

- 4.2 The development must be connected to Council's reticulated sewerage network.
- 4.3 The existing sewerage connection point(s) must be retained and upgraded, if necessary, to service the development.
- 4.4 All works must be undertaken in accordance with a Council Building Over/Adjacent to Local Government Sewerage Infrastructure Policy.
- 4.5 The finished sewerage access chamber surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.
- 4.6 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 5.0 WATER 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, the Plumbing and Drainage Act*.
- 5.2 The development must be connected to Council's reticulated water network.
- 5.3 The existing water connection point(s) must be retained and upgraded, if necessary, to service the development.
- 5.4 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.
- 5.5 The applicant must ensure adequate fire fighting protection is available from the existing hydrants within Bean Avenue and Nellie Close road reserve and also from the on-site fire fighting equipment for the proposed development. Where adequate protection can not be achievable, upgrade of on-site fire fighting equipment, internal pillar hydrant, water tanks, and pumps will be required.
- 6.0 PLUMBING AND DRAINAGE WORKS
- 6.1 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.
- 6.2 Disconnection, alteration or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.
- 6.3 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation. Arrester traps must be provided where commercial or non-domestic waste water is proposed to be discharged into the system.
- 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 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.
- 7.4 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 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.

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

8.3 Any vegetation cleared or removed must be:

(i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or

(ii) removed for disposal at a location approved by Council;

within sixty (60) days of clearing. Any vegetation removed must not be burnt.

9.0 BUILDING WORKS

9.1 All structures must maintain a clearance of two (2) metres to any sewerage infrastructure.

9.2 Impervious paved and drained washdown areas to accommodate all refuse containers must be provided. The areas must be aesthetically screened from any road frontage or adjoining property.

9.3 All waste storage areas must be:

9.3.1 provided with a suitable hose-cock (with backflow prevention) and hoses at the refuse container area, and wash-down must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement;

9.3.2 of a sufficient size to accommodate commercial sized bins to be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning; and

9.3.3 surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the bin compound by any member of the public from any public place.

9.4 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed the limits specified in the *Environmental Protection Act*.

9.5 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"*.

10.0 LANDSCAPING WORKS

10.1 All landscaping must be constructed and established in accordance with the approved plans (refer to condition 2.1), prior to the commencement of the use.

10.2 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

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.

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 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 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 Bean Street or Nellie Close.
- 14.2 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.
- 14.3 All waste storage areas must be kept in a clean, tidy condition in accordance with *Environmental Protection (Waste Management) Regulations*.

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 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 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 C

That in relation to the application for a Development Permit for a Material Change of Use for a Child Care Centre, made by Hebbard Property Trust, on Lot 10 on SP246192, Parish of Murchison, located at 16 Bean Avenue, Parkhurst, Council resolves to issue an Infrastructure Charges Notice for the amount of \$26,555.96.

Moved by: Councillor Fisher

Seconded by: Councillor Smith

MOTION CARRIED

8.3 D/423-2013 REQUEST FOR A NEGOTIATED DECISION NOTICE FOR A DEVELOPMENT PERMIT FOR A VEHICLE DEPOT

File No: D/423-2013

Attachments:

1. Locality Plan
2. Site Plan
3. Access, Manoeuvring and Vehicle Parking

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Anton de Klerk - Planning Officer

SUMMARY

Development Application Number: D/423-2013

Applicant: Red Truck Pty Ltd C/- ADAMS + SPARKES
Town Planning + Development

Real Property Address: Lot 70 on RP604012, Parish of Gracemere

Common Property Address: 78 Foster Street, Gracemere

Area of Site: 2.125 hectares

Planning Scheme: Fitzroy Shire Planning Scheme 2005

Planning Scheme Zoning: Gracemere Stanwell Zone - Low Impact Industry Precinct

Planning Scheme Overlays: Nil

Existing Development: House with an ancillary shed and an Industrial shed

Existing Approvals: House

Approval Sought: Negotiated Decision Notice for a Development Permit for a Material Change of Use for a Vehicle Depot

Level of Assessment: Code Assessable

Submissions: Not Applicable

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area 1

COMMITTEE RESOLUTION

That the matter lay on the table pending further discussions with the applicant and to return to the Planning and Development Committee on 11 November 2014.

Moved by: Mayor Strelow
Seconded by: Councillor Smith
MOTION CARRIED

8.4 D/69-2014 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (THREE LOTS INTO THREE LOTS)

File No: D/69-2014

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Alyce McLellan - Planning Officer

SUMMARY

Development Application Number: D/69-2014

Applicant: John Brydon

Real Property Address: Lot 14 on RP603512 and Lot 15 on RP603512 and Lot 16 on RP803410, Parish of Murchison

Common Property Address: 2 Sturt Street, Parkhurst

Area of Site: 1.38 hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Parkhurst Industrial Area – Low Impact Industrial Precinct

Planning Scheme Overlays: Flood Prone Land

Existing Development: Single Dwelling

Existing Approvals: Nil

Approval Sought: Development Permit for Reconfiguring a Lot (three lots into three lots)

Level of Assessment: Code Assessable

Submissions: Not Applicable

Referral Agency(s): Department of State Development and Infrastructure Planning

Adopted Infrastructure Charges Area: Charge Area One

Application Progress:

<i>Application Lodged:</i>	19 March 2014
<i>Acknowledgment Notice issued:</i>	26 March 2014
<i>Request for Further Information sent:</i>	31 March 2014
<i>Request for Further Information responded to:</i>	23 May 2014
<i>Government Agency Response:</i>	29 April 2014
<i>Last receipt of information from applicant:</i>	23 May 2014
<i>Council request for additional time:</i>	17 June 2014
<i>Council request for additional time:</i>	16 July 2014
<i>Council request for additional time:</i>	20 August 2014

<i>Council request for additional time:</i>	<i>11 September 2014</i>
<i>Statutory due determination date:</i>	<i>7 October 2014</i>

COMMITTEE RESOLUTION

That the matter lay on the table pending further discussions to return to the Planning and Development Committee on 11 November 2014.

Moved by: Mayor Strelow
Seconded by: Councillor Fisher
MOTION CARRIED

UNCONFIRMED

8.5 D/152-2014 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (ONE LOT INTO TWO LOTS)

File No: D/152-2014

Attachments:

1. Locality Plan
2. Proposal Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Corina Hibberd - Planning Officer

SUMMARY

Development Application Number: D/152-2014

Applicant: Mr John Owen

Real Property Address: Lot 2 on RP608585, Parish of Karkol

Common Property Address: 202 Alton Downs - Nine Mile Road, Alton Downs

Area of Site: 34.39 hectares

Planning Scheme: Fitzroy Shire Planning Scheme 2005

Planning Scheme Zoning: Alton Downs Zone - Precinct 2

Planning Scheme Overlays: Agricultural Land Classification Class C1; and Low Risk Buhfire Hazard

Existing Development: House and agricultural pursuits

Existing Approvals: 3116329-2008 Material Change of Use for a House Approved 21 October 2008

Approval Sought: Development Permit for Reconfiguring a Lot (one lot into two lots)

Level of Assessment: Impact Assessable

Submissions: Three properly made submissions

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area Three

Application Progress:

<i>Application Lodged:</i>	17 June 2014
<i>Acknowledgment Notice issued:</i>	27 June 2014
<i>Request for Further Information sent:</i>	8 July 2014
<i>Request for Further Information responded to:</i>	1 August 2014
<i>Submission period commenced:</i>	11 August 2014
<i>Submission period end:</i>	1 September 2014
<i>Council request for additional time:</i>	4 September 2014
<i>Statutory due determination date:</i>	31 October 2014

- 2:23PM In accordance with s165(1)(a) of the *Local Government Act 2009* and s14(2) *Council Meeting Procedures*, the Deputy Mayor Councillor Williams was appointed Chairperson of the Planning and Development Committee meeting for the period of the Mayor, Councillor Strelow's absence.
- 2:23PM Mayor Strelow left the meeting.
- 2:23PM Mayor Strelow returned to the meeting and resumed the chair.
- 2:24PM Councillor Schwarten left the meeting.
- 2:27PM Councillor Schwarten returned to the meeting.

COMMITTEE RESOLUTION

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into two lots), made by Hoffmann Surveyors on behalf of Mr John Owens, on Lot 2 on RP608585, Parish of Karkol, located at 202 Alton Downs - Nine Mile Road, Alton Downs, Council resolves to Refuse the application for the following reasons:

- a) Fragmentation of existing rural lots is not considered to be consistent with the current scheme or the proposed planning scheme.
- b) The proposal does not comply with many of the requirements in the Alton Downs Zone Code and Reconfiguring a Lot Code, including the minimum lot size of fifty (50) hectares.
- c) There is not an overwhelming need for increased supply of small rural lots in this area, as other more suitable locations exist in the scheme area, specifically Alton Downs Zone - Precinct 1A and 1B.
- d) The proposal directly compromises the achievement of seven (7) Desired Environmental Outcomes within the *Fitzroy Shire Planning Scheme 2005*.
- e) The site is mapped as being good quality agricultural land under the *Fitzroy Shire Planning Scheme 2005* and the State Planning Policy 2014, and therefore directly compromises the outcomes for the Scheme and State Planning Policy.

Moved by: Mayor Strelow
Seconded by: Councillor Schwarten

MOTION CARRIED

Councillor Smith recorded her vote against the motion.

8.6 D/24-2014 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A MULTI UNIT DWELLING (FOUR UNITS)

File No: D/24-2014

Attachments:

1. Locality Plan
2. Site Plan Lower
3. Upper and Set-out
4. Floor Plan
5. Elevations

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Petrus Barry - Senior Planning Officer

SUMMARY

Development Application Number: D/24-2014

Applicant: Nat B Designs

Real Property Address: Lot 5 on RP614403, Parish of Archer

Common Property Address: 418 Thozet Road, Frenchville

Area of Site: 1,200 square metres

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Berserker Foothills Residential Area

Planning Scheme Overlays: Steep land

Existing Development: Vacant

Existing Approvals: Town Planning Consent 1981 - D-R/1008-1900
- four units

Approval Sought: Development Permit for a Material Change of Use for a Multi Unit Dwelling (four units)

Level of Assessment: Impact Assessable

Submissions: Two properly made submissions and one not properly made submission

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area One

Application Progress:

<i>Application Lodged:</i>	4 February 2014
<i>Acknowledgment Notice issued:</i>	12 February 2014
<i>Request for Further Information sent:</i>	26 February 2014
<i>Request for Further Information responded to:</i>	14 August 2014
<i>Submission period commenced:</i>	15 August 2014
<i>Submission period end:</i>	10 September 2014
<i>Last receipt of information from applicant:</i>	12 September 2014
<i>Statutory due determination date:</i>	13 October 2014

COMMITTEE RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Multi Unit Dwelling (four units), made by Nat B Designs on behalf of P A Peirano and H J Peirano, on Lot 5 on RP614403, Parish of Archer, located at 418 Thozet Road, Frenchville, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposal contributes to providing a mix of accommodation options within Rockhampton, which is supported through the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- b) Having regard to the size of the allotment, being 1,200 square metres, it is considered reasonable to accommodate the proposal for four (4) units, which is not dissimilar to two (2) potential duplexes, when compared with the minimum lot size of 600 square metres achievable for this area;
- c) The proposal is sited and designed with a site coverage of only thirty one (31) per cent and furthermore has minimal impact upon the amenity of adjoining uses and the Berserker Ranges through its internal orientation and ample provision of landscaping;
- d) The proposal is a marked improvement to the previous approval for four (4) units in 1981;
- e) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- f) Assessment of the development against the relevant area intent, 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
- g) 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 a Multi Unit Dwelling (four units), made by Nat B Designs on behalf of P A Peirano and H J Peirano, on Lot 5 on RP614403, Parish of Archer, located at 418 Thozet Road, Frenchville, 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.
- 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.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:

- 1.6.1 Operational Works:
 - (i) Road Works;
 - (ii) Access Works;
 - (iii) Water Works;
 - (iv) Stormwater Works;
 - (v) Roof and allotment Drainage Works;
 - (vi) Site Works; and
 - (vii) Landscaping 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 Reference</u>	<u>Dated</u>
Title and Notes	1304-012	14 August 2014
Proposed Site Plan - Lower	Drawing SP-02 Rev B	14 August 2014
Proposed Site Plan – Upper and Set-out	Drawing SP-03 Rev B	14 August 2014
Landscape Plan	Drawing LS-01 Rev B	14 August 2014
Site Plan and Notes. Floor Plans	Drawing BD-01 Rev A	2 February 2014
Elevations	Drawing BD-02 Rev B	14 August 2014
Slope Stability Assessment	CQ11855	03 July 2014
Conceptual Stormwater Management Plan	K2788-0003	07 July 2014
Stormwater Drainage and Sewer Reticulation Plan	K2788 P003 Issue B	09 July 2014
Sediment and Erosion Control Plan and Details	K2788 P004 Issue B	9 July 2014

- 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 approval 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 Any retaining structures within road reserves must not be constructed unless approved as part of a Development Permit for Operational Works (road works). Retaining walls must be wholly contained within the proposed private allotments and not be constructed as Council-owned infrastructure.

3.4 Any retaining structures above one metre in height must be separately approved for structural adequacy by a Registered Professional Engineer of Queensland at design submission and certified on completion of construction for compliance with the design.

A detailed inspection and 'as constructed' record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.

The approved design and/or construction of the retaining walls must not be modified or altered without Council's prior written approval.

4.0 ACCESS WORKS

4.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access 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 works).

4.3 A new access must be constructed for the proposed development.

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* and *Plumbing and Drainage Act*.

5.2 The development must be connected to Council's reticulated sewerage network.

5.3 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

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

- 6.2 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*, the *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 6.3 The development must be connected to Council's reticulated water network
- 6.4 A 100 millimetre non-trunk water main must be constructed across Thozet Road and a fire hydrant must be installed at the end of the water main. The fire hydrant must be located within the eastern side of the Thozet Road road reserve. This non-trunk infrastructure is conditioned under section 665 of the *Sustainable Planning Act 2009*.
- 6.5 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.
- 6.6 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.
- 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* and Council's Plumbing and Drainage Policies.
- 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 by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 8.4 The proposed development must not increase 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.
- 8.5 Easements must be provided over all land assessed to be within the one in one hundred year rainfall event (100 year Average Recurrence Interval) inundation area.
- 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 Trench grates or a similar device that prevents the sheet flow of water from the driveway area flowing across the footpath must be installed in the interests of safety for pedestrians. Details of these provisions must be included with the Operational Works application (roof and allotment drainage).
- 9.4 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 All site works must be carried out in accordance with the approved Slope Stability Assessment (refer to condition 2.1).
- 10.3 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
- 10.3.1 the location of cut and/or fill;
 - 10.3.2 the type of fill to be used and the manner in which it is to be compacted;
 - 10.3.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 10.3.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 10.3.5 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.
- 10.4 Cut and fill of the subject allotment must only be undertaken in areas where site-specific slope stability assessments have been carried out by a Registered Professional Engineer of Queensland experienced in geotechnical investigations. In this regard, any works must comply with the recommendations of the site-specific assessments as approved by Council.
- 10.5 Slope stability must be managed as follows:
- 10.5.1 all engineering drawings/specifications and designs must comply with the requirements of the relevant *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"* and must be approved by a Registered Professional Engineer of Queensland;
 - 10.5.2 site inspections must be undertaken by a Registered Professional Engineer of Queensland to confirm the design; and
 - 10.5.3 full engineering certification must be undertaken by a Registered Professional Engineer of Queensland.
- 10.6 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 10.7 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.
- 10.8 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.
- 10.9 A detailed inspection and as constructed record must be provided to Council by the consultant Registered Professional Engineer of Queensland prior to acceptance of the works. The consultant must include in the certification confirmation that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.
- 10.10 The detailed inspection and As Constructed record must demonstrate to Council that the wall construction work was closely monitored throughout construction by the Registered Professional Engineer of Queensland including the achieved foundation ground conditions.

10.11 Any vegetation cleared or removed must be:

- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.

11.0 BUILDING WORKS

11.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed the limits specified in the *Environmental Protection Act*.

11.2 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"*.

11.3 A minimum 1.8 metre high fence must be erected between the subject development site and adjacent residential properties.

11.4 The private open space area provided for each unit must be fenced with a 1.8 metre high fence. The fence must be constructed of appropriate material and to Council's satisfaction to prevent viewing of the private open space from a public space and adjoining units and properties.

11.5 All units must be provided with open-air clothes drying facilities and the facilities must be screened from public view.

12.0 LANDSCAPING WORKS

12.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works on or associated with the development site.

12.2 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:

12.2.1 A plan documenting the "Extent of Works" and supporting documentation that includes:

- (i) location and name of existing trees, including those to be retained (the location of the trees must be overlaid or be easily compared with the proposed development design);
- (ii) the extent of soft and hard landscape proposed;
- (iii) important spot levels and/or contours. The levels of the trees to be retained must be provided in relation to the finished levels of the proposed buildings and works;
- (iv) underground and overhead services;
- (v) typical details of critical design elements (stabilisation of batters, retaining walls, podium/balcony planters, fences);
- (vi) details of landscape structures including areas of deep planting; and
- (vii) specification notes on mulching and soil preparation.

12.2.2 A "Planting Plan" and supporting documentation that includes:

- (i) landscape areas predominantly containing plant species that are locally native to the Central Queensland region due to their low water dependency;
 - (ii) trees, shrubs and groundcovers to all areas to be landscaped;
 - (iii) position and canopy spread of all trees and shrubs;
 - (iv) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants must be located within an edged garden; and
 - (v) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.
- 12.3 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure; small shrubs and groundcover are acceptable.
- 12.4 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.
- 12.5 All landscaping must be constructed and/or established, in accordance with the requirements of the Development Permit for Operational Works (landscaping works), prior to the commencement of the use.
- 12.6 The landscaped areas must be:
- 12.6.1 subject to a watering and maintenance plan during the establishment moment; and
 - 12.6.2 subject to an ongoing maintenance and replanting programme.
- 13.0 **ELECTRICITY AND TELECOMMUNICATIONS**
- 13.1 Above-ground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 13.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the commencement of the use.
- 14.0 **ASSET MANAGEMENT**
- 14.1 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.
- 14.2 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.
- 15.0 **ENVIRONMENTAL**
- 15.1 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.

15.2 The 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.

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 Thozet Road.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* 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. General Safety Of Public During Construction

The *Work Health and Safety Act* 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. Infrastructure Charges Notice

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

Moved by: Councillor Fisher

Seconded by: Councillor Smith

MOTION CARRIED

9 STRATEGIC REPORTS

Nil

UNCONFIRMED

10 NOTICES OF MOTION

Nil

UNCONFIRMED

11 URGENT BUSINESS QUESTIONS

UNCONFIRMED

12 CLOSURE OF MEETING

There being no further business the meeting closed at 2:42pm.

SIGNATURE

CHAIRPERSON

DATE

UNCONFIRMED