetscape and built form.</p>	<p>Two (2) car parks are located within the front setback of the proposal and are not positioned behind any building, making them visible from the road frontage.</p> <p>Notwithstanding, the siting of the front two (2) car parks will not dominate the existing residential streetscape. The car parks are partially concealed by a proposed fence which will be located along the road frontage to ensure that an attractive streetscape and built form are maintained.</p>
PO16	<p>Development for a multiple dwelling, relocatable home park, residential care facility or retirement facility is</p>	<p>The subject site does not have access to a road which is classified as a minor urban collector road or higher. Clifton Street is</p>

	<p>located at highly accessible site:</p> <ul style="list-style-type: none"> (a) that provide for the safety and convenience of people using their premises; (b) in proximity to centres of activity containing shopping, community facilities, and recreation and entertainment areas; (c) in proximity to public transport facilities and public transport routes; and (d) that can minimise impacts on local amenity and the local street network. 	<p>defined as an Urban Access Street.</p> <p>While the proposal will result in an increase in the scale and intensity of development on the site, evidence has been provided which demonstrates that impacts on the local road network, primarily Clifton Street, will be negligible as a result of the proposal. An Engineering response provided by the applicant confirmed this and determined that a full traffic impact assessment was not required as the proposal will only result in an increase of traffic movements by 2.8 per cent on Clifton Street.</p> <p>As such, the proposal will not have a significant impact on Clifton Street, or the surrounding road network.</p>
<p>PO17</p>	<p>Residential development is designed and sited in a manner that:</p> <ul style="list-style-type: none"> (a) is of an appropriate scale and size that reflects the purpose of the zone; (b) is attractive in appearance, climate responsive and functional in design, and safe for residents; (c) has regard to streetscape and street function, privacy, passive recreation and living space needs of residents; and (d) does not compromise the character and amenity of the surrounding area. 	<p>The proposal exceeds the unit density requirements of one (1) unit per 400 square metres of total site area, and instead proposes a unit density of one (1) unit per 283 square metres.</p> <p>Despite this non-compliance, the proposal is considered to be of a scale and intensity that coincides with the existing residential amenity in the surrounding area. While the unit density requirements are exceeded as a result of the proposal, its construction and ongoing use is unlikely to detract from the existing residential amenity. Its visual impact will be offset by proposed landscaping treatments along all boundary setbacks which will conceal the built form of each of the proposed units. Further, the proposal generally complies with the remaining acceptable outcomes including the minimum road frontage requirements, as well as facilitating passive recreation opportunities through the creation of private open space for each of the proposed units.</p>

Based on a performance assessment of the above mentioned codes, it is determined that the proposal is acceptable and generally complies with the relevant Performance outcomes and where there is deviation from the codes, sufficient justification has been provided.

Sufficient Grounds

The proposed development cannot be considered consistent with the *Rockhampton Region Planning Scheme 2015*. Council should note, however, that pursuant to Section 326(1)(b) of the *Sustainable Planning Act 2009*, the assessment manager’s decision may conflict with the planning scheme if there are sufficient grounds to justify the decision despite the conflict. Sufficient grounds to support the development are as follows:

- a) A mixture of residential land use types that provide for long-term residency are promoted as a result of the proposal, while also maintaining the existing low rise urban form which is predominant in the surrounding area;
- b) The proposal will result in the formation of low-rise multiple dwellings which are located in proximity to parks and public transport nodes;

- c) The development encourages sustainable in-fill development in an area that has full access to social and medical amenities;
- 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; and
- f) The proposed development does not compromise the relevant State Planning Policy.

Having regard to all of the above, it is recommended Council, from a land use perspective, consider the proposed development favourably as there are considered to be sufficient grounds to justify a decision that favours the alternative land uses proposed herein.

INFRASTRUCTURE CHARGES

Column 1 Use Schedule	Column 2 Charge Area	Column 3 Adopted Infrastructure Charge for residential development (\$/dwelling unit)		Column 4 Unit	Calculated Charge
		1 or 2 bedroom dwelling	3 or more bedroom dwelling		
Residential	Area 1	15,000		per dwelling	\$60,000.00
			21,000	per dwelling	\$84,000.00
Total					\$144,000.00
Less credit					\$42,000.00
TOTAL CHARGE					\$102,000.00

This is based on the following calculations:

- (a) A charge of \$60,000.00 for four (4), two (2) bedroom units;
- (b) A charge of \$84,000.00 for four (4), three (3) bedroom units; and
- (c) An Infrastructure Credit of \$42,000.00, applicable for the existing two (2) allotments.

Therefore, a total charge of \$102,000.00 is payable and will be reflected in an Infrastructure Charges Notice for the development.

CONSULTATION

The proposal was the subject of public notification between 20 July 2016 and 17 August 2016, as per the requirements of the *Sustainable Planning Act 2009*, and no submissions were received.

REFERRALS

The application did not trigger any referrals.

CONCLUSION

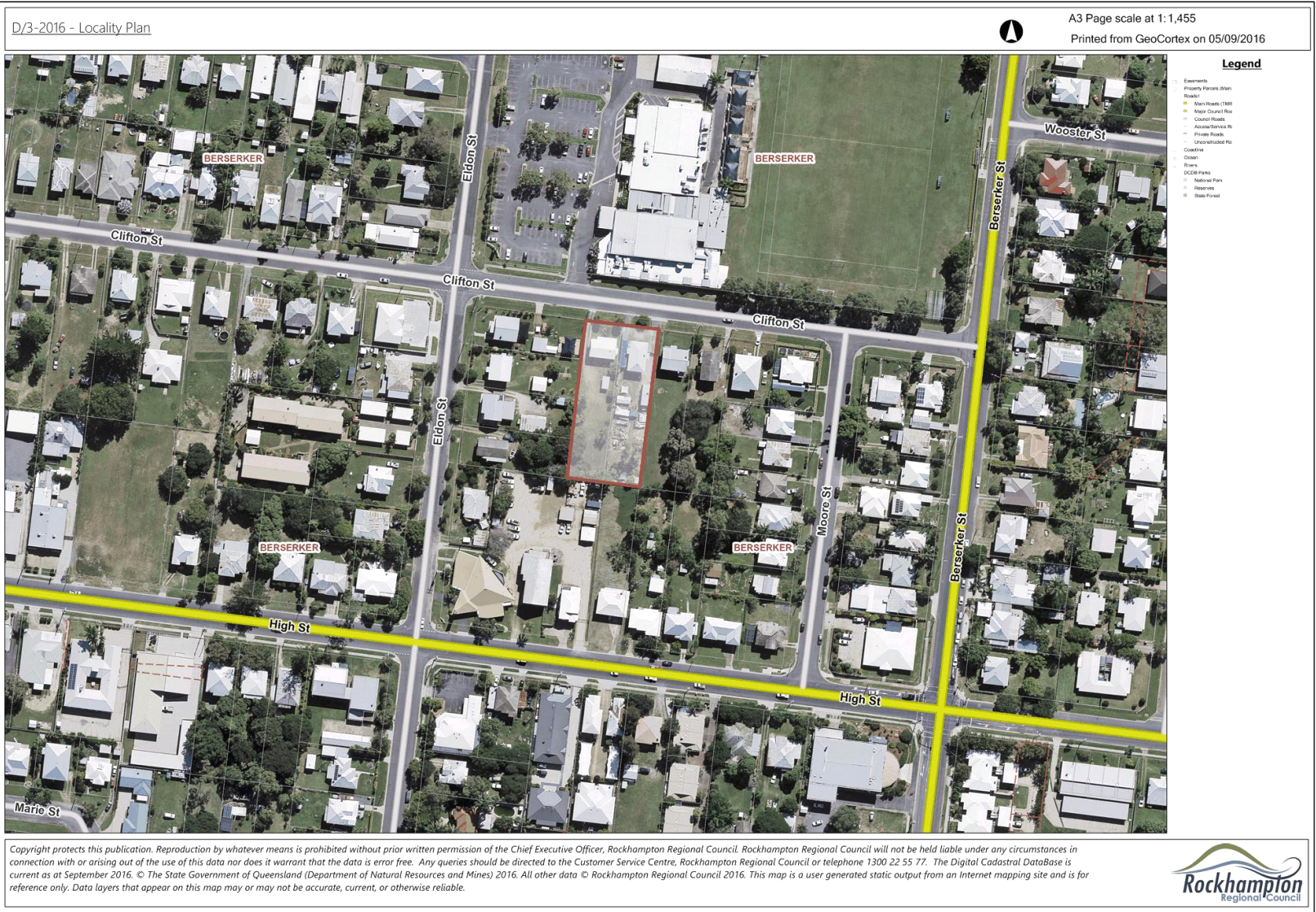
The application for a Material Change of Use for a Multiple Dwelling (eight units) is not consistent with the intent of the Low Density Residential Zone. However, as demonstrated above, there are sufficient grounds to justify the conflict with the planning scheme and the proposal is also considered to be generally compliant with the relevant codes. Therefore, the application is recommended for approval subject to the conditions outlined in the recommendations.

**D/3-2016 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE A MULTIPLE
DWELLING (EIGHT UNITS)**

Locality Plan

Meeting Date: 20 September 2016

Attachment No: 1



**D/3-2016 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE A MULTIPLE
DWELLING (EIGHT UNITS)**

Site Plan

Meeting Date: 20 September 2016

Attachment No: 2

Lot 13 & 15
RP603409
Area 2266m²

Parking

Residence - 8
Visitor - 4 (single)

Site Area - 2266m²
Site Coverage - 622.18m² (27%)
Landscaping - 730.23m²

SITE PLAN

NOTES:

- Location of sewer is to be identified prior to commencement of construction.
- Min 5000L rainwater tank required. Location is indicative only and may vary according to owners or builders specifications. Refer to rainwater tank installation notes.
- All gutter and downpipe works to AS/NS3500 and NCC volume 2 section 3.5.2.
- 125mm Quad gutter max 40m² of roof contributing to DP in each direction.
- 150mm Quad gutter max 60m² of roof contributing to DP in each direction.
- Downpipes (DP) to be 90mm Dia UPVC.
- Downpipes (DP) AE to be max 12m Lineal apart.
- STORMWATER PIPE SELECTION GUIDE**

DP	SLOPE	MAX ROOF AREA CONT.
90	1:100	80sq.m
100	1:100	100sq.m
100	1:80	130sq.m
100	1:60	160sq.m
100	1:50	180sq.m
100	1:40	200sq.m
150	1:100	346sq.m

- Stormwater must be connected to legal point of discharge -
-Stormwater kerb adapters to street (2 max)
-Roofwater pipe at rear of block
-Rainwater tank overflow must connect to stormwater system
- All construction methods and materials to be in accordance with the 'National Construction Code' and the 'QLD Development Code and Building Regulations' and 'Australian Standards'.
- Any required earthworks including cut, fill, batters and retaining must comply with NCC 2011 volume 2 Section 3.1.1. and AS3798 & AS4200.
- Fall of land unknown and is to be confirmed on site before commencement of construction.

— u/g Telecommunications Line

- - - u/g Water Line

— u/g Electricity Line

- - - Sewerage Line

⊙ Sewer Manhole

⊠ T Telstra Pit

⊠ E Electricity Pit

⊠ W Water Meter

CONTRACTOR MUST VERIFY ALL DIMENSIONS AND LEVELS AT THE JOB PRIOR TO COMMENCING ANY WORK OR MAKING ANY SHOP DRAWINGS.

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DO NOT SCALE DRAWINGS. ALWAYS USE WRITTEN DIMENSIONS.

PROPOSED MULTI UNIT DEVELOPMENT

CLIENT: Donald Abt & Jane Cockerton

AT: 110 - 112 Clifton Street, Berserker

PH:

REVISION	DESCRIPTION	INITIAL	DATE
B	Amended site layout	KK	20/11/15
C	Reduce number of units from 10 - 8	KK	8/03/16

DESIGN TYPE:	Kragg Knabe
DRAWN:	8/03/2016 10:49:36 AM
SCALE:	1 : 500
REV:	C

Kascold Design Studios

PH: 0401 644 810
email: admin@kascoldesignstudios.com

SHEET NO.

A101

8.5 D/174-2015 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A RESIDENTIAL CARE FACILITY

File No: D/174-2015

Attachments:

1. Locality Plan
2. Proposed Floor Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Trevor Green - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Alyce James - Planning Officer

SUMMARY

Development Application Number: D/174-2015

Applicant: Rockhampton Benevolent Homes Society Incorporated C/- ADAMS + SPARKES Town Planning

Real Property Address: Lot 2 on CP890319 and Lot 4 on SP220782

Common Property Address: 60 West Street, The Range

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone

Type of Approval: Development Permit for a Material Change of Use for a Residential Care Facility

Date of Decision: 24 May 2016

Application Lodgement Fee: \$3,178.00

Infrastructure Charges: \$229,251.00

Infrastructure charges incentive: Eligible for a 50% discount for infrastructure charges (All other areas)

Refund of Development Application Fees (100%)

Refund of Service and Connection Fees

Incentives sought: Applied for a 75% discount for infrastructure charges

Refund of Development Application Fees (100%)

Refund of Service and Connection Fees

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a Residential Care Facility, on Lot 2 on CP890319 and Lot 4 on SP220782, located at 60 West Street, The Range, Council recommends either of the following options:

- 1) Option 1, Council resolves to approve the request as per the Development Incentives Policy:

- a. A fifty (50) per cent reduction of infrastructure charges to the amount of \$114,625.50 (therefore the total infrastructure charge would be \$114,625.50);
 - b. A refund of the application lodgement fee of \$3,178.00 on completion of the development;
 - c. A refund of Council's water meter and service connection fees on completion of the development; and
 - d. That Council enter into an agreement with the applicant in relation to (a), (b) and (c).
- 2) Option 2, Council resolves to approve the request as follows:
- a. A seventy-five (75) per cent reduction of infrastructure charges to the amount of \$171,938.25 (therefore the total infrastructure charge would be \$57,312.75);
 - b. A refund of the application lodgement fee of \$3,178.00 on completion of the development;
 - c. A refund of Council's water meter and service connection fees on completion of the development; and
 - d. That Council enter into an agreement with the applicant in relation to (a), (b) and (c).

BACKGROUND

Project outcomes anticipated by applicant:

The applicant applied for a material change of use to undertake an extension to the existing residential care facility. The applicant (a not-for-profit organisation) seeks a refund of seventy five percent (75%) of the infrastructure charges (which is outside of the Development Incentives Policy refund limit of 50%), together with a refund of the development application fee and service and connection fees.

New jobs and investment:

The new facility is expected to result in an additional twenty (20) health care jobs in the year following completion. The applicant's turnover should increase by \$1 million in the year after completion and by \$3.5 million in the following year and thereafter.

The project consultant, Capricorn Survey Group is based in Rockhampton while the town planner Adams & Sparkes Town Planning has an office in Rockhampton. The builder and remaining consultants appear to be principally based in Brisbane.

The applicant claims the vast majority of materials used for the project and the ongoing costs of the aged care business carried on within it are acquired in the Rockhampton Region.

Benefits of project for applicant's business:

The construction of the residential aged care building will enable the applicant to increase the number of beds it can provide to the Rockhampton Region and Central Queensland community by 36 places (31 per cent) which can cater for high care, palliative and terminal care patients.

This will enable the Rockhampton-based, not for profit organisation, to grow its business substantially and offer a wider range of much needed services. It updates some older facilities and the wellness and therapy centre will enable greater primary treatment at home.

Benefits of project to Rockhampton Regional economy:

The project provides a welcome boost to the Rockhampton Region's economy. While many of the consultants are not based in Rockhampton, the project will result in some welcome building activity in the Region and use of material bought from regional businesses. The ongoing business will acquire goods and services from businesses located in the Rockhampton Region for many years.

COMMENTS FROM RELEVANT UNITS**Economic Development Unit's Comments – 30 August 2016**

Support, subject to complying with Development Incentives Policy.

CONCLUSION

This project will result in some useful economic benefits for the Rockhampton Region. More importantly, it will result in a good expansion of the region's aged care capacity in the much needed areas of high, palliative and terminal care together with an added primary health care capacity.

It is recommended that the applicant be given the infrastructure charge reduction of \$114,625.50 (50% of the original infrastructure charges), including a refund of the development application fees and service and connection fees.

The second claim for an additional infrastructure reduction of \$57,312.75 as a result of the applicant being a not for profit organization, is outside the Development Incentives Policy. However, the applicant is a long established Rockhampton Region service provider and the project will enable the applicant to offer a wider range of services in an area where its services are significantly needed.

The development meets the eligibility criteria under the Development Incentives Policy and the applicant has demonstrated some economic benefits arising from the development.

**D/174-2015 - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
FOR A MATERIAL CHANGE OF USE
FOR A RESIDENTIAL CARE FACILITY**

Locality Plan

Meeting Date: 20 September 2016

Attachment No: 1



- Legend**
- Easements
 - Property Parcels (Area)
 - Roads
 - Main Roads (T&M)
 - Major Council Rd
 - Council Roads
 - Access/Service Rd
 - Private Roads
 - Unimproved Rd
 - Contours
 - Ocean
 - Rivers
 - CC&M Parks
 - National Park
 - Reserves
 - Base Elevation

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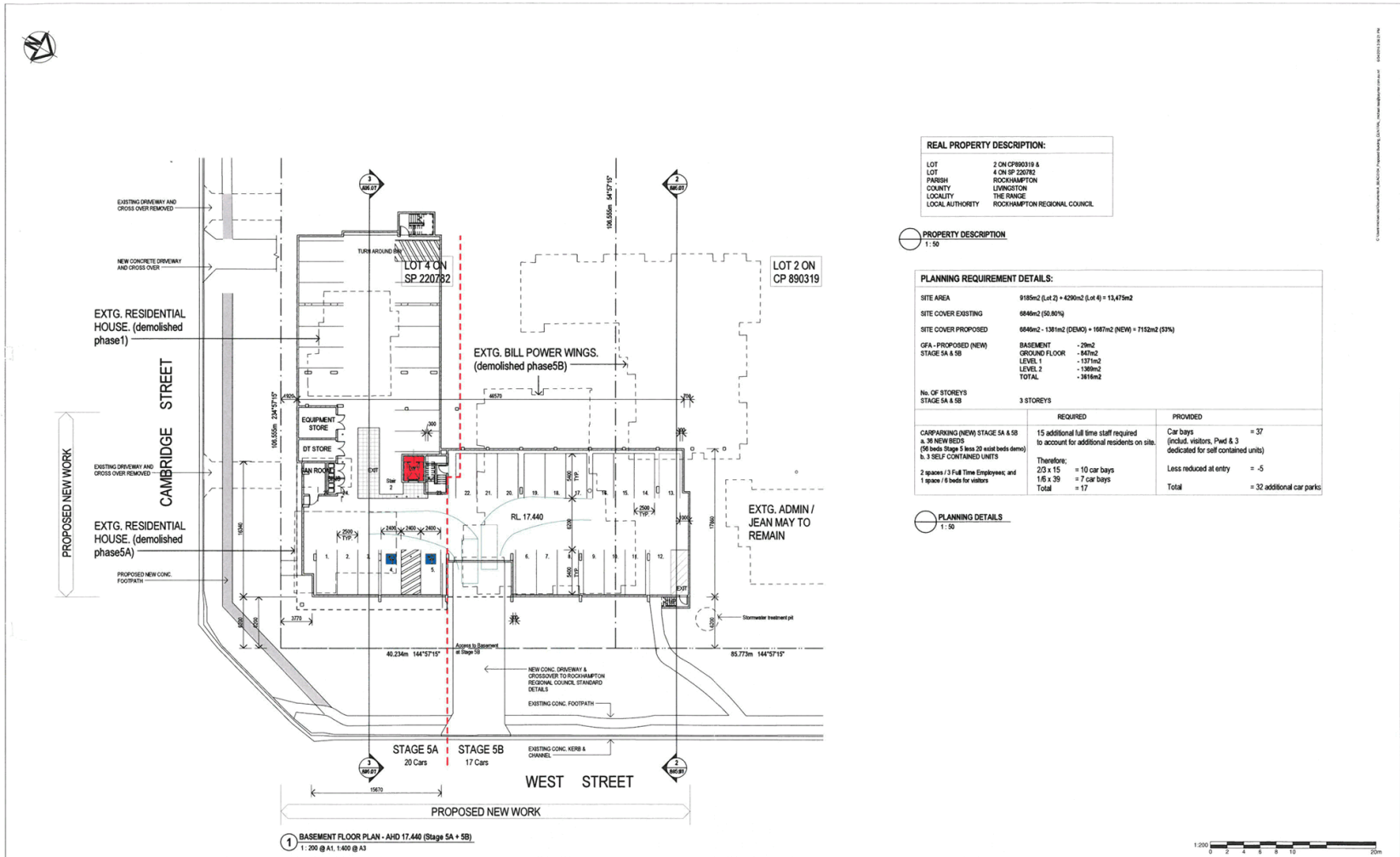


**D/174-2015 - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
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Proposed Floor Plan

Meeting Date: 20 September 2016

Attachment No: 2



1 BASEMENT FLOOR PLAN - AHD 17.440 (Stage 5A + 5B)
1:200 @ A1, 1:400 @ A3

REAL PROPERTY DESCRIPTION:

LOT	2 ON CP890319 & 4 ON SP 220782
PARISH	ROCKHAMPTON
COUNTY	LIVINGSTON
LOCALITY	THE RANGE
LOCAL AUTHORITY	ROCKHAMPTON REGIONAL COUNCIL

PROPERTY DESCRIPTION
1:50

PLANNING REQUIREMENT DETAILS:

SITE AREA	9185m ² (Lot 2) + 4290m ² (Lot 4) = 13,475m ²
SITE COVER EXISTING	6646m ² (60.80%)
SITE COVER PROPOSED	6646m ² - 1381m ² (DEM) + 1687m ² (NEW) = 7152m ² (57%)
GFA - PROPOSED (NEW)	BASEMENT - 29m ²
STAGE 5A & 5B	GROUND FLOOR - 647m ²
	LEVEL 1 - 137m ²
	LEVEL 2 - 136m ²
	TOTAL - 3618m ²
Nu. OF STOREYS	3 STOREYS
STAGE 5A & 5B	
CARPARKING (NEW) STAGE 5A & 5B	15 additional full time staff required to account for additional residents on site.
a. 36 NEW BEDS (8 beds Stage 5 less 20 exist beds dem)	Therefore: 23 x 15 = 10 car bays
b. 3 SELF CONTAINED UNITS	1.6 x 20 = 7 car bays
2 spaces / 3 Full Time Employees, and 1 space / 6 beds for visitors	Total = 17
	Car bays (incl. visitors, Pwd & 3 dedicated for self contained units) = 37
	Less reduced at entry = -5
	Total = 32 additional car parks

PLANNING DETAILS
1:50

Benevolent Aged Care, Rockhampton - STAGE 5

60 WEST STREET, THE RANGE

PROPOSED FLOOR PLAN - AHD 17.440 - BASEMENT

DA ISSUE

BEAC0104 A02.02_C
ISSUE DATE: 06/04/16



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9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS/QUESTIONS

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

11 CLOSURE OF MEETING