



# **PLANNING AND REGULATORY COMMITTEE MEETING**

## **AGENDA**

**7 JUNE 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 7 June 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**  
31 May 2016

Next Meeting Date: 21.06.16

**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)  
The Mayor, Councillor M F Strelow  
Councillor N K Fisher  
Councillor C R Rutherford  
Councillor M D Wickerson

In Attendance:

Mr E Pardon – Chief Executive Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

**4 CONFIRMATION OF MINUTES**

Minutes of the Planning and Regulatory Committee held 17 May 2016

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

**6 BUSINESS OUTSTANDING**

Nil

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 D/58-2015 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A CHILD CARE CENTRE

<b>File No:</b>	<b>D/58-2015</b>
<b>Attachments:</b>	1. <b>Locality Plan</b> 2. <b>Site Plan</b>
<b>Authorising Officer:</b>	<b>Tarnya Fitzgibbon - Manager Development and Building</b> <b>Robert Holmes - General Manager Regional Services</b>
<b>Author:</b>	<b>Corina Hibberd - Acting Senior Planning Officer</b>

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#### SUMMARY

<i>Development Application Number:</i>	<i>D/58-2015</i>
<i>Applicant:</i>	<i>Natural Wonders Berserker Pty Ltd</i>
<i>Real Property Address:</i>	<i>Lot 89 on SP171776, Parish of Archer</i>
<i>Common Property Address:</i>	<i>85-87 High Street, Berserker</i>
<i>Rockhampton City Plan Area 2005:</i>	<i>Frenchville Residential Area (now Low Density Residential Area)</i>
<i>Type of Approval:</i>	<i>Development Permit for a Material Change of Use for Child Care Centre</i>
<i>Date of Decision:</i>	<i>22 September 2015</i>
<i>Application Lodgement Fee:</i>	<i>\$5,782.00</i>
<i>Infrastructure Charges:</i>	<i>\$76,478.00</i>
<i>Infrastructure charges incentive:</i>	<i>"All other Area's" 50% discount</i> <i>(\$38,239.00 discount)</i>
<i>Incentives sought:</i>	<i>Development facilitation</i> <i>Refund of Development Application Fees</i> <i>Refund of service and connection fees</i>

#### 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 Child Care Centre, on Lot 89 on SP171776, Parish of Archer, located at 85-87 High Street, Berserker, Council resolves to Approve the following incentives if the use commences prior to 22 September 2018

- a) A fifty per cent (50%) reduction of infrastructure charges to the amount of \$38,239.00;
- b) A refund of the application lodgement fee amounting to \$5,782.00 on completion of the development;
- c) A refund of the Service and Connection fees; and
- d) That Council enter into an agreement with the applicant in relation to (a), (b) and (c).

#### BACKGROUND

The development approval is for a 108 child capacity child-care centre in High Street, which was approved at the Planning and Development Committee on 22 September 2015. The applicant has applied for a fifty per cent (50%) infrastructure charges discount, refund of



development application fees, and refund and service and connection fees in accordance with the eligibility under the current Policy.

The applicant has a current operational works permit under assessment (D/23-2016, Drainage Works, Stormwater Works, Water Works, Sewer Works, Signage) and have also lodged a building permit via a private certifier (453-2016-BPCCOM, New Construction of Child Care Centre).

**Project outcomes anticipated by applicant:**

The applicant has identified that the projected additional annual business turnover is \$1,500,000.00 with 20 additional jobs in the first year, \$2,000,000.00 and 22 jobs in the second year, and \$2,200,000.00 and 23 jobs in the third year. The project commencement date is July 2016 with completion due in April 2017.

**New jobs and investment:**

The capital cost for the project is \$2,500,000.00. The application material indicates that the business will employ local contractors during construction, and will commence in 2017 with 20 staff members (which is predicted to grow to 23 staff over 3 years).

**Benefits of project for applicant's business:**

The applicant did not provide this information. The business is new, and as identified in the Material Change of Use application, there is great demand for more childcare centres in Rockhampton.

**Benefits of project to Rockhampton Regional economy:**

The applicant has determined that the project will assist in the shortfall of childcare places in the area. The key partners of the project will be Bunnings, Tandy Concrete, Stoddarts Roofing, Mark Bull Electrical, JRT Civil and Earthmoving, and Morrison Construction Services. They have also indicated that 95% of the project will be awarded to local suppliers in the construction and the ongoing business (local business input being \$1,500,000.00)

**PLANNING ASSESSMENT**

**COMMENTS FROM RELEVANT UNITS**

**Development Engineering Unit's Comments – 22 April 2016**

No comment.

**Economic Development Unit's Comments – 6 May 2016**

Refuse.

*"As no work has been done on the site, there has been minimal economic impact and I would not recommend that any infrastructure charges or other charges be refunded to the applicant."*

**Development Assessment Unit's Comments – 11 May 2016**

The application complies with eligibility for the requested incentive, being:

- The application was for a Material Change of Use (MCU), and was lodged and approved between 1 December 2013 and 31 December 2016
- The site is within the Priority Infrastructure Area
- The applicant has demonstrated that significant capital investment is being made (although no evidence was provided)
- The use will provide over twenty (20) new permanent jobs after construction is complete
- The project is underway with further permits being obtained or currently being assessed, as per the MCU approval conditions.

**CONCLUSION**

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

**D/58-2015 - APPLICATION UNDER THE  
DEVELOPMENT INCENTIVES POLICY  
FOR DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR A  
CHILD CARE CENTRE**

**Locality Plan**

**Meeting Date: 7 June 2016**

**Attachment No: 1**

D58-2015 - Locality Plan



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**D/58-2015 - APPLICATION UNDER THE  
DEVELOPMENT INCENTIVES POLICY  
FOR DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR A  
CHILD CARE CENTRE**

**Site Plan**

**Meeting Date: 7 June 2016**

**Attachment No: 2**



## 8.2 D/62-2016 - REQUEST FOR APPLICATION OF SUPERSEDED PLANNING SCHEME FOR A STORAGE SHED

**File No:** D/62-2016  
**Attachments:** 1. Locality Plan  
**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building  
 Robert Holmes - General Manager Regional Services  
**Author:** Corina Hibberd - Acting Senior Planning Officer

### SUMMARY

*Development Application Number:* D/62-2016  
*Applicant:* Ricky Allan Buckley  
*Real Property Address:* Lot 46 on RP601383  
*Common Property Address:* Lot 46 Bowlin Road, Port Curtis  
*Area of Site:* 5,160 square metres  
*Superseded Planning Scheme:* Fitzroy Shire Planning Scheme 2005  
*Zone:* Rural Zone  
*Planning Scheme Overlays:* Flood Prone Land Overlay  
*Existing Development:* Vacant  
*Existing Approvals:* Nil  
*Approval Sought:* Request for application of superseded planning scheme for a storage shed.  
*Nature of Approval:* To accept a development application for development that is prohibited development under the planning scheme and was assessable development under a superseded planning scheme; and assess and decide the application under the superseded planning scheme

### Application Progress:

<i>Application Lodged:</i>	5 May 2016
<i>Planning and Regulatory Committee Meeting:</i>	7 June 2016
<i>Council Meeting:</i>	14 June 2016
<i>Statutory due determination date:</i>	16 June 2016

### OFFICER'S RECOMMENDATION

THAT in relation to the Request for Application of a Superseded Planning Scheme, made by Ricky Allan Buckley on Lot 46 on RP601383, Parish of Gavia, located at Lot 46 Bowlin Road, Port Curtis, Council resolves to refuse the request for the following reasons:

1. The current planning scheme changed the zone to Limited Development Zone. There was no request made to the Strategic Planning department regarding this lot during the public consultation period of the scheme.
2. The current scheme changes the level of assessment of the application to impact assessable
3. The current zone limits development in this zone due to the severe flooding impacts
4. There is no connection made between a rural use on the land and the proposed shed

**BACKGROUND****DESCRIPTION OF PROPOSED DEVELOPMENT**

The proposal is for a storage shed with a floor area of sixty-three (63) square metres (measuring nine by seven (9 x 7) metres). The shed will be located in the southern corner of the lot. The lot is currently vacant and not subject to any compliance investigation.

**PLANNING ASSESSMENT****TOWN PLANNING COMMENTS****Fitzroy Shire Planning Scheme**

Definition:	Rural Use Class (Building Works)
Zone/Area:	Rural Zone – Historically Subdivided Area
Level of Assessment:	Exempt
Overlays:	Nil

**Rockhampton Regional Planning Scheme 2015**

Definition:	Warehouse/Undefined
Zone/Area:	Limited Development Zone
Level of Assessment:	Impact
Overlays:	Extreme Flood Hazard

**Development Assessment Comments:**

An audit was undertaken by Council's Compliance Section to determine which structures were constructed on properties on Bowlin Road prior to the commencement of the *Rockhampton Region Planning Scheme 2015*; twelve (12) Class 10 structures were found. A departmental decision was made that any application to apply under the superseded planning scheme for these existing structures would be supported however no new development on these lots would be supported due to the severe flooding impacts.

Furthermore, the application material does not indicate that the shed will be used in relation to a rural pursuit occurring on the property. A site visit on 16 May 2016 concluded that there is no activity currently occurring on the site.

**Strategic Planning Comments:**

The subject site is zoned limited development. The purpose of this zone is to identify land that is significantly affected by one or more development constraints. In the *Rockhampton Region Planning Scheme 2015* (RRPS) the allotment is impacted by riverine flood overlay mapping which indicates predominantly high and extreme flood hazard levels with a smaller portion of medium flood hazard level to the north. Under the RRPS new buildings or structures are not supported in high and extreme flood hazard areas. The strategic framework clearly indicates that development is avoided in high and extreme flood hazard riverine areas.

The Fitzroy River flood modelling was updated in 2014 to include the infrastructure upgrades to Yeppen North and South. The study area was extended to incorporate most of Port Curtis, including the subject lot. It is part of state interest requirements and the recommendation of the Queensland Flood Commissions of Inquiry that the latest available flood hazard mapping is utilised in planning instruments. This mapping was included in the RRPS.

Development within areas of historic subdivisions is proposed to be limited to small scale rural uses and a limited range of development that does not require urban standards of infrastructure. There is no indication of a rural use being conducted on the property.

When determining whether to approve requests for assessment under superseded planning scheme it is important for the intents of forward planning instruments such as the *Rockhampton Region Planning Scheme* to be considered.



It is recommended that this request be assessed under the superseded planning scheme not be supported for the following reasons:

- it is in conflict with the new planning scheme – strategic framework, zone and overlay codes
- it is located in a predominantly high to extreme flood hazard area
- access during a flood event is cut-off for extended periods of time

In addition, Council would unlikely be liable for compensation under the *Sustainable Planning Act 2009*, refer section 706 (i):

*“compensation is not payable if the change affects development that, had it happened under the superseded planning scheme, would have led to significant risk to persons or property from natural processes (including flooding, land slippage or erosion) and the risk could not have been significantly reduced by conditions attached to a development approval.”*

### **CONCLUSION**

Having regard to all of the above, it is recommended Council, from a land use perspective, does not consider the proposed development favourably as it is argued that there are not sufficient grounds to justify the proposed development in this instance. Therefore the request for assessment under a superseded planning scheme should be rejected.

**D/62-2016 - REQUEST FOR  
APPLICATION OF SUPERSEDED  
PLANNING SCHEME FOR A STORAGE  
SHED**

**Locality Plan**

**Meeting Date: 7 June 2016**

**Attachment No: 1**

D/62-2016 - Locality Plan



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**8.3 D/69-2016 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HANGAR AT THE AIRPORT - COUNCIL TO MAKE DONATION TO THE CAPRICORN HELICOPTER RESCUE SERVICE**

**File No:** D/69-2016

**Attachments:** 1. Letter from Capricorn Helicopter Rescue Service

**Authorising Officer:** Robert Holmes - General Manager Regional Services

**Author:** Tarnya Fitzgibbon - Manager Development and Building

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**SUMMARY**

*Capricorn Helicopter Rescue lodged a development application for a Material Change of Use for a Hangar at the Airport. It paid application fees and is requesting that those application fees be paid back as a donation to the Capricorn Helicopter Rescue.*

**OFFICER'S RECOMMENDATION**

THAT Council make a donation to the Capricorn Helicopter Rescue Service in the amount of \$7,772.50.

**BACKGROUND**

Capricorn Helicopter Rescue lodged a development application for a Material Change of Use for a Hangar at the Airport. It paid application fees in the amount of \$15,545 and is requesting that those application fees be paid back as a donation to the Capricorn Helicopter Rescue.

To cover some of the costs of assessment, officers recommend that a donation of fifty (50%) of the application fee be made to the Capricorn Helicopter Rescue being \$7,772.50, if Council is minded to do so.

**CONCLUSION**

That Capricorn Helicopter Rescue receive a discount on its application fees by way of a donation back to it in the amount of \$7,772.50.

**D/69-2016 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A HANGAR AT  
THE AIRPORT - COUNCIL TO MAKE  
DONATION TO THE CAPRICORN  
HELICOPTER RESCUE SERVICE**

**Letter from Capricorn Helicopter  
Rescue Service**

**Meeting Date: 7 June 2016**

**Attachment No: 1**

7776339 - 17/05/2016



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13<sup>th</sup> May 2016

Chief Executive Officer  
 Rockhampton Regional Council  
 PO Box 1860  
 ROCKHAMPTON 4700

ROCKHAMPTON REGIONAL COUNCIL	
File: 8020	Doc
Links:	
Action Officer: PARDON E	
16 MAY 2016	
Task to: 2 ACEO PAS.	
QDAN: 249 v: 7	Ref: 1.10.3
Box No:	Years: 2

Dear Sir,

**RE: Request for concessional Fees - Application for Material Change of Use – New Hangar**

Capricorn Helicopter Rescue Service is progressing towards construction of a new hangar on Airport land.

The application will be lodged today and MCU application fees totalling \$15,545 have been paid earlier this week in preparation for lodgement.

As a largely community funded organisation, we are seeking Council’s kind consideration to reducing the financial impact of the application fees, perhaps by donation back to the Service.

Your favourable consideration to this request would be most appreciated.

Yours sincerely

  
 Mark Fewtrell  
 Executive Director

  
 Document Set ID: 7776339  
 Version: 1, Version Date: 17/05/2016



#### 8.4 D/177-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR AN EDUCATIONAL ESTABLISHMENT

**File No:** D/177-2015

**Attachments:**

1. Locality Plan
2. Site Plan
3. Floor Plan and Elevations
4. 3D Views

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

**Author:** Hayley Chadwick - Compliance Assessment Administrator

#### SUMMARY

*Development Application Number:* D/177-2015

*Applicant:* Masimo Holdings TA New Horizons Safety and Training c/- Reel Planning CQ

*Real Property Address:* Lot 3 on RP600250, Parish of Rockhampton

*Common Property Address:* 241 Bolsover Street, Rockhampton City

*Area of Site:* 506 square metres

*Planning Scheme:* Rockhampton City Plan 2005

*Rockhampton City Plan Area:* South Rockhampton Low Impact Industrial Area

*Planning Scheme Overlays:* Flood Storage High Hazard Overlay

*Existing Development:* House and outbuildings

*Existing Approvals:* Nil

*Approval Sought:* Development Permit for a Material Change of Use for an Educational Establishment

*Level of Assessment:* Impact Assessable

*Submissions:* One (in support)

*Referral Agency(s):* Nil

*Adopted Infrastructure Charges Area:* Charge Area 1

#### Application Progress:

<i>Application Lodged:</i>	15 December 2015
<i>Acknowledgment Notice issued:</i>	6 January 2016
<i>Request for Further Information sent:</i>	20 January 2016
<i>Request for Further Information responded to:</i>	1 March 2016
<i>Submission period commenced:</i>	22 March 2016
<i>Submission period end:</i>	14 April 2016
<i>Notice of Compliance received:</i>	15 April 2016
<i>Council request for additional time:</i>	17 May 2016
<i>Statutory due determination date:</i>	14 June 2016

**OFFICER'S RECOMMENDATION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Educational Establishment, made by Masimo Holdings TA New Horizons Safety and Training c/- Reel Planning CQ on Lot 3 on RP600250, Parish of Rockhampton, located at 241 Bolsover Street, Rockhampton City, 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) An Educational Establishment for workplace/ industry training such as forklift licensing, working safely at heights and entering and working in confined spaces, is considered appropriate and complementary to the industrial nature and intent of the area;
- b) The development results in the removal of a residential use from an industrial area and flood prone land;
- c) 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
- d) 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 Educational Establishment, made by Masimo Holdings TA New Horizons Safety and Training c/- Reel Planning CQ on Lot 3 on RP600250, Parish of Rockhampton, located at 241 Bolsover Street, Rockhampton City, Council resolves to Approve the application subject to the following conditions:

**1.0 ADMINISTRATION**

- 1.1 This Development Approval is for an Educational Establishment for workplace/ industry education and training only.
- 1.2 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.3 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.
- 1.4 All conditions, works, or requirements of this development approval must be undertaken and completed and be accompanied by a Compliance Certificate for any operational works required by this development approval;
  - 1.4.1 to Council's satisfaction;
  - 1.4.2 at no cost to Council; and
  - 1.4.3 prior to the commencement of the use.unless otherwise stated.
- 1.5 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.6 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) Access and Parking Works;
  - (ii) Sewerage Works;
- 1.6.2 Plumbing and Drainage Works; and
- 1.6.3 Building Works:
  - (i) Demolition Works; and
  - (ii) 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.

2.0 APPROVED PLANS AND DOCUMENTS

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

Plan/Document Name	Plan/Document Reference	Dated
Site Plan and Mezzanine	SK-003 Revision 5	17 November 2015
Plan and Elevations	SK-004 Revision 5	17 November 2015
Section and 3D Views	SK-006 Revision 5	17 November 2015
Engineering Report	K3328-0005/B	29 February 2016
Conceptual Hydraulic Impact Assessment	K3328-0002	8 September 2015

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 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 prompt commencement of the use.

3.0 ACCESS AND PARKING WORKS

- 3.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the 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, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 3.3 All parking spaces, access driveway(s), and vehicular manoeuvring areas associated with this proposed development must be concrete paved or asphalted.
- 3.4 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
- 3.5 A minimum of four (4) car parking spaces must be provided in accordance with the approved plans (Refer to Condition 2.1).

#### 4.0 SEWERAGE WORKS

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

Note: As an alternative to Operational Works (sewerage works), the required works may be constructed via a Private Works Quote.

- 4.2 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, Plumbing and Drainage Act and the provisions of a Development Permit for Operational Works (sewerage works).
- 4.3 The development must be connected to Council's reticulated sewerage network.
- 4.4 The existing sewerage connection point(s) located adjacent to the northern boundary must be disconnected.
- 4.5 A new sewerage connection point must be provided from the trunk sewerage main located within East Lane. An access chamber must be constructed as a direct connection to trunk sewerage main is not permitted.
- 4.6 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.
- 4.7 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 4.8 Any proposed sewerage access chambers located below a ten per cent (10%) Annual Exceedance Probability level must be provided with bolt down lids.

#### 5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 5.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Capricorn Municipal Development Guidelines, *Water Supply (Safety and Reliability) Act, Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 5.3 The development must be connected to Council's reticulated water network.
- 5.4 The existing water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 5.5 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 All sanitary drainage works must comply with *Australian Plumbing and Drainage Standard AS3500 Part 2 section 3 and 4 for flood affected areas*.
- 5.7 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.

#### 6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 6.1 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 6.2 All roof and allotment runoff from the development must be directed to a lawful point

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of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance or worsening to surrounding land or infrastructure.

6.3 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual Exceedance Probability defined flood event, for the post development condition.

6.4 All roof water must be collected and discharged to the kerb and channel in Bolsover Street.

#### 7.0 SITE WORKS

7.1 All earthworks must be undertaken in accordance with Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments".

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

#### 8.0 BUILDING WORKS

8.1 A Development Permit for Building Works must be obtained for the removal and/or demolition of any existing structure on the development site.

8.2 The existing dwelling on the subject land must be demolished or removed from the site.

8.3 All building works must be undertaken in accordance with Council's Building Over/Adjacent to Local Government Sewerage Infrastructure Policy.

8.4 Any application for Building Works must be accompanied by a detailed structural engineering report and a building certificate prepared by a suitably qualified Registered Professional Engineer of Queensland, which demonstrates that the building has been designed to withstand the forces created by floodwaters and debris loading.

8.5 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual Exceedance Probability defined flood event.

8.6 Areas below the 1 in 100 year Average Recurrence Interval Fitzroy River Flood level must be designed and constructed using flood resilient materials.

8.7 All buildings must be constructed in accordance with the *Building Code of Australia – Volume 2*, and the *Queensland Development Code MP3.5 Construction of Buildings in Flood Hazard Area*.

8.8 All external elements, such as air conditioners and similar equipment, must be adequately screened from public view, to Council's satisfaction.

8.9 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"*.

8.10 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2008* and must be:

8.10.1 designed and located so as not to cause a nuisance to neighbouring properties;

8.10.2 surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;

- 8.10.3 of a sufficient size to accommodate bins and clearances around the bins for manoeuvring and cleaning;
- 8.10.4 setback a minimum of two (2) metres from any road frontage; and
- 8.10.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act*.

OR

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.

## 9.0 LANDSCAPING WORKS

- 9.1 A Landscaping Plan must be submitted with the first application for a Development Permit for Operational Works for approval. 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.
- 9.2 The planting must be designed to specifically soften the built form by incorporating a variety of species including some plants with a minimum mature height of three (3) metres.
- 9.3 Screening plant species must be incorporated along the north-western property boundary within the landscaping area.
- 9.4 Garden edging with a minimum height of fifty (50) millimetres must be provided around the landscaping area to contain soil and mulch.
- 9.5 The shape of the landscaping area must be amended to accommodate the turning movements of vehicles.
- 9.6 The landscaped areas must be subject to:
  - 9.6.1 a watering and maintenance plan during establishment; and
  - 9.6.2 an ongoing maintenance and replanting programme.

## 10.0 ELECTRICITY AND TELECOMMUNICATIONS

- 10.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 10.2 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.

## 11.0 ASSET MANAGEMENT

- 11.1 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.
- 11.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure) that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

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## 12.0 ENVIRONMENTAL HEALTH

- 12.1 Noise emitted from the activity must not cause an environmental nuisance.
- 12.2 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

## 13.0 ENVIRONMENTAL

- 13.1 An Erosion Control and Stormwater Control Management Plan in accordance with the *Capricorn Municipal Design Guidelines*, must be:

- 13.1.1 implemented, monitored and maintained for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped); and

- 13.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.

## 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 Bolsover Street or East Lane.

- 14.2 All waste storage areas must be:

- 14.2.1 kept in a clean and tidy condition; and

- 14.2.2 maintained in accordance with *Environmental Protection Regulation 2008*.

- 14.3 The hours of operations must be limited to:

- (i) 0800 hours to 1700 hours on Monday to Friday, and

- (ii) 0800 hours to 1200 hours on Saturday,

with no operations on Sundays or Public Holidays.

- 14.4 The applicant must prepare a Contingency Plan for flooding. Council is not required to approve contingency plans and Council does not accept any liability for loss of or damage to property, or injury or loss of life as a result of any person using or relying on the contingency plan, or failing to use the contingency plan during a flood event.

- 14.5 It is the responsibility of the owner or occupier of the land from time to time to implement the contingency plan during a flood event or if there is a risk of flooding near the land.

## 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. 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* legislation and *Public Health Act 2005*.

### NOTE 3. General Environmental Duty

General environmental duty under the *Environmental Protection Act* prohibits

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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* 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 Educational Establishment, made by Masimo Holdings TA New Horizons Safety and Training c/- Reel Planning CQ on Lot 3 on RP600250, Parish of Rockhampton, located at 241 Bolsover Street, Rockhampton City, Council resolves to issue an Infrastructure Charges Notice for the amount of \$34,479.50

**BACKGROUND**

**PROPOSAL IN DETAIL**

The proposal is to establish a training facility for New Horizon Safety and Training Services. Training conducted at the facility will include theoretical and practical forklift licensing, working safely at heights, and entering and working in confined spaces.

The proposed facility is a long rectangular building with a floor area of 296 square metres and a mezzanine floor of 135 square metres. Approximately half of the ground floor will contain offices, amenities and lecture rooms and the other half is a large training area.

The maximum number of course participants attending the facility at any given time, will be eighteen (18) plus two (2) staff. The front of the building will face Bolsover Street with a commercial/industrial style façade comprising varying coloured render, windows, an awning at ground level and a covered entry.

Four (4) parking spaces are provided; two (2) located at the Bolsover Street entrance, and two (2) at the rear of the building accessed from East Lane.

**SITE AND LOCALITY**

The site measures 506 square metres in area and contains a single dwelling and several open storage sheds/ carports, which will be removed. The site is a long, narrow lot with frontage to both Bolsover Street and East Lane. The site adjoins a dwelling house and the rest of the surrounding land uses are various types of low impact industrial uses.

**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 – 8 March 2016**

Support, subject to conditions.

**Public and Environmental Health Comments – 18 December 2016**

Support, subject to conditions.

### **TOWN PLANNING COMMENTS**

#### **Central Queensland Regional Plan 2013**

The subject site is located within a 'Priority Living Area' (PLA), which is defined as areas preserved for urban expansion. The development of an Educational Establishment is consistent with the purpose of the Priority Living Area.

#### **State Planning Policy 2014**

This policy came into effect 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

Complies – The development supports the State interest by providing an educational establishment in a suitably serviced area and in proximity to living areas to help meet the lifestyle needs of the community.

##### Mining and extractive resources

Not Applicable.

##### Biodiversity

Not Applicable.

##### Coastal environment

Not Applicable

##### Water quality

Complies – the application has demonstrated that there will not be a significant change in water quality and flow given the increase in impervious area is fairly minor and the majority of runoff from the site will be roof water.

##### Natural hazard, risk and resilience

Complies – the development is appropriately designed with the flood hazard in mind and provides a mezzanine floor above the flood height for storage of goods in a flood event. A Hydraulic Impact Assessment Report was submitted with the application and determined that the proposed building will not present any adverse impacts.

##### Emissions and hazardous activities

Not Applicable.

##### State transport infrastructure

Not Applicable.

##### Strategic airports and aviation facilities

Not Applicable.

#### **Rockhampton City Plan 2005**

**Rockhampton City Plan Strategic Framework** This application is situated within the Industrial designation under the scheme's Strategic Framework Map. The Desired Environmental Outcomes, as identified within Chapter 2 of the *Rockhampton City Plan 2005* are applicable:

- (1) Rockhampton continues to consolidate its 'Capital of Central Queensland' role in the region.

**Complies. The proposal brings new development in proximity to the Central Business District. Particularly given the facility is to provide industry training**

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**suited to industry and mining in and around the region, it contributes to Rockhampton consolidating its 'Capital of Central Queensland' role.**

- (2) Valuable natural resources are conserved or, where required to support economic growth in Rockhampton, used sustainably.

**Not Applicable.**

- (3) Important natural assets are, as far as is practically possible, retained in a natural state to maximise biodiversity and to maintain their scenic and biological value.

**Not Applicable.**

- (4) New development in Rockhampton City is designed and managed to minimise adverse impacts on the environment, and biodiversity.

**Complies – Impacts from the development on the environment and biodiversity are minimal.**

- (5) Commercial and retail development is accommodated in a hierarchy of centres throughout Rockhampton which provide for a range of services, retail, commercial, entertainment and employment activities.

**Not Applicable.**

- (6) Rockhampton's commercial centres are safe, attractive and readily accessible spaces for all members of the community.

**Not Applicable.**

- (7) Rockhampton's industrial development is consolidated in identified industrial locations throughout the City.

**Complies – While the proposal is not defined as industrial, it is for industry training and is situated in an industrial area. The proposal will complement the industrial area and surrounding land uses.**

- (8) Rockhampton's cultural and urban heritage, both indigenous and post European, is retained and conserved for future generations.

**Not Applicable**

- (9) Residential communities are attractive places to live, providing a range of housing types at different densities that positively contributes to the built environment, satisfies the needs of all members of the community in terms of life stages, lifestyle choices and affordability, are free from incompatible development and have access to a range of compatible urban services and facilities.

**Not Applicable.**

- (10) Rockhampton's important community uses and health care facilities are provided and maintained in locations where they are readily accessible to all members of the community.

**Not Applicable.**

- (11) New residential land subdivision and development occurs in identified areas within the City where environmentally valuable features are retained and protected, and urban services, recreational opportunities and parks are provided, along with a range of allotment sizes.

**Not Applicable.**

- (12) Infrastructure is provided and augmented in a sequenced manner in Rockhampton, resulting in appropriate, efficient, affordable, reliable, timely and lasting infrastructure provision that is not compromised by new development and is sensitive to the environment.



**Not Applicable – the proposal is within an existing serviced area and is capable of connecting to this infrastructure.**

- (13) Safe, accessible, efficient and convenient transport systems are provided in Rockhampton.

**Not Applicable.**

- (14) Readily accessible and safe Open Space and facilities for active and passive recreational purposes are accommodated within Rockhampton City.

**Not Applicable.**

The performance assessment of the proposal demonstrates that the development will not compromise the *Rockhampton City Plan 2005* Desired Environmental Outcomes.

### **South Rockhampton Low Impact Industrial Area Intent**

The subject site is situated within the South Rockhampton Low Impact Industrial Area under the Rockhampton City Plan 2005. The intent of the South Rockhampton Low Impact Industrial Area identifies that:

*“The primary intent for the South Rockhampton Low Impact Industrial Area is to continue to accommodate a range of industrial uses, with an opportunity to alter the emphasis in the type and scale of industry to harmonise with the level of amenity associated with proximity to a city centre. Consequently, low impact industries, including warehousing and storage, is encouraged. Consumption based uses are also particularly encouraged in this Area. Whilst further residential development is not supported in this Area, with the exception of caretaker’s residences or when involving the reuse of a building listed on the state heritage register, industrial uses located in this Area are not to:*

- (a) Have a detrimental impact on any other land use; or*
- (b) Disrupt the amenity of adjoining industrial uses; or*
- (c) The amenity of surrounding Planning Areas, including the Central Business District (CBD) Commercial Area.*

*Industrial uses supported in this Area are those that support industrial activity through servicing of goods or products.*

*It is expected that an increasing amount of residential development for both permanent residents and visitors will occur in the adjoining Central Business District Commercial Area, therefore, to protect the amenity of both those within that Planning Area and in other surrounding Planning Areas, impacts from industries are to be managed and contained within the boundaries of the site. It is also intended that transport servicing this Area will bypass the CBD and the adjoining Residential Planning Areas. As a result, to manage and mitigate the potential for land use conflicts, with adjoining Areas, a Precinct is located on the fringe of the South Rockhampton Low Impact Industrial Area, being an Industrial Sales and Service Industry Precinct where uses with the least impact should be located. “*

This application is not strictly consistent with the planning scheme being an educational establishment in an industrial area however given the facility is for workplace/ industry training such as forklift licensing, working safely at heights and entering and working in confined spaces, it is considered to complement the overall industrial intent of the Area.

### **Rockhampton City Plan Codes**

The following codes are applicable to this application: -

- Crime Prevention Through Environmental Design Code
- Environmental Nuisance by Noise and Light Code
- External Works and Servicing Code
- Filling or Excavation Code

- Flood Prone Land Code
- Industrial Use Code
- Landscape Code
- Parking and Access Code
- Water Quality and Quantity Code

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

<b>Industrial Use Code</b>		
<b>Performance Criteria</b>	<b>Officer's Response</b>	
P6	<p>Site design incorporates onsite parking and manoeuvring for industrial vehicles and employee vehicles;</p> <p>(a) provides a sufficient area for landscaping of the site; and</p> <p>(b) has a site cover that does not result in overdevelopment of the site.</p>	<p>Approximately two per cent (2%) of the site is provided for landscaping. While small, it is fairly consistent with this industrial area. Given how narrow the site is, opportunities for landscaping are minimal in respect to achieving a viable floor area for this business. The design of the building is sound and the landscaping is designed to complement the building.</p>
P8	<p>Building height does not adversely affect neighbouring properties in terms of:</p> <p>(a) bulk and scale of buildings; and</p> <p>(b) overshadowing.</p>	<p>The building has a varied roof pitch; at the highest point is 8.1 metres and on the side closest to the adjoining residence, is 6.9 metres high.</p> <p>Setbacks easily exceed six (6) metres from both Bolsover Street and East Lane however the building is built to boundary on both side boundaries due to the narrowness of the lot.</p> <p>For an industrial area this is reasonable and the resident adjoining the subject site is in full support of the development. The existing house is also built quite close to the boundary.</p>
P11	<p>Safe, sufficient and convenient parking and access is provided for employees, deliveries and servicing, and visitors</p>	<p>Four (4) parking spaces are provided which meets the code requirement.</p> <p>Swept paths have been provided demonstrating that vehicles can exit the property in a forward gear (for the carpark fronting Bolsover Street).</p> <p>The carparks fronting the laneway will not be able to exit the site in a forward gear. This has been justified as the rear parks will be used by staff that will likely stay there for a full day, and therefore the vehicle movements will be minimal.</p>
P21	<p>The use is protected from adverse flooding and does not:</p> <p>(a) significantly interfere with the</p>	<p>The development has been designed with flooding in mind, providing a 135 square metre mezzanine floor (above the defined flood event) which can be used for storage</p>

	<p><i>passage or storage of stormwater or the natural functions of a waterway; or</i></p> <p>(b) put loss of life at risk; or</p> <p>(c) put life at risk of injury; or</p> <p>(d) put damage to property at high risk</p>	<p>of goods during a flood event. The areas that will be inundated in a flood event are conditioned to be constructed of flood resilient building materials.</p> <p>It is conditioned that all electrical outlets be designed and installed above the flood heights and that the building works application be accompanied by detailed structural engineering reports demonstrating that the building is designed to withstand the force created by floodwaters and debris loading.</p>
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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 Criteria 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 City Plan 2005*. 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) An Educational Establishment for workplace/ industry training such as forklift licensing, working safely at heights and entering and working in confined spaces, is considered appropriate and complementary to the industrial nature and intent of the area;
- b) The development results in the removal of a residential use from an industrial area and flood prone land;
- c) 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
- d) 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**

Adopted Infrastructure Charges Resolution (No. 5) 2015 for non-residential development applies to the application and it falls within Charge Area 1. The Infrastructure Charges are as follows:

Use Schedule	Charge Area	Adopted Infrastructure Charge		Adopted Infrastructure Charge for stormwater network		Calculated Charge
		(\$)	Unit	(\$)	Unit	
Education Facility	Area 1	119	per m <sup>2</sup> of GFA (431)			\$51,289.00
Education Facility	Area 1			8.50	per m <sup>2</sup> of impervious area (493)	\$4,190.50
Total						\$55,479.50
Less credit						\$21,000.00
<b>TOTAL CHARGE</b>						<b>\$34,479.50</b>

This is based on the following calculations:

- (a) A charge of \$51,289.00 for Gross Floor Area being 431 square metres (Ground Floor and Mezzanine);
- (b) A charge of \$4,190.50 for Impervious Area being 493 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) An Infrastructure Credit of \$21,000.00 applicable for the existing allotment.

Therefore, a total charge of \$34,479.50 is payable and will be reflected in an Infrastructure Charges Notice for the development.

### **CONSULTATION**

The proposal was subject to public notification between 22 March 2016 and 14 April 2016, as per the requirements of the *Sustainable Planning Act 2009*, and one (1) properly made submission was received in support of the development.

The submitter is a neighbour to the property and asks for the removal of the house and the new development to commence as soon as possible. The house is vacant and is frequented by squatters who vandalise, fight and trespass into the submitter's property.

### **REFERRALS**

There were no referral agencies for the development application.

### **CONCLUSION**

The proposal for an Educational Establishment for workplace/ industry training is a complementary use in the South Rockhampton Low Impact Industrial Area and generally complies with the *Rockhampton City Plan 2005*. The application is recommended for approval subject to reasonable and relevant conditions outlined in the recommendations below.

**D/177-2015 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR AN  
EDUCATIONAL ESTABLISHMENT**

**Locality Plan**

**Meeting Date: 7 June 2016**

**Attachment No: 1**

D/177-2015 - Locality Plan



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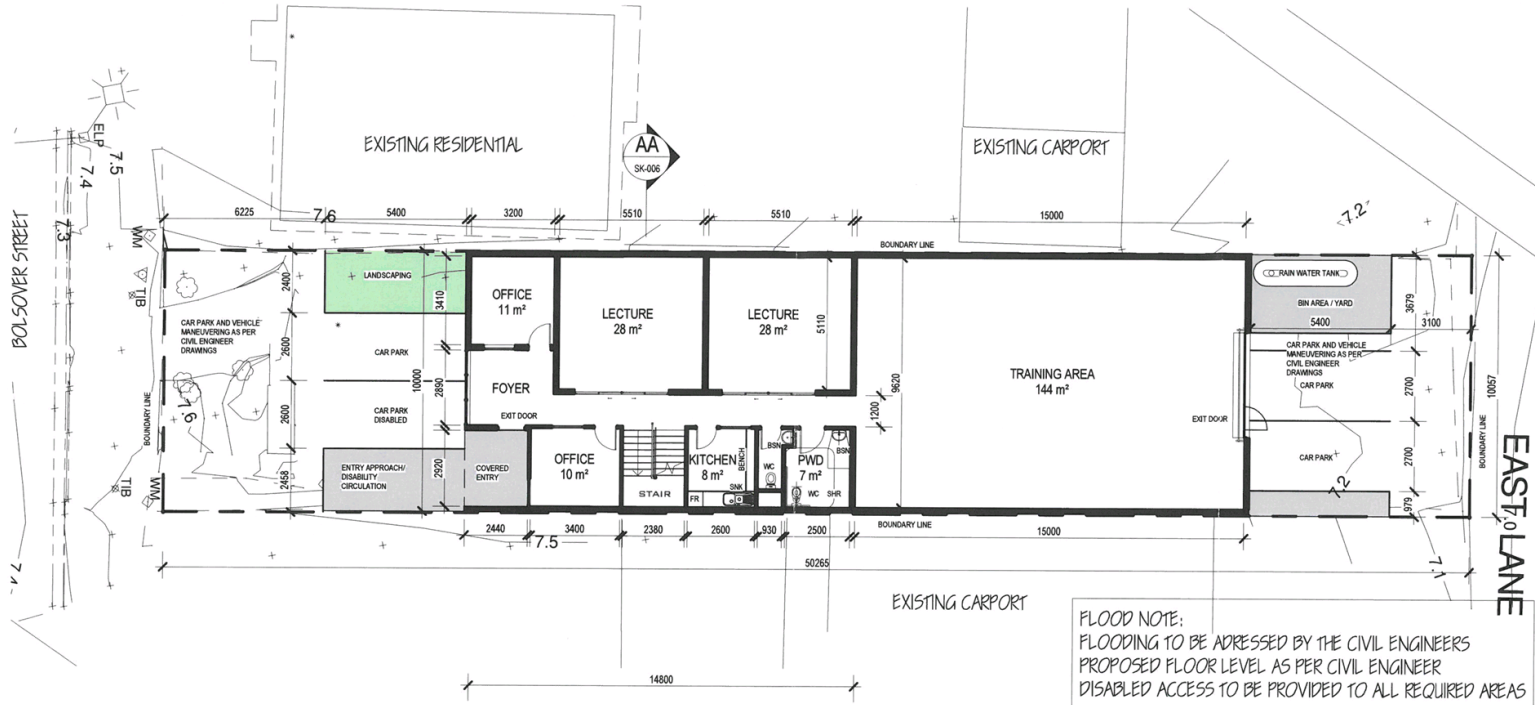


**D/177-2015 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR AN  
EDUCATIONAL ESTABLISHMENT**

**Site Plan**

**Meeting Date: 7 June 2016**

**Attachment No: 2**



AREA SCHEDULE:	
SITE:	506sqm
LANDSCAPE:	13sqm
CAR PARK:	190sqm
GROUND FLOOR:	296sqm
COVERED ENTRY:	7sqm
MEZZANINE:	135sqm
<b>TOTAL:</b>	<b>439sqm</b>

FLOOD NOTE:  
 FLOODING TO BE ADDRESSED BY THE CIVIL ENGINEERS  
 PROPOSED FLOOR LEVEL AS PER CIVIL ENGINEER  
 DISABLED ACCESS TO BE PROVIDED TO ALL REQUIRED AREAS

THESE DRAWINGS ARE PART  
 OF A TOWN PLANNING  
 APPROVAL APPLICATION TO  
 THE LOCAL COUNCIL AND  
 SHOULD NOT BE USED FOR  
 ANY OTHER REASON

drawing title: <b>SITE PLAN &amp; MEZZANINE</b>		project: <b>NEW TRAINING CENTRE</b>		location: LOT 3 RP 600250		client: NEW HORIZONS		<table border="1"> <thead> <tr> <th>REVISION</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PRELIM</td> <td>24/01/15</td> </tr> <tr> <td>2</td> <td>PRELIM</td> <td>22/01/15</td> </tr> <tr> <td>3</td> <td>PRELIM</td> <td>30/01/15</td> </tr> <tr> <td>4</td> <td>Revision 4</td> <td>13/11/15</td> </tr> <tr> <td>5</td> <td>Revision 5</td> <td>17/11/15</td> </tr> </tbody> </table>		REVISION	DESCRIPTION	DATE	1	PRELIM	24/01/15	2	PRELIM	22/01/15	3	PRELIM	30/01/15	4	Revision 4	13/11/15	5	Revision 5	17/11/15	<p>PRELIMINARY SKETCH PLANS                  If the drawings are labelled and issued preliminary, before they are an                  eligible for Building, Infrastructure, Water or Environment purposes.                  The result of preliminary design shall not be used for processing the consent                  for the project, except to the extent as mentioned in the title sheet.</p> <p><b>COPYRIGHT &amp; LIABILITY</b>                  These drawings, concepts and designs are copyright and the property                  of Design + Architecture and are to be used for one client unless written                  the consent or permission of Design + Architecture PTY LTD (ACN                  623724362).</p> <p>Design + Architecture accepts no responsibility for the accuracy,                  completeness or timeliness of information provided.</p> <p>SCALE: AS SHOWN ON EACH DRAWING SHEET</p>		<p>044 968 2924 design@design.com.au                  www.design.com.au reg no:4610</p>		<p>ISSUED FOR <b>PRELIMINARY</b></p> <table border="1"> <thead> <tr> <th>project no:</th> <th>scale</th> <th>rev</th> </tr> </thead> <tbody> <tr> <td>RP-001</td> <td>1:150</td> <td></td> </tr> <tr> <td>SK-003</td> <td>NOV 15</td> <td>5</td> </tr> <tr> <td></td> <td>drawn CC</td> <td></td> </tr> </tbody> </table>		project no:	scale	rev	RP-001	1:150		SK-003	NOV 15	5		drawn CC	
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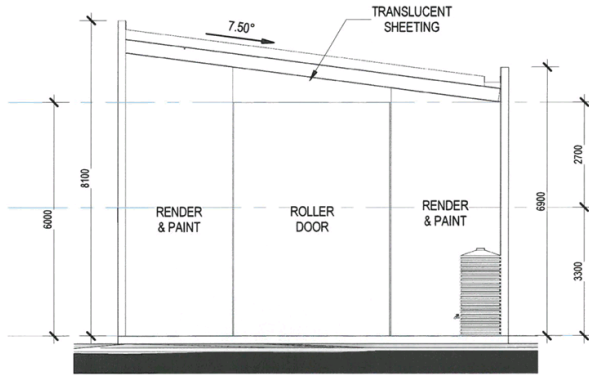
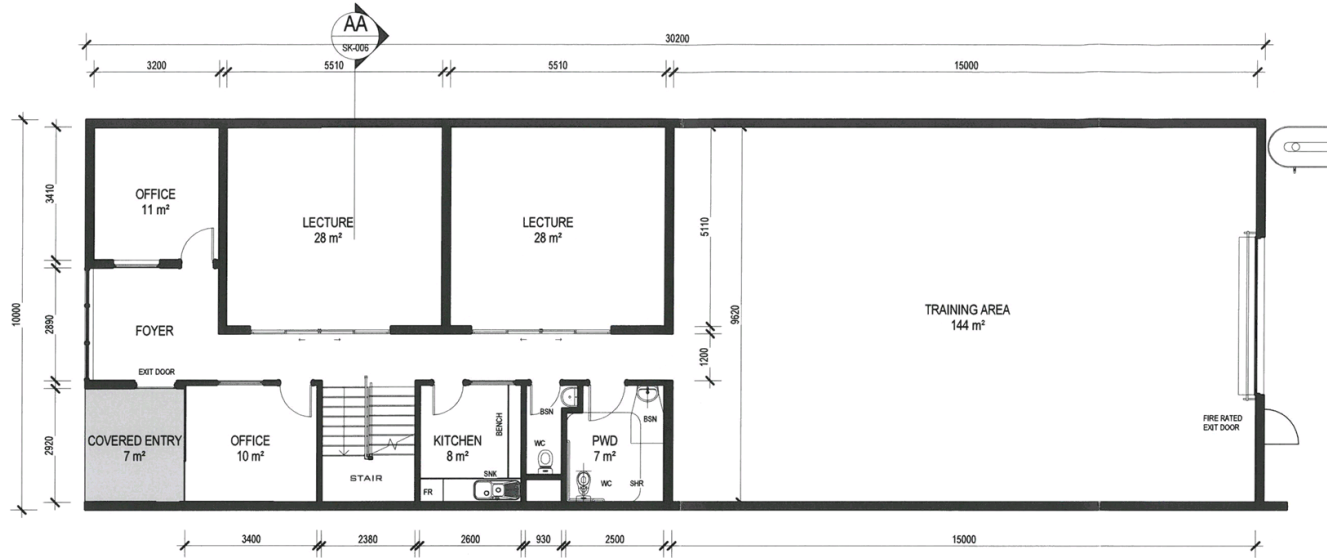


**D/177-2015 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR AN  
EDUCATIONAL ESTABLISHMENT**

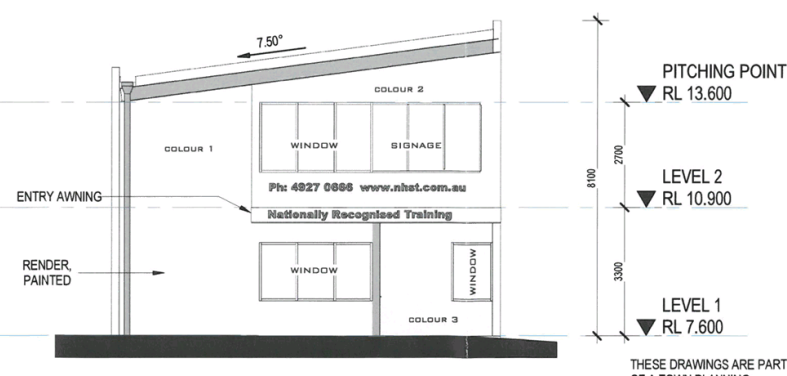
**Floor Plan and Elevations**

**Meeting Date: 7 June 2016**

**Attachment No: 3**





**NE ELEVATION**  
SCALE: 1 : 100



**SW ELEVATION**  
SCALE: 1 : 100

THESE DRAWINGS ARE PART OF A TOWN PLANNING APPROVAL APPLICATION TO THE LOCAL COUNCIL AND SHOULD NOT BE USED FOR ANY OTHER REASON

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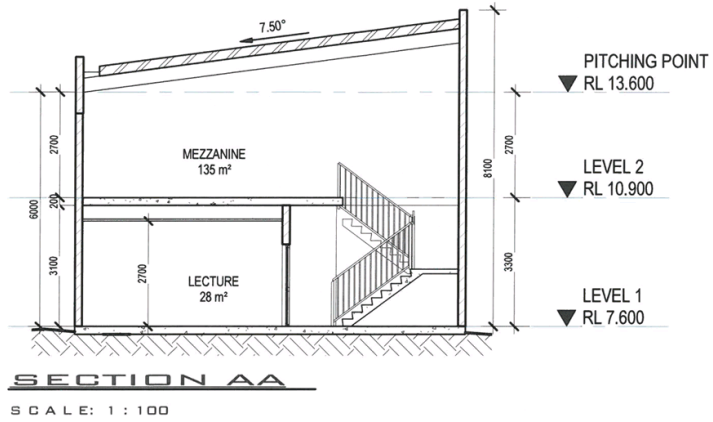
drawing title: <b>PLAN &amp; ELEVATIONS</b>			project: <b>NEW TRAINING CENTRE</b>		<table border="1"> <thead> <tr> <th>REVISION</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PRELIM</td> <td>14/10/15</td> </tr> <tr> <td>2</td> <td>PRELIM</td> <td>22/10/15</td> </tr> <tr> <td>3</td> <td>PRELIM</td> <td>30/10/15</td> </tr> <tr> <td>4</td> <td>REVISION 4</td> <td>13/11/15</td> </tr> <tr> <td>5</td> <td>REVISION 5</td> <td>17/11/15</td> </tr> </tbody> </table>	REVISION	DESCRIPTION	DATE	1	PRELIM	14/10/15	2	PRELIM	22/10/15	3	PRELIM	30/10/15	4	REVISION 4	13/11/15	5	REVISION 5	17/11/15	<p>PRELIMINARY SKETCH PLAN. If the drawings are checked and found satisfactory, before they are used for building, construction, tender or construction purposes, the client or professional should obtain an independent professional certificate for the specific project to the client as mentioned on the site plan.</p> <p><b>COPYRIGHT &amp; LIABILITY:</b> These drawings, concepts and designs are copyright and the property of Design + Architecture Pty Ltd. No part of these drawings may be reproduced, stored in a retrieval system or used in any form without the written or permission of Design + Architecture Pty Ltd. (ACN 105 974 632)</p> <p>Design + Architecture accepts no responsibility for the accuracy, completeness or timeliness of the information provided.</p> <p>NEVER SCALE OF DRAWINGS, IF IN DOUBT, ASK!</p>	 <p>044 968 2924 <a href="mailto:design@designs.com.au">design@designs.com.au</a> <a href="http://www.designs.com.au">www.designs.com.au</a> reg no:4610</p>	<p>ISSUED FOR <b>PRELIMINARY</b></p> <table border="1"> <tr> <td>project no:</td> <td>scale</td> <td>rev</td> </tr> <tr> <td>RP-001</td> <td>1:100</td> <td>5</td> </tr> <tr> <td>drawing no:</td> <td>date</td> <td></td> </tr> <tr> <td>SK-004</td> <td>NOV 15</td> <td></td> </tr> <tr> <td></td> <td>drawn</td> <td></td> </tr> <tr> <td></td> <td>CC</td> <td></td> </tr> </table>	project no:	scale	rev	RP-001	1:100	5	drawing no:	date		SK-004	NOV 15			drawn			CC	
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location: LOT 3 RP 600250			client: NEW HORIZONS																																									

**D/177-2015 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR AN  
EDUCATIONAL ESTABLISHMENT**

**3D Views**

**Meeting Date: 7 June 2016**

**Attachment No: 4**



3D VIEWS ARE CONCEPTUAL ONLY  
REFER TO DRAWINGS FOR DETAILS



THESE DRAWINGS ARE PART  
OF A TOWN PLANNING  
APPROVAL APPLICATION TO  
THE LOCAL COUNCIL AND  
SHOULD NOT BE USED FOR  
ANY OTHER REASON

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drawing title: <b>SECTION &amp; 3D VIEWS</b>	project: <b>DRAWING</b> NOTED SCALES RELATE TO ALL DRAWINGS <b>NEW TRAINING CENTRE</b>		<table border="1"> <thead> <tr> <th>REVISION</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>PRELIM</td> <td>22/01/15</td> </tr> <tr> <td>2</td> <td>PRELIM</td> <td>30/01/15</td> </tr> <tr> <td>3</td> <td>Revision 3</td> <td>19/11/15</td> </tr> <tr> <td>4</td> <td>Revision 4</td> <td>19/11/15</td> </tr> <tr> <td>5</td> <td>Revision 5</td> <td>17/11/15</td> </tr> </tbody> </table>	REVISION	DESCRIPTION	DATE	1	PRELIM	22/01/15	2	PRELIM	30/01/15	3	Revision 3	19/11/15	4	Revision 4	19/11/15	5	Revision 5	17/11/15	<p><b>PRELIMINARY SKETCH PLANS</b> If the drawings are marked as 'preliminary', indicate they are not suitable for building applications, tender or construction documents. The issue of preliminary sketch plans are not for recording the record for the specific project to the client as recorded in the title sheet.</p> <p><b>COPYRIGHT &amp; LIABILITY</b> These drawings, research and designs are copyright and the property of Design+Architecture and shall be used for any other purpose without the written or electronic consent of Design+Architecture PTY LTD (ACN 619 978 932).</p> <p>Design+Architecture accept no responsibility for the accuracy, completeness or adequacy of the information provided.</p> <p>NEVER SCALE UP OR DRAWING, IF IN DOUBT, ASK!</p>	<p>044 968 2924 <a href="mailto:design@designoa.com.au">design@designoa.com.au</a> <a href="http://www.designoa.com.au">www.designoa.com.au</a> reg no-4610</p>	<p>ISSUED FOR <b>PRELIMINARY</b></p> <table border="1"> <tr> <td>project no:</td> <td>scale:</td> <td>rev</td> </tr> <tr> <td>RP-001</td> <td>1:100</td> <td>5</td> </tr> <tr> <td>drawing no:</td> <td>date:</td> <td></td> </tr> <tr> <td>SK-006</td> <td>NOV 15</td> <td></td> </tr> <tr> <td></td> <td>drawn:</td> <td></td> </tr> <tr> <td></td> <td>CC</td> <td></td> </tr> </table>	project no:	scale:	rev	RP-001	1:100	5	drawing no:	date:		SK-006	NOV 15			drawn:			CC	
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**8.5 MONTHLY OPERATIONS REPORT COMMUNITY STANDARDS AND COMPLIANCE UNIT FOR APRIL 2016****File No:** 1464**Attachments:**

1. Monthly Operations Report from Community Standards and Compliance Unit for April 2016
2. Traffic Light Report for April 2016
3. Financial Matters Report for April 2016

**Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Catherine Hayes - Manager Community Standards and Compliance

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**SUMMARY**

*The monthly Operations Report for Community Standards and Compliance Unit as at 30 April 2016 is presented for Councillor's information.*

**OFFICER'S RECOMMENDATION**

THAT the Community Standards and Compliance Monthly Operations Report for April 2016 be 'received'.

**COMMENTARY**

This report provides information about the activities of Rockhampton Regional Council's Community Standards and Compliance Unit for April 2016.

This Unit consists of five sections namely Environment and Public Health, Local Laws, Vector Management, Pest Management and Support Services.

**MONTHLY OPERATIONS REPORT  
COMMUNITY STANDARDS AND  
COMPLIANCE UNIT FOR APRIL 2016**

**Monthly Operations Report from  
Community Standards and Compliance  
Unit for April 2016**

**Meeting Date: 7 June 2016**

**Attachment No: 1**

**MONTHLY OPERATIONS REPORT**  
**COMMUNITY STANDARDS AND COMPLIANCE UNIT**  
**Period Ended April 2016**

---

**VARIATIONS, ISSUES AND INNOVATIONS**

***Innovations***

*Nil*

***Improvements / Deterioration in Levels of Services or Cost Drivers***

- Hand held electronic ticketing for regulated parking management have been purchased
- Implementation of the quarantine donga at the existing Rockhampton Pound

**LINKAGES TO OPERATIONAL PLAN****1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS**

The response times for completing the predominant customer requests in the reporting period up to and including April 2016 are outlined in Attachment 2.

***Comments & Additional Information***



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

### ***Safety Statistics***

The safety statistics for the reporting period are:

	February	March	April
<b>Number of Lost Time Injuries</b>	0	0	0
<b>Number of Days Lost Due to Injury</b>	0	0	0
<b>Total Number of Incidents Reported</b>	2	4	3
<b>Hazard Inspections Completed</b>	2	0	0

### ***Risk Management Summary***

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

<b>Risk</b>	<b>Current Risk Rating</b>	<b>Future Control &amp; Risk Treatment Plans</b>	<b>Due Date</b>	<b>% Completed</b>
<b>Pest Management</b> -Council does not have appropriate and implemented pest management planning for pest plants and pest animal management leading to public complaints about service delivery, localized damage to Council's reputation, temporary redirection/addition of staff/resources required.	Moderate	Legislative changes occurring in 2016.  Review and realign plan with newly identified changes.  Review of service level arrangements/requirements	2016	0
<b>Local Laws</b> – Council does not meet its legislative and service delivery responsibilities for Local Laws' community compliance leading to the possibility of legal action, significant damage to Council's reputation with multiple complaints, and general public dissatisfaction.	Very High 3	1. Effective infringement financial management process to be put in place.  2. Internal Process Review	30/06/14	10% as at 30/4/15
<b>Local Laws</b> – Inconsistent regulation and enforcement of local laws and legislation resulting in poor service and considerable public dissatisfaction.	High 4	1. Reviewed to be completed: Internal Audit, Process Review, Legal review of Local Laws  2. membership subscription to LGAQ's Legislation Compliance Section.  3. Join SEQ Regional Animal Management Group (SEQRAM).	31/12/14	5% as at 24/3/15

**Legislative Compliance & Standards**

Legislative Compliance Matter	Due Date	% Completed	Comments
Council's Ground Distribution Contract Licence outdated	6 April 2017		Not due until 6 April 2017
Pest Management Officers AC/DC Licenses	Various	100%	Completed
Vector Management Officers Pest Management Technicians Licenses	Various	100%	Completed
Local Laws Power of Entry Training	Various	100%	Completed
Investigation Skills	Various	9%	Not completed
Animal Management	Various	100%	Completed

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

No capital projects are relevant to the Community Standards and Compliance Section.

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

Project	Revised Budget	Actual (incl. committals)	% Budget Expended	Explanation
Issue of Dog Registration Renewals	\$21 000.00	\$10 611.64	50.53%	Renewals and reminders issued
Micro Chipping Days	\$15 000.00	\$1340.00	8.93%	Minor equip

**5. DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS*****Adopted/Operational Service Level Standards & Performance***

Service Level	Target	Current Performance
Annual inspection of licensed food businesses undertaken	100%	83%
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken	100%	69%
Annual inspection of devolved licensed environmentally relevant activities undertaken	100%	56%

Please note the service levels depicted in the above table are operational standards only and have not been formally adopted by Council.

**Registered Dogs/Declared Dog Totals**

Description	Registrations/Declared in February	Registrations/Declared in March	Registrations/Declared in April	To Date
Dogs Registered	268	207	179	15781
Dangerous Dogs	0	1	0	30
Menacing Dogs	0	0	1	53
Restricted Dog	0	0	0	1

**Infringements Issued**

Description	Number of Tickets Issued in February	Number of Tickets Issued in March	Number of Tickets Issued in April	Financial Year to Date
Parking Infringements	219	568	423	4295
Animal Infringements	196	59	91	1672
Local Law Infringements	9	13	17	79
Total	424	640	531	6046

**FINANCIAL MATTERS**

The Financial Matters report is outlined in Attachment 3.

**MONTHLY OPERATIONS REPORT  
COMMUNITY STANDARDS AND  
COMPLIANCE UNIT FOR APRIL 2016**

**Traffic Light Report for April 2016**

**Meeting Date: 7 June 2016**

**Attachment No: 2**



## All Monthly Requests (Priority 3) Community Standards Compliance 'Traffic Light' report April 2016

	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							
Dog Registration Enquiry	12	10	104	94	11	0	10	● 1.90	● 4.79	● 3.60	2.40
Animals (more than permitted number)	8	6	15	12	5	0	30	● 3.42	● 9.57	● 13.75	7.93
Comm Compliance Barking Letter/Visitors Advice	1	1	6	5	0	0	5	● 1.40	● 2.39	● 2.98	1.37
Dog Attack on Animal (Confirmed)	0	0	0	0	0	0	10	● 0.00	● 0.00	● 0.00	0.00
Dog Attack on Person (Fear) CSO	42	37	15	6	14	0	20	● 3.83	● 23.19	● 20.12	8.70
Dog Attack on Animal (Alleged) CSO	20	17	10	4	9	0	20	● 4.50	● 21.14	● 146.41	9.67
Dog Attack on Person (Bite) CSO	10	8	5	1	6	0	20	● 5.00	● 15.45	● 19.23	6.42
Heavy Vehicle Parking	2	2	2	1	1	0	10	● 4.00	● 4.19	● 6.44	3.58
Overgrown Allotments	148	121	98	62	63	0	45	● 4.89	● 11.79	● 14.36	12.61
Regulated Parking	7	6	27	23	5	0	10	● 2.30	● 4.50	● 4.17	3.17
Dust Complaint	0	0	1	1	0	0	10	● 2.00	● 8.50	● 6.56	4.88
Litter/Illegal Dumping	7	6	6	5	2	0	20	● 4.00	● 5.92	● 6.16	4.93
Noise Complaint	2	1	5	3	3	0	10	● 3.33	● 5.10	● 5.18	2.13
Barking Dog Complaint - Stage 1	7	5	53	40	14	0	3	● 1.48	● 3.09	● 3.56	0.71
Barking Dog Complaint - Stage 2 LLEO Use Only	5	3	7	5	4	0	30	● 9.00	● 12.50	● 18.41	12.18
Vector Misting	10	9	19	18	2	1	7	● 1.11	● 1.05	● 1.05	1.20
Nuisance Vehicle	8	8	20	6	14	0	10	● 4.67	● 5.54	● 6.51	3.66
Wandering Animals (dogs, cats, poultry)	34	31	100	81	22	0	10	● 0.74	● 0.96	● 1.00	0.65
Wandering Stock	4	4	14	10	4	0	10	● 2.10	● 4.17	● 6.85	2.27

**MONTHLY OPERATIONS REPORT  
COMMUNITY STANDARDS AND  
COMPLIANCE UNIT FOR APRIL 2016**

**Financial Matters Report for April 2016**

**Meeting Date: 7 June 2016**

**Attachment No: 3**



End of Month General Ledger - (Operating Only) - HEALTH & ENVIRONMENT

As At End Of April

Report Run: 24-May-2016 09:16:15 Excludes Nat Accts: 2802,2914,2917,2924

	Adopted Budget	Revised Budget	EOM Commitments	YTD Actual	Commit + Actual	Variance	On target
	\$	\$	\$	\$	\$	%	83.3% of Year Gone
<b>COMMUNITY SERVICES</b>							
<b>HEALTH &amp; ENVIRONMENT</b>							
<u>Pest Management</u>							
Revenues	(3,000)	(2,000)	0	(1,591)	(1,591)	80%	✘
Expenses	712,240	675,440	10,910	461,945	472,856	70%	✔
Transfer / Overhead Allocation	147,400	147,200	0	100,340	100,340	68%	✔
<b>Total Unit: Pest Management</b>	<b>856,640</b>	<b>824,640</b>	<b>10,910</b>	<b>560,694</b>	<b>571,604</b>	<b>70%</b>	<b>✔</b>
<u>Environment Health</u>							
Revenues	(155,900)	(156,050)	0	(95,057)	(95,057)	61%	✘
Expenses	770,928	713,829	891	453,513	454,403	64%	✔
Transfer / Overhead Allocation	67,000	67,200	0	30,729	30,729	46%	✔
<b>Total Unit: Environment Health</b>	<b>682,028</b>	<b>624,979</b>	<b>891</b>	<b>389,185</b>	<b>390,076</b>	<b>62%</b>	<b>✔</b>
<u>Vector Management</u>							
Revenues	(2,000)	(57,100)	0	(35,010)	(35,010)	61%	✘
Expenses	506,380	488,380	5,714	330,117	335,831	69%	✔
Transfer / Overhead Allocation	80,000	82,050	0	55,194	55,194	67%	✔
<b>Total Unit: Vector Management</b>	<b>584,380</b>	<b>513,330</b>	<b>5,714</b>	<b>350,301</b>	<b>356,016</b>	<b>69%</b>	<b>✔</b>
<u>Local Laws</u>							
Revenues	(1,131,000)	(1,288,000)	0	(1,225,781)	(1,225,781)	95%	✔
Expenses	1,795,357	2,031,800	183,780	1,422,150	1,605,930	79%	✔
Transfer / Overhead Allocation	235,330	245,130	0	154,516	154,516	63%	✔
<b>Total Unit: Local Laws</b>	<b>899,687</b>	<b>988,930</b>	<b>183,780</b>	<b>350,885</b>	<b>534,665</b>	<b>54%</b>	<b>✔</b>
<u>CS&amp;C Support</u>							
Expenses	563,678	649,560	7,665	444,441	452,106	70%	✔
<b>Total Unit: CS&amp;C Support</b>	<b>563,678</b>	<b>649,560</b>	<b>7,665</b>	<b>444,441</b>	<b>452,106</b>	<b>70%</b>	<b>✔</b>
<u>CS&amp;C Management</u>							
Expenses	204,173	199,673	0	153,648	153,648	77%	✔

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$	Variance %	On target 83.3% of Year Gone
Total Unit: CS&C Management	204,173	199,673	0	153,648	153,648	77%	✓
Total Section: HEALTH & ENVIRONMENT	3,790,586	3,797,112	208,961	2,249,154	2,458,115	65%	✓
Total Department: COMMUNITY SERVICES	3,790,586	3,797,112	208,961	2,249,154	2,458,115	65%	✓
<b>Grand Total:</b>	3,790,586	3,797,112	208,961	2,249,154	2,458,115	65%	✓



**8.6 AMENDMENT SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011**

<b>File No:</b>	<b>7806</b>
<b>Attachments:</b>	<b>1. Map of Additional Areas to be Included (Riverside Carparks)</b>
<b>Authorising Officer:</b>	<b>Michael Rowe - General Manager Community Services</b>
<b>Author:</b>	<b>Catherine Hayes - Manager Community Standards and Compliance</b>

**SUMMARY**

*Approval is sought to amend Schedule 2 Subordinate Local Law No.5 (Parking) 2011 – Declared off-street regulated parking areas by inserting the Quay Street Carpark as a declared off-street regulated parking area.*

**OFFICER'S RECOMMENDATION**

THAT Council take the necessary actions in accordance with the *Local Government Act 2009* to amend Schedule 2 Subordinate Local Law No.5 (Parking) 2011 to give effect to the insertion of Quay and Denham Street Carpark Lot 1 RP607540 as a declared off-street regulated parking area.

**BACKGROUND**

To provide additional parking spaces for patrons of business in the vicinity of the Riverbank Revitalisation Project, Council leased a disused parking lot on the corner of Quay and Denham Streets, Rockhampton City.

The Quay Street carpark will be operated as a declared off-street regulated parking area with a maximum 3 hour parking.

To effect the change, Schedule 2 of *Subordinate Local Law No.5 (Parking) 2011* is required to be amended to include the carpark. This will ensure any subsequent regulatory actions were in compliance with Council's Local Laws.

Facility Common Name	Street Address	Real Property Description	
		Lot	Plan
Quay Street Carpark	Part of 192 Quay Street, Rockhampton City	Lot 1	RP607540

**LEGISLATIVE CONTEXT**

In order to give effect to declared regulated off-street car parking an amendment to Schedule 2 *Subordinate Local Law No.5 (Parking) 2011* is required pursuant to the *Local Government Act 2009*.

**LEGAL IMPLICATIONS**

Regulated off-street parking can only be applied and enforced if the requisite legislative head of power is in place.

**CONCLUSION**

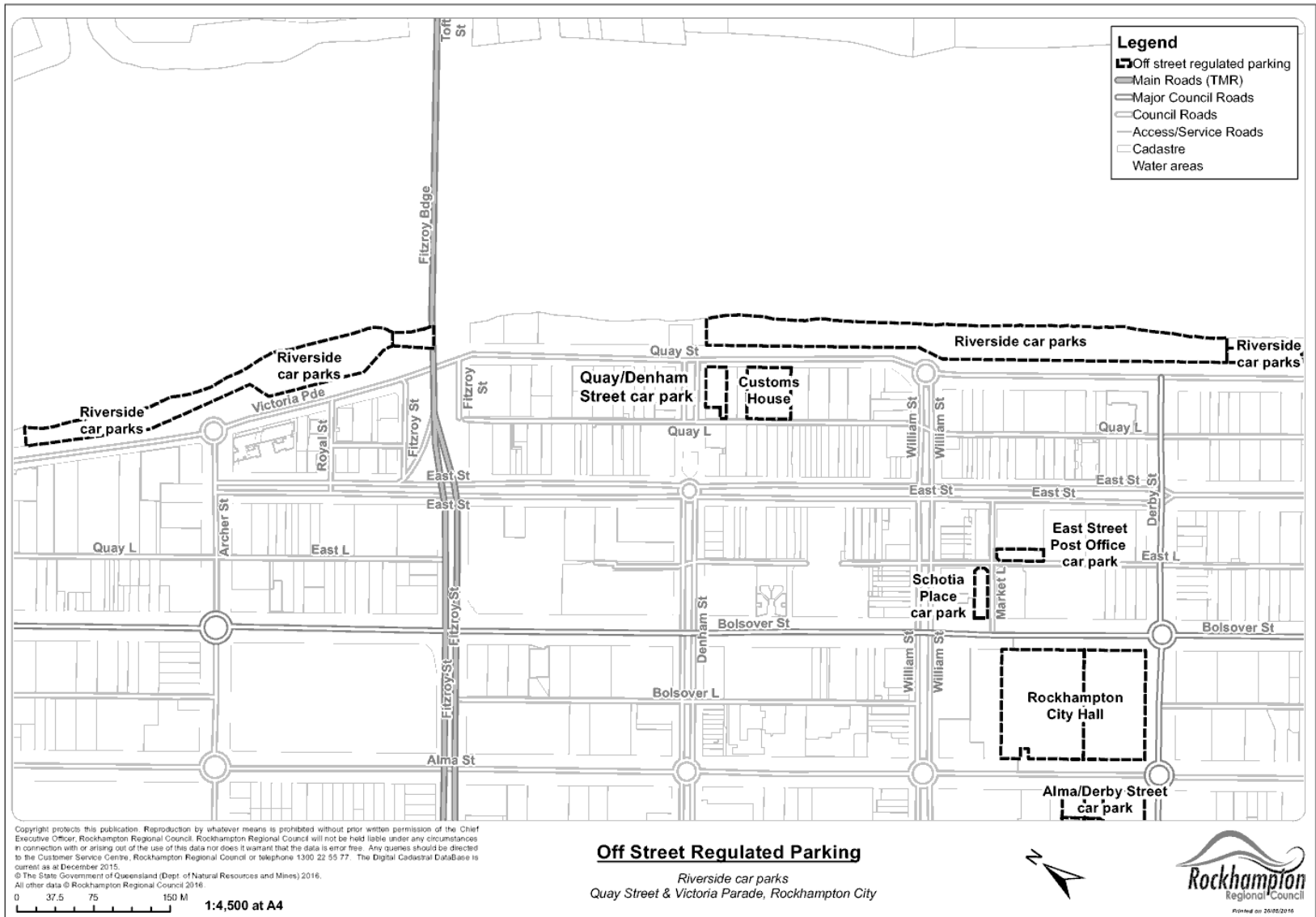
As Council has leased the Quay Street Carpark to provide alternate car parking for the duration of the Riverbank Revitalisation Project it is appropriate that Council's Local Law be amended to enable that intention to be given legal effect. Consequently it is recommended that changes to Schedule 2 *Subordinate Local Law No.5 (Parking) 2011* be made to reflect these changed circumstances.

# **AMENDMENT SUBORDINATE LOCAL LAW NO. 5 (PARKING) 2011**

## **Map of Additional Areas to be Included (Riverside Carparks)**

**Meeting Date: 7 June 2016**

**Attachment No: 1**



**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 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

### RECOMMENDATION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

#### 12.1 Proposed Enforcement Proceedings

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

#### 12.2 Proposed Enforcement Proceedings No. 2

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

## 12 CONFIDENTIAL REPORTS

### 12.1 PROPOSED ENFORCEMENT PROCEEDINGS

**File No:** 11098  
**Attachments:** Nil  
**Authorising Officer:** Michael Rowe - General Manager Community Services  
**Author:** Catherine Hayes - Manager Community Standards and Compliance

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

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#### SUMMARY

*This report seeks approval to commence proceedings in the Magistrate Court for failing to park completely within the confines of a parking bay as required by section 211(2) of the Transport Operations (Road Use Management – Road Rules) Regulation 2009. The alleged offender has requested that the matter be heard in Court.*

**12.2 PROPOSED ENFORCEMENT PROCEEDINGS NO. 2**

**File No:** 11098  
**Attachments:** Nil  
**Authorising Officer:** Michael Rowe - General Manager Community Services  
**Author:** Catherine Hayes - Manager Community Standards and Compliance

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

---

**SUMMARY**

*This report seeks approval to commence proceedings in the Magistrate Court for stopping in an area with a no stopping sign as required by section 167 of the Transport Operations (Road Use Management – Road Rules) Regulation 2009. The alleged offender has requested that the matter be heard in Court.*



**13 CLOSURE OF MEETING**