



**PLANNING & DEVELOPMENT  
COMMITTEE MEETING**

**MINUTES**

**22 SEPTEMBER 2015**

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT .....	1
3	APOLOGIES AND LEAVE OF ABSENCE .....	1
4	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	1
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA .....	2
6	BUSINESS OUTSTANDING .....	3
6.1	BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE .....	3
7	PUBLIC FORUMS/DEPUTATIONS .....	4
7.1	DEPUTATION - D/32-2015 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (FIVE LOTS INTO FIVE LOTS OVER TWO STAGES) .....	4
8	OFFICERS' REPORTS .....	5
8.1	ADOPTION OF INFRASTRUCTURE CHARGES RESOLUTION (AICR NO 5) .....	5
8.2	D/32-2015 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR RECONFIGURING A LOT FOR FIVE LOTS INTO FIVE LOTS OVER TWO STAGES.....	6
8.3	D/58-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A CHILD CARE CENTRE .....	7
9	STRATEGIC REPORTS .....	15
	NIL .....	15
10	NOTICES OF MOTION .....	16
	NIL .....	16
11	URGENT BUSINESS\QUESTIONS .....	17
12	CLOSURE OF MEETING.....	18

**REPORT OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 22 SEPTEMBER 2015 COMMENCING AT 1:34PM**

## **1 OPENING**

## **2 PRESENT**

**Members Present:**

Acting Mayor, Councillor A P Williams (Chairperson)  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor S J Schwarten  
Councillor R A Swadling  
Councillor N K Fisher

**In Attendance:**

Mr E Pardon – Chief Executive Officer  
Mr R Holmes – General Manager Regional Services  
Ms T Fitzgibbon – Manager Development and Building  
Mr J McCaul – Coordinator Development Engineering  
Mr P Barry – Senior Planning Officer  
Ms C Hibberd – Planning Officer  
Mr D Rigby – Strategic Planning Officer  
Ms L Price – Community Awareness Officer  
Ms I Taylor – Governance Support Officer

## **3 APOLOGIES AND LEAVE OF ABSENCE**

### **COMMITTEE RESOLUTION**

THAT the apologies from the Mayor, Councillor Margaret Strelow be received.

THAT the leave of absence for the meeting previously granted to Councillor Greg Belz be received.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Swadling

**MOTION CARRIED**

## **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

### **COMMITTEE RESOLUTION**

THAT the minutes of the Planning & Development Committee held on 8 September 2015 be taken as read and adopted as a correct record.

**Moved by:** Councillor Swadling  
**Seconded by:** Councillor Smith

**MOTION CARRIED**

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

## **6 BUSINESS OUTSTANDING**

### **6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE**

**File No:** 10097

**Attachments:** 1. Business Outstanding Table for Planning and Development Committee

**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 Development Committee is presented for Councillors' information.*

1.37PM Councillor Fisher attended the meeting.

#### **COMMITTEE RESOLUTION**

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

**Moved by:** Councillor Smith

**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

## 7 PUBLIC FORUMS/DEPUTATIONS

### 7.1 DEPUTATION - D/32-2015 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (FIVE LOTS INTO FIVE LOTS OVER TWO STAGES)

**File No:** D/32-2015  
**Attachments:** Nil  
**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building  
Robert Holmes - General Manager Regional Services  
**Author:** Petrus Barry - Senior Planning Officer

---

#### SUMMARY

*Gracemere Surveying and Planning Consultants (GSPC) and The Corporation of the Synod of Diocese of Rockhampton have requested an opportunity to attend a meeting of Council's Planning and Development Committee to present information on the proposed Reconfiguring a Lot (five lots into five lots over two stages) over 12 Athelstane Street, The Range – Lot 1 on RP600680, Lot 1 on RP602271, Lot 5 on RP604623, Lot 24 on RR603331 and Lot 25 on RP603331, Parish of Rockhampton (Development Application D/32-2015).*

1.38PM The deputation by David Rees of The Corporation of the Synod of Diocese of Rockhampton commenced.  
1.44PM The deputation concluded.

#### COMMITTEE RESOLUTION

THAT the deputation by David Rees of The Corporation of the Synod of Diocese of Rockhampton be received.

**Moved by:** Councillor Schwarten  
**Seconded by:** Councillor Rutherford  
**MOTION CARRIED**

## 8 OFFICERS' REPORTS

### 8.1 ADOPTION OF INFRASTRUCTURE CHARGES RESOLUTION (AICR NO 5)

**File No:** RRPS-PRO-2010/01/01/05

**Attachments:** 1. Draft Adopted Infrastructure Charges Resolution (No 5)

**Authorising Officer:** Russell Claus - Executive Manager Regional Development  
Robert Holmes - General Manager Regional Services

**Author:** Robert Truscott - Coordinator Strategic Planning

---

#### SUMMARY

*The report proposes a new AICR No 5 as a result of the commencement of the Rockhampton Region Planning Scheme.*

#### COMMITTEE RESOLUTION

THAT the attached draft Adopted Infrastructure Charges Resolution (No 5) 2015 be adopted to commence on 28 September 2015.

**Moved by:** Councillor Williams

**Seconded by:** Councillor Swadling

**MOTION CARRIED**

**8.2 D/32-2015 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR RECONFIGURING A LOT FOR FIVE LOTS INTO FIVE LOTS OVER TWO STAGES**

**File No:** D/32-2015

**Attachments:**

1. Locality Plan
2. Proposed five into five lot boundary realignment

**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building  
Robert Holmes - General Manager Regional Services

**Author:** Petrus Barry - Senior Planning Officer

---

**SUMMARY**

*Development Application Number:* D/32-2015

*Applicant:* The Corporation Of The Synod Of Diocese Of Rockhampton

*Real Property Address:* Lot 1 on RP600680, Lot 1 on RP602271, Lot 5 on RP604623, Lot 24 on RP603331 and Lot 25 on 603331, Parish of Rockhampton

*Common Property Address:* 12 Athelstane Street, The Range

*Rockhampton City Plan Area:* The Range North Residential Area

*Type of Approval:* Development Permit for Reconfiguring a Lot for five lots into five lots over two stages

*Date of Decision:* 2 June 2015

*Application Lodgement Fee:* \$830.00 (as discounted for religious organisations)

*Infrastructure Charges:* \$21,000.00

*Infrastructure charges incentive:* Other areas (50%)

*Incentives sought:* Development facilitation: \$10,500.00

Refund of Development Application Fees: \$830

Refund of service and connection fees

**COMMITTEE RESOLUTION**

That the matter lay on the table pending review of the policy to return to the Planning and Development Committee on 27 October 2015.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Smith

**MOTION CARRIED**



### 8.3 D/58-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A CHILD CARE CENTRE

**File No:** D/58-2015

**Attachments:**

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevations Plan

**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building  
Robert Holmes - General Manager Regional Services

**Author:** Corina Hibberd - Planning Officer

#### SUMMARY

*Development Application Number:* D/58-2015

*Applicant:* Natural Wonders Berserker Pty Ltd

*Real Property Address:* Lot 89 on SP171776, Parish of Archer

*Common Property Address:* 85-87 High Street, Berserker

*Area of Site:* 2,839 square metres

*Planning Scheme:* Rockhampton City Plan 2005

*Rockhampton City Plan Area:* Frenchville Residential Area

*Planning Scheme Overlays:* Nil

*Existing Development:* Vacant

*Existing Approvals:* Nil

*Approval Sought:* Development Permit for a Material Change of Use for a Child Care Centre

*Level of Assessment:* Impact Assessable

*Submissions:* Two (2)

*Referral Agency(s):* Nil

*Adopted Infrastructure Charges Area:* Charge Area 1

*Application Progress:*

<i>Application Lodged:</i>	6 May 2015
<i>Acknowledgment Notice issued:</i>	15 May 2015
<i>Request for Further Information sent:</i>	29 May 2015
<i>Request for Further Information responded to:</i>	29 July 2015
<i>Submission period commenced:</i>	6 August 2015
<i>Submission period end:</i>	27 August 2015
<i>Council request for additional time:</i>	Not Applicable
<i>Notice of Compliance received:</i>	2 September 2015
<i>Statutory due determination date:</i>	30 September 2015

**COMMITTEE RESOLUTION****RECOMMENDATION A**

That in relation to the application for a Development Permit for a Material Change of Use for a Child Care Centre, made by Scot Stewart Planning on behalf of Natural Wonders Berserker Pty Ltd, on Lot 89 on SP171776, Parish of Archer, located at 85-87 High Street, Berserker, Council resolves to Approve the application subject to the following conditions:

**1.0 ADMINISTRATION**

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 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 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

**2.0 APPROVED PLANS AND DOCUMENTS**

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Site Plan	Project 15517 drawing DD01	7 July 2015

	Issue DPU	
Floor Plan	Project 15517 drawing DD02 Issue CPU	7 July 2015
Elevations and Section	Project 15517 drawing DD05 Issue BPU	15 April 2015
Concept Landscape Plan	Project 15517 drawing DD07 Issue APU	7 July 2015
Engineering Services Plan	PEG010-S1-SK03 Rev. C	28 April 2015
Site Based Stormwater Management Plan	PEG0010 Revision 3	15 June 2015

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 for the full frontage of the site.

3.4 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*. All pathways located within a road reserve or public use land must be provided with public space lighting in accordance with *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.

3.5 All pathways must incorporate kerb ramps at all road crossing points.

3.6 A single continuous barrier line must be marked at the centre line of High Street for a portion of the frontage of the property to restrict 'right turning' movements to the development site.

3.7 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

### 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 proposed full movement access is not approved. The proposed access to the Child Care Centre must be limited to 'left in, left out' only with construction of a raised island on the proposed driveway to prohibit and discourage a right turn out.
- 4.5 All vehicles must ingress and egress the development in a forward gear.
- 4.6 Any redundant vehicular crossover must be replaced by Council standard kerb and channel.
- 4.7 Adequate sight distances must be provided for all ingress and egress movements at the access driveway in accordance with *Australian Standard 2890.2 "Parking Facilities - Off Street Commercial Facilities"*.
- 4.8 A minimum of twenty-nine (29) car parking spaces must be provided on-site. This includes eleven (11) car parking spaces for parents and eighteen (18) car parking spaces for staff.
- 4.9 Nine (9) car-parking bays closest to High Street must be marked as Staff Parking. No staff car parking is allowed along the northern section of the car park along the entrance to the building.
- 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.
- 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 Road signage and pavement markings must be installed in accordance with the *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"*.
- 4.14 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for Roads and Public Spaces"*.
- 4.15 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*.
- 5.0 **PLUMBING AND DRAINAGE WORKS**
- 5.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 5.2 The development must be connected to Council's reticulated water and sewerage network.
- 5.3 The existing sewerage points must be retained, and upgraded if necessary, to service the development.
- 5.4 The existing water connection point(s) must be disconnected. A new water connection point must be provided to the development. A hydraulic engineer or other suitably qualified person must determine the size of connection required.
- 5.5 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy

duty trafficable lids.

- 5.6 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation. Arrestor traps must be provided where commercial or non-domestic waste water is proposed to be discharged into the system.

#### 6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 6.2 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).
- 6.3 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.
- 6.4 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.

#### 7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 7.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 7.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 7.3 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.

#### 8.0 SITE WORKS

- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 8.2.1 the location of cut and/or fill;
  - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
  - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - 8.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
  - 8.2.5 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.
- 8.3 All earthworks must be undertaken in accordance with *Australian Standard, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 8.4 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.

**9.0 BUILDING WORKS**

- 9.1 Provide a 1.8 metre high fence between the subject site and adjacent properties of the development. The fence must be constructed of materials and finishes that are aesthetically pleasing. The fence must taper down to 1.2 metres in height between the façade of the building and the front boundary (to High Street).
- 9.2 All building works must be undertaken in accordance with Council's *Building Over/Adjacent to Local Government Sewerage Infrastructure Policy*.
- 9.3 The refuse bins (wheelie bins) must be kept within the 'bin service court' as per the approved plans (see condition 2.1), except for the refuse collection day, where the bins must be located for collection on the western corner of the street frontage of High Street.

**10.0 LANDSCAPING WORKS**

- 10.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 10.2 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure; small shrubs and groundcover are acceptable.
- 10.3 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
  - (ii) adversely affect any road lighting or public space lighting; or
  - (iii) adversely affect any Council infrastructure, or public utility plant.
- 10.4 The landscaped areas must be subject to:
- 10.4.1 a watering and maintenance plan during the establishment moment; and
  - 10.4.2 an ongoing maintenance and replanting programme.

**11.0 ELECTRICITY AND TELECOMMUNICATIONS**

- 11.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 11.2 Evidence must be provided of a Telecommunications Infrastructure Provisioning Confirmation and Certificate of Electricity Supply with the relevant service providers to provide the use with telecommunication and live electricity connections, in accordance with the requirements of the relevant authorities prior to the commencement of the use.

**12.0 ASSET MANAGEMENT**

- 12.1 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.
- 12.2 Any damage to existing 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.

**13.0 ENVIRONMENTAL**

- 13.1 Any application for a Development Permit for Operational Works must be

accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location / topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) implementation, for the construction and post construction phases of work.

- 13.2 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.

#### 14.0 OPERATING PROCEDURES

- 14.1 The hours of operations must be limited to:

- (i) 0630 hours to 1830 hours on Monday to Friday, and
- (ii) no operations on Saturday, Sunday or Public Holidays.

- 14.2 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.

- 14.3 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the 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"*.

- 14.4 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 any streets/roads.

- 14.5 The loading and/or unloading of delivery vehicles is limited between the hours of 0700 and 1830 Monday to Friday. No heavy vehicles must enter the site outside these times to wait for unloading/loading.

- 14.6 All waste storage areas must be:

- 14.6.1 kept in a clean and tidy condition; and
- 14.6.2 maintained in accordance with *Environmental Protection Regulation 2008*.

- 14.7 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy*.

**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](http://www.datsima.qld.gov.au).

**NOTE 2. General Environmental Duty**

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

**NOTE 3. Licensable Activities**

Should an activity licensable by Rockhampton Regional Council be proposed for the premises, Council’s Environment and Public Health Unit should be consulted to determine whether any approvals are required. Such activities may include storage of flammable and combustible liquid and environmentally relevant activities such as motor vehicle workshop operations. Approval for such activities is required before ‘fitout’ and operation.

**NOTE 4. General Safety Of Public During Construction**

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

**NOTE 5. 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 B**

That in relation to the application for a Development Permit for a Material Change of Use for a Child Care Centre, made by Scot Stewart Planning on behalf of Natural Wonders Berserker Pty Ltd, on Lot 89 on SP171776, Parish of Archer, located at 85-87 High Street, Berserker, Council resolves to issue an Adopted Infrastructure Charges Notice for the amount of **\$76,478.00**.

**Moved by:** Councillor Williams

**Seconded by:** Councillor Swadling

**MOTION CARRIED**



## **9 STRATEGIC REPORTS**

Nil

## **10 NOTICES OF MOTION**

Nil

## **11 URGENT BUSINESS\QUESTIONS**

## **12 CLOSURE OF MEETING**

There being no further business the meeting closed at 2.01pm.

---

SIGNATURE

---

CHAIRPERSON

---

DATE