



PLANNING AND REGULATORY COMMITTEE MEETING

AGENDA

14 NOVEMBER 2017

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 14 November 2017 commencing at 9.00am for transaction of the enclosed business.

A handwritten signature in black ink that reads "R Cheesman".

ACTING CHIEF EXECUTIVE OFFICER
8 November 2017

Next Meeting Date: 05.12.17

Please note:

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

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1 OPENING

2 PRESENT

Members Present:

Councillor C E Smith (Chairperson)
Acting Mayor, Councillor A P Williams
Councillor N K Fisher
Councillor M D Wickerson

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Cherie Rutherford - Leave of Absence from 28 October 2017 to 30 November 2017

4 CONFIRMATION OF MINUTES

Minutes of the Planning and Regulatory Committee held 31 October 2017

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

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

SUMMARY

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

OFFICER'S RECOMMENDATION

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

BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

Business Outstanding Table

Meeting Date: 14 November 2017

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
05 September 2017	Enforcement Proceedings for Development Offences	<p>THAT Council accept the payment order from the owner of the premises and bring the current enforcement actions to a close; and</p> <p>THAT Council officers review issues on public land and report on options to remove goods from the reserve.</p>	Philip Harrison	19/09/2017	
03 October 2017	Reconfiguration of Lot Incentives Report	THAT Council develop a policy in relation to reconfiguration of lot approvals to allow developers to pay infrastructure charges on a per lot basis either when a lot is sold or within two (2) years, whichever is the earlier.	Tarnya Fitzgibbon	17/10/2017	

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/32-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR INDOOR SPORT AND RECREATION (PERSONAL TRAINING GYM)

File No: D/32-2017

Attachments:

1. Locality Plan
2. Site Plan, Revised Parking Layout 170889-03

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/32-2017

Applicant: XO Fitness Centre Pty Ltd

Real Property Address: Lot 2 on RP619304, Parish of Rockhampton

Common Property Address: 121 Kent Street, Rockhampton City

Area of Site: 1,012 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Nil Applicable

Existing Development: Existing Workshop

Existing Approvals: Various Building Permits

Approval Sought: Development Permit for a Material Change of Use for Indoor Sport and Recreation (Personal Training Gym)

Level of Assessment: Impact Assessable

Submissions: One (1)

Referral Agency(s): Department of Infrastructure, Local Government and Planning

Infrastructure Charges Area: Charge Area 2

OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a request for a Negotiated Decision Notice to Development Permit D/32-2017 for a Material Change of Use for Indoor Sport and Recreation (personal training gym), made by XO Fitness Centre Pty Ltd, on Lot 2 on RP619304, Parish of Rockhampton, located at 121 Kent Street, Rockhampton City, Council resolves that:

1. Conditions 1.5, 1.6, 3.1, 3.7 be deleted.

1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:

1.5.1 Operational Works:

(i) Access and Parking Works;

1.5.2 Plumbing and Drainage Works;

1.6 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.

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

3.7 Parking spaces must be line-marked in accordance with the Australian Standard AS2890 “Parking facilities” and the provisions of a Development Permit for Operational Works (access and parking works).

2. Conditions 3.2, 3.3 and 4.1 be amended by replacing:

3.2 All access and parking works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Australian Standard AS2890 “Parking facilities”* and the provisions of a Development Permit for Operational Works (access and parking works).

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

4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002*, and Council’s Plumbing and Drainage Policies.

With

3.2 All access and parking works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, and Australian Standard AS2890 “Parking facilities”* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

3.3 All car parking and access areas must be paved or sealed to Council’s satisfaction.

4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002*, and Council’s Plumbing and Drainage Policies.

3. Item 8 be amended by replacing:

FURTHER DEVELOPMENT PERMITS REQUIRED

Type of development permit required	Subject of the required development permit
Operational Works	<i>Access and Parking Works</i>
Plumbing and Drainage Works	

With

FURTHER DEVELOPMENT PERMITS REQUIRED

NIL

RECOMMENDATION B

THAT in relation to the above changes, Council resolves to issue a Negotiated Decision Notice:

1.0 ADMINISTRATION

1.1 The Developer and his employee, agent, contractor or invitee is responsible for

ensuring compliance with the conditions of this development approval.

- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed:
- 1.3.1 to Council’s satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the commencement of the use,
- unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.6 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:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Plan Showing Revised Parking Layout Proposed over part of Lot 2 on RP619304	170889-03	23 June 2017
Proposed Gymnasium – Floor Plan	170216-02	26 February 2017

- 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 All access and parking works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Australian Standard AS2890 “Parking facilities”* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 3.2 All car parking and access areas must be paved or sealed to Council’s satisfaction.
- 3.3 All vehicles must ingress and egress the development in a forward gear.
- 3.4 All vehicular access must be via Kent Street, with all egress via Denison Lane only.
- 3.5 A minimum of six (6) car parking spaces must be provided on-site.
- 3.6 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 “Lighting for roads and public spaces”*.

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002*, and Council's Plumbing and Drainage Policies.
- 4.2 Alteration or relocation of internal sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2002*.
- 4.3 Alteration, disconnection or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2002* and Council's Plumbing and Drainage Policies.

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 5.1 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.

6.0 ASSET MANAGEMENT

- 6.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 6.2 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.

7.0 ENVIRONMENTAL HEALTH

- 7.1 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"*.
- 7.2 Noise emitted from the activity must not cause an environmental nuisance.
- 7.3 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.
- 7.4 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, dust or light. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.
- 7.5 The hours of operations for the Indoor Sport and Recreation (personal training gym) on the development site must be limited to:
0515 hours to 1900 hours on Monday to Friday, and
0630 hours to 1900 hours on Saturday,
with no operations on Sundays or Public Holidays.
- 7.6 Roller doors are to be kept closed outside the hours of 7:00AM and 10:00PM.
- #### 8.0 OPERATING PROCEDURES
- 8.1 All construction materials, waste, waste skips, machinery and contractors' vehicles

must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Kent Street or Denison Lane.

8.2 Operations on the development site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light or noise.

8.3 Group class sizes are restricted to ten (10) members per class.

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the premises, Council's Environment and Public Health Unit should be consulted to determine whether any approvals are required. Such activities may include preparation and sale of food to the public. Approval for such activities is required before 'fitout' and operation.

NOTE 3. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Standard *Capricorn Municipal Development Guidelines, Standard Drawings*) may be accepted in place of the application for a Development Permit for Operational Works (access works).

NOTE 4. 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 request for a Negotiated Decision Notice to Development Permit D/32-2017 for a Material Change of Use for Indoor Sport and Recreation (personal training gym), made by XO Fitness Centre Pty Ltd, on Lot 2 on RP619304, Parish of Rockhampton, located at 121 Kent Street, Rockhampton City, Council resolves to issue a Negotiated Infrastructure Charges Notice for the amount of \$1,047.99.

BACKGROUND

The request to negotiate pertains to the removal and amendment of a number of Council's conditions stating that further development permits are required including Operational Works (access and parking) and Plumbing and Drainage Works.

The applicant has also requested to amend the Infrastructure Charges Notice. This relates to the recalculation of the charges for an Indoor Sport and Recreational Facility which prescribes two (2) separate charge rates under the *Adopted Infrastructure Charges Resolution (No. 5) 2015*.

SITE AND LOCALITY

The subject site is designated in the Low-Medium Density Residential Zone and has one (1) existing building described as a shed of which around sixty per cent (60%) is used and operated as a workshop by an electrical contractor. The subject site has existing

connections for critical urban services such as but not limited to sewer, water supply and electricity and has existing hardstand area for vehicle access and parking.

Northeast from the site, across Denison Lane, is land designated in the Principal Centre Zone predominantly occupied by commercial uses. The subject site and locality area in a south to west direction is generally designated in the Low-Medium Density Residential Zone. Land uses in this area are mainly residential in nature such as dwelling houses however there are a notable number of existing commercial uses designated in this zone neighbouring the site located on Kent Street.

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 – (19 September 2017)

Support, subject to conditions / comments.

INFRASTRUCTURE CHARGES

The *Adopted Infrastructure Charges Resolution (No. 5) 2015* prescribes two (2) separate charge rates for Indoor Sport and Recreation. These are separated into 'for squash or other court areas' and 'for all other areas and uses'. The original Infrastructure Charges Notice calculated the charges of the proposed Gross Floor Area (GFA) against one (1) charge rate, being 'for all other areas and uses'. The applicant requested a negotiated infrastructure charges notice to separate and levy the proposal against both charge rates. The applicant contended that the proposed personal training gym can be considered as a 'court area' which comprises a GFA of 162.62 square metres. The remaining GFA could then be identified as 'for all other use areas' being for an office, reception and amenities areas with a total GFA of 53.28 square metres.

Council's *Adopted Infrastructure Charges Resolution (No. 5) 2015* does not include a definition for a 'court area'. The applicant identified that Brisbane City Council's AICR (No.6) 2017 includes a definition for a court area as follows: '*the area of premises where the leisure, sport or recreation activity is conducted and excludes the area of the premises not used for conducting the leisure, sport or recreation activity, such as areas for spectators, office or administration, amenities or food and beverages*'.

Council agreed with the applicants' representations and will accordingly issue an Amended Infrastructure Charges Notice reflecting the re-calculation. The proposed amendments to the Infrastructure Charges Notice are outlined below:

The Infrastructure Charges Notice is to be amended by replacing:

Adopted Infrastructure Charges Resolution (No. 5) 2015 for non-residential development applies to the application and it falls within Charge Area 2. The Infrastructure Charges are as follows:

Column 1 Use Schedule	Column 1A Use (QPP)	Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Calculated Charge
			(\$)	Unit	
Indoor Sport & Recreational Facility	For all other areas and uses	Area 2	140	per m ² of GFA	\$30,226.00
			Total		\$30,226.00
			Less credit		\$9,175.75
			TOTAL CHARGE		\$21,050.25

This is based on the following calculations:

- (a) A charge of \$30,226.00 for Gross Floor Area being 215.9 square metres (Indoor Sport and Recreation); and
- (b) An Infrastructure Credit of \$9,175.75 for the existing industrial structures (215.9 square metres).

Therefore, a total charge of \$21,050.25 is payable and will be reflected in an Amended Infrastructure Charges Notice for the development.

With

Adopted Infrastructure Charges Resolution (No. 5) 2015 for non-residential development applies to the application and it falls within Charge Area 2. The Infrastructure Charges are as follows:

Column 1 Use Schedule	Column 1A Use (QPP)	Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Calculated Charge
			(\$)	Unit	
Indoor Sport & Recreational Facility	For squash or other court areas	Area 2	17	per m ² of GFA	\$2,764.54
	For all other areas and uses		140		\$7,459.20
			Total		\$10,223.74
			Less credit		\$9,175.75
			TOTAL CHARGE		\$1,047.99

This is based on the following calculations:

- (a) A charge of \$2,764.54 for Gross Floor Area being 162.62 square metres (court area);

- (b) A charge of \$7,459.20 for Gross Floor Area being 53.28 square metres (amenities, reception and office areas); and
- (c) An Infrastructure Credit of \$9,175.75 for the existing industrial structures (215.9 square metres).

Therefore, a total charge of \$1,047.99 is payable and will be reflected in an Infrastructure Charges Notice for the development.

Conditions 1.5, 1.6, 3.1 and 3.7

The applicant has requested to delete conditions 1.5 (1.5.1), 3.1 and 3.7 which state further development permits for Operational Works (access and parking works); and Plumbing and Drainage Works are required. The further permit for Operational Works (access and parking works) involves only minor works to formalise on-site parking with line-marking and wheel-stops. Council's Development Engineering Unit (DEU), agreed to remove the requirement to obtain a further Operational Works permit.

The requirement for a Plumbing and Drainage Works permit was also agreed by DEU to be removed on the basis there are no proposed changes to the existing toilet facilities within the existing building.

Conditions 3.2, 3.3 and 4.1

The applicant sought to amend conditions 3.2, 3.3 and 4.1. to remove the reference of further development permits for Operational Works (access and parking works) and Plumbing and Drainage Works stated in the conditions. As per previous comments, the requirement for further development permits was deleted and therefore references to these permits were agreed to be removed from conditions 3.2, 3.3 and 4.1.

There was additional wording included in condition 3.2 and agreed by the applicant, for the design and construction of access and parking works to ensure it be certified and supervised by a Registered Professional Engineer of Queensland to ensure the relevant works are completed in accordance with *Capricorn Municipal Development Guidelines*, and *Australian Standard AS2890 "Parking facilities"*.

REFERRALS

The application was referred to the Department of Infrastructure, Local Government and Planning under the provisions of the *Sustainable Planning Regulation 2009* (Schedule 7, Table 3, Item 1 – State-controlled road). On 27 April 2017, the Department advised Council under section 287(2)(a) of the *Sustainable Planning Act 2009*, that it had no requirements relating to the application.

CONCLUSION

As shown in the assessment above, Council officers recommend that Council agree to all of the applicant's recommended changes which are reasonable. Therefore, Development Assessment's recommendation is for approval.

**D/32-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR INDOOR SPORT
AND RECREATION (PERSONAL
TRAINING GYM)**

Locality Plan

Meeting Date: 14 November 2017

Attachment No: 1

D32-2017 - Locality Plan



A4 scale at 1: 1,959.00

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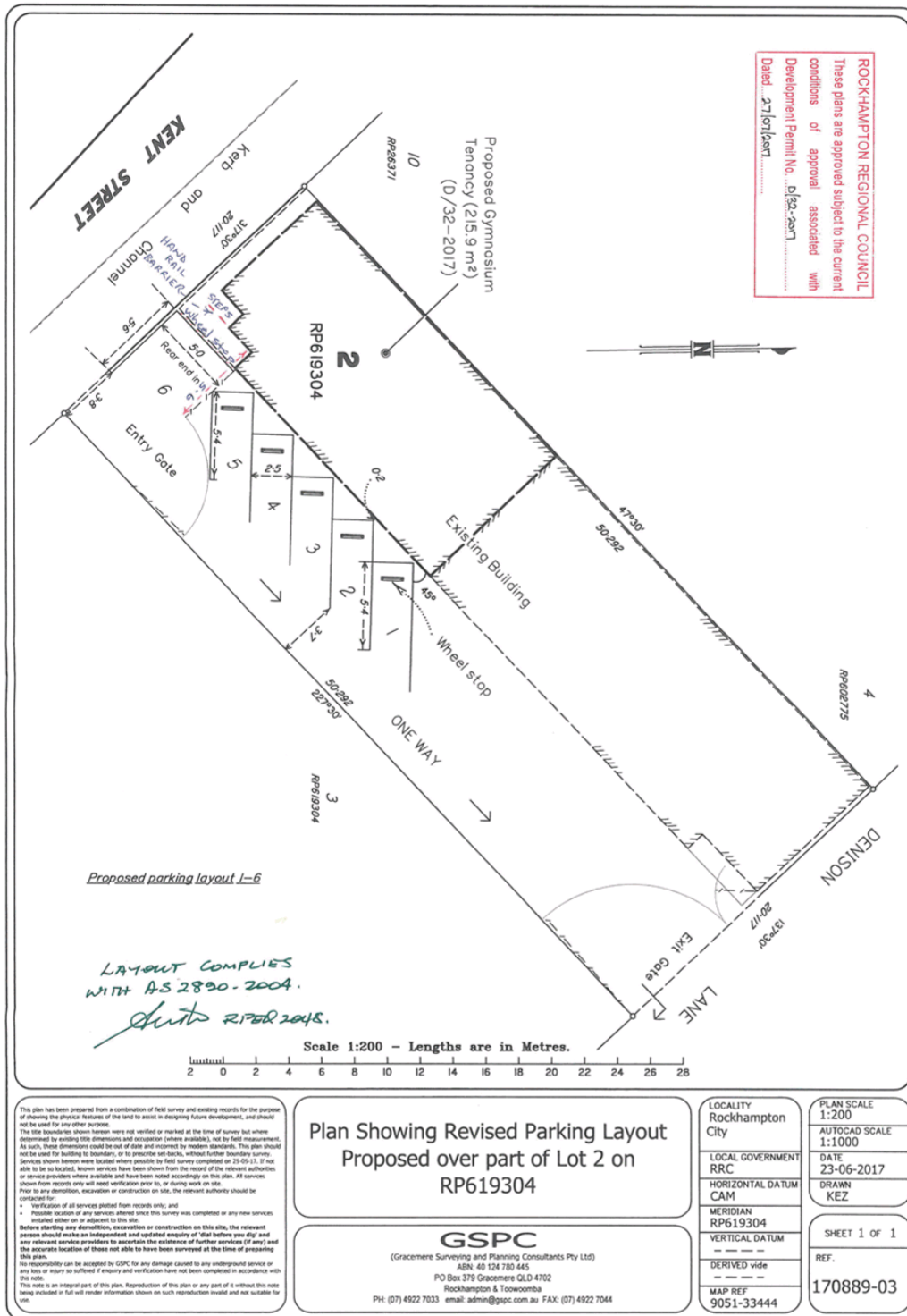


**D/32-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR INDOOR SPORT
AND RECREATION (PERSONAL
TRAINING GYM)**

**Site Plan, Revised Parking Layout
170889-03**

Meeting Date: 14 November 2017

Attachment No: 2



8.2 D/19-2017 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (TWO LOTS INTO FIVE LOTS) AND ACCESS EASEMENT

File No: D/19-2017

Attachments:

1. Locality Plan
2. Site Plan-Proposed Subdivision Layout-R17006-001 Rev C

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/19-2017

Applicant: Vicki Heilbronn

Real Property Address: Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison

Common Property Address: 277 Yeppoon Road and 66 Alfred Road, Parkhurst

Area of Site: 39.255 hectares

Planning Scheme: Rockhampton City Plan 2005

Planning Scheme Zone: Yeppoon Road Corridor Environmental Protection Area

Planning Scheme Overlays:

- Bushfire Prone Land
- Environmentally Sensitive Location (Remnant Vegetation)
- Waterway Corridor

Existing Development: Dwelling house and ancillary domestic outbuilding

Existing Approvals: D/121-2016 (Approval for application of superseded planning scheme request)

Approval Sought: Development Permit for Reconfiguring a Lot for (two lots into five Lots) and an Access Easement

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for Reconfiguring a Lot for (two lots into five Lots) and an Access Easement, made by Vicki Heilbronn, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst, on Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison Council resolves that:

1. Item 8 and Condition 2.1 be amended by replacing:

<i>Plan/Document Name</i>	<i>Plan Number</i>	<i>Dated</i>
<i>Flood Hazard Assessment</i>	<i>K3925-0002</i>	<i>21 February 2017</i>
<i>Proposed Subdivision Layout</i>	<i>R17006-001, Revision B</i>	<i>29 March 2017</i>
<i>Bushfire Hazard Assessment & Bushfire Management Plan</i>	<i>Version 2</i>	<i>10 March 2017</i>
<i>Regulated Vegetation Impact Assessment and Mitigation</i>	<i>Version 2</i>	<i>29 March 2017</i>

With

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Flood Hazard Assessment	K3925-0002	21 February 2017
Proposed Subdivision Layout	R17006-001, Revision C	10 October 2017
Bushfire Hazard Assessment & Bushfire Management Plan	Version 2	10 March 2017
Regulated Vegetation Impact Assessment and Mitigation	Version 2	29 March 2017

2. Condition 3.0 (inclusive) be inserted:**3.0 STAGED DEVELOPMENT**

3.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:

3.1.1 Lot 13 to Lot 14 (Stage One – two [2] lots); and

3.1.2 Lot 11 to Lot 12 (Stage Two – two [2] lots),

in accordance with the approved proposed subdivision layout plan (refer to condition 2.1).

The stages are not required to be undertaken in any chronological order.

3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

3. Conditions 4.1, 4.2, 4.3, 4.4 and 4.5 to be amended by replacing:

3.1 *A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.*

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

3.3 *Olive Street must be constructed to Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 11.*

3.4 *McMillan Avenue must be designed and constructed as a half road construction, with*

a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the Capricorn Municipal Development Guidelines in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.

- 3.5 *The intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the Capricorn Municipal Development Guidelines such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.*

With

- 4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval for Stage 2.
- 4.2 All road works for Stage 2 of the development must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and relevant *Australian Standards* and *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 4.3 As part of Stage 2, Olive Street must be constructed to a Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 11.
- 4.4 As part of Stage 2 of the development, McMillan Avenue must be designed and constructed as a half road construction, with a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.
- 4.5 As part of Stage 2 of the development, the intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.

4. Condition 5.4 be amended by replacing:

A new access must be constructed for proposed Lot 11 in accordance with the requirements of the Capricorn Municipal Development Guidelines.

With

A new access must be constructed for Lot 11 for Stage 2 of the development in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

5. Condition 9.1 to remain unchanged.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for Reconfiguring a Lot for (two lots into five Lots) and an Access Easement, made by Vicki Heilbronn, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst, on Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison Council resolves to Approve the application subject to the following conditions:

ADMINISTRATION

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for

- ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
- 1.3.1 to Council’s satisfaction;
- 1.3.2 at no cost to Council; and
- 1.3.3 prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
- (i) Road Works;
- (ii) Access Works;
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.8 The access to Lot 12 and Lot 13 must be via Easement B over Lot 485 and Easement C over Lot 13. Easement documents must accompany the Survey Plan for endorsement by Council, prior to the issue of the Compliance Certificate for the Survey Plan.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Flood Hazard Assessment	K3925-0002	21 February 2017
Proposed Subdivision Layout	R17006-001, Revision C	10 October 2017
Bushfire Hazard Assessment & Bushfire Management Plan	Version 2	10 March 2017
Regulated Vegetation Impact Assessment and Mitigation	Version 2	29 March 2017

- 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 submission of an

application for a Development Permit for Operational Works.

3.0 STAGED DEVELOPMENT

3.1 This development approval is for a development to be undertaken in two (2) discrete stages, namely:

3.2.1 Lot 13 to Lot 14 (Stage One – two [2] lots); and

3.2.2 Lot 11 to Lot 12 (Stage Two – two [2] lots),

in accordance with the approved proposed subdivision layout plan (refer to condition 2.1).

The stages are not required to be undertaken in any chronological order.

3.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

4.0 ROAD WORKS

4.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval for Stage 2.

4.2 All road works for Stage 2 of the development must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and relevant *Australian Standards* and *Austroroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).

4.3 As part of Stage 2, Olive Street must be constructed to a Rural Access standard from the intersection with McMillan Avenue to the access point for Lot 11.

4.4 As part of Stage 2 of the development, McMillan Avenue must be designed and constructed as a half road construction, with a minimum width of 5.5 metres from the end of the existing seal to the intersection with Olive Street. The edge line of the new construction must match the alignment of the existing kerb and channel on the western side of McMillan Avenue. Council will accept a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* in lieu of asphalt surfacing for this section of roadway, with no kerb and channel construction required in this instance.

4.5 As part of Stage 2 of the development, the intersection of McMillan Avenue and Olive Street must be sealed with a minimum of a two-coat seal in accordance with the requirements of the *Capricorn Municipal Development Guidelines* such that it has a minimum width of 6.5 metres within the Olive Street road reserve and extends a minimum of ten (10) metres to the east along Olive Street.

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

5.0 ACCESS WORKS

5.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works required by this development approval.

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

5.3 The internal access to Lot 12 and Lot 13 must be constructed from the end of Alfred Road to the southern boundary of Lot 12. Construction must be a minimum of four (4) metres wide with a low flow pipe and concrete spillway with a one (1) year ARI immunity through the existing natural channel.

- 5.4 A new access must be constructed for Lot 11 for Stage 2 of the development in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 5.5 Flood height markers must be installed along the access to Lot 12 and Lot 13, for the full extent of the 1% Average Exceedance Probability inundation area.
- 6.0 PLUMBING AND DRAINAGE WORKS
- 6.1 On-site sewage treatment and disposal must be in accordance with the Queensland Plumbing and Wastewater Code and Council's Plumbing and Drainage Policies. This can be completed at the building works application stage.
- 6.2 On-site water supply for domestic and firefighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each. This can be completed at the building works application stage.
- 7.0 STORMWATER WORKS
- 7.1 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 8.0 SITE WORKS
- 8.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 8.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 8.3 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works that are the subject of the Development Permit.
- 8.4 All site works must be undertaken to ensure that there is:
- 8.4.1 no increase in upstream or downstream flood levels for all levels of immunity up to a one per cent (1%) Annual exceedance probability defined flood event;
- 8.4.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
- 8.4.3 a lawful point of discharge to which the approved works drain during the construction phase.
- 9.0 ELECTRICITY
- 9.1 Electricity services must be provided in accordance with the standards and requirements of the relevant service provider, prior to the issue of the Compliance Certificate for the Survey Plan.
- 10.0 TELECOMMUNICATIONS
- 10.1 Evidence that the new lots can be provided with telecommunications services from the relevant service provider must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.
- 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 undertaken and completed at no cost to Council.

- 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.
- 11.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Asset Design and As Constructed Manual (ADAC).

12.0 ENVIRONMENTAL

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

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

for the construction and post-construction phases of work.

- 12.2 The Erosion Control and Stormwater Control Management Plan prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be 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). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.
- 12.3 The development must be undertaken in accordance with the recommendations in the approved Bushfire Management Plan (refer to condition 2.1).
- 12.4 The maintenance of the fire management trail must be the responsibility of the owner of the land (the Developer) until the subdivision is accepted by Council as being 'off defects' whereupon it must be the responsibility of the relevant property owners. All future owners of the proposed lots must be advised by the Developer in writing of their responsibility to comply with the requirements of the approved Bushfire Management Plan (refer to condition 2.1).
- 12.5 All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"* and the approved Bushfire Management Plan (refer to condition 2.1). A property note to this effect will be entered against Lots 11, 12, 13 and 14.

ADVISORY NOTESNOTE 1. General Environmental Duty

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

NOTE 2. 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 3. Property Note (Bushfire)

All future buildings on the proposed lots must be constructed in accordance with *Australian Standard AS3959 "Construction of buildings in bushfire-prone areas"* and the approved Bushfire Management Plan.

NOTE 4. Infrastructure Charges Notice

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

NOTE 5. Clearing within Road Reserve

An approval for a Tree Clearing Permit, issued by the Department of Environment and Heritage Protection in addition to the Operational Works (road works) permit, will be required when constructing the proposed new roads.

It is a requirement under the *Nature Conservation Act 1992* that an approved Tree Clearing Permit is obtained from the Department of Environment and Heritage Protection, prior to any tree clearing activities that are to occur within a road reserve that is under Council control.

NOTE 6. Provision for Sewer and Water services

Each lot must be provided with on-site sewerage treatment and disposal systems at the time of house construction. All systems must comply with the *Queensland Plumbing and Wastewater Code, Australian Standard AS1547:2012 "On-site domestic wastewater management"* and Council Plumbing and Drainage Policies. Sustainable Water sources including rainwater tanks, and a bore or small dam must be provided.

NOTE 7. Rural Addressing

Rural addressing must be provided to each lot in accordance with Council's rural addressing procedures.

BACKGROUND

At its meeting on 11 July 2017, Council approved a Development Application for Reconfiguring a Lot (two into five lots) and an Access Easement over Lot 1844 on LIV40662 and Lot 485 on LIV40112, Parish of Murchison, located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst. In accordance with section 361 of the *Sustainable Planning Act 2009*, the applicant made representations for a Negotiated Decision Notice.

The applicant's request to negotiate pertains to the introduction of staging, for the development to be completed over two (2) stages. This request included consequential changes to the wording of a number of conditions. The applicant also submitted an amended site layout plan for approval to indicate the proposed staging. There was also a minor

change to the alignment of the access easement and minor changes to the proposed lot sizes as a result of site surveying to ground-truth the total site area. The applicant also requested to amend electricity condition 9.1 to allow them to demonstrate electricity can be provided to all the allotments, instead of the existing condition requiring the applicant to provide this service.

SITE AND LOCALITY

The subject site is located at 277 Yeppoon Road and 66 Alfred Road, Parkhurst described as Lot 1844 on LIV40662 and Lot 485 on LIV40112. The total site area for Lot 1844 on LIV40662 applicable to the lot reconfiguration is 39.255 hectares. The purpose of Lot 485 on LIV40112 in this development is to provide site access for lots 12 and 13 to Alfred Road.

The subject site of Lot 1844 on LIV40662 is currently improved with one (1) detached dwelling house and an associated domestic outbuilding, both sited on proposed Lot 14. There are three (3) existing dams on the subject site located on proposed Lot 12 and Lot 13. The subject site is adjacent to the Limestone Creek watercourse on the southern boundary and has direct access to two (2) Council roads; unformed McMillan Avenue (Olive Street) for Lot 11 abutting the northern boundary and Yeppoon Road for access via the southern boundary for Lot 14.

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 September 2017)

Support, subject to conditions and comments.

TOWN PLANNING COMMENTS

The applicant has requested the following conditions be added, amended or deleted:

Condition 3.1 and 3.2 to be added

Applicant's request:

The applicant has requested to introduce two (2) stages for the development to be completed. This required the applicant to submit an amended Proposed Subdivision Layout to indicate the applicable stages and the introduction of conditions 3.1 and 3.2 relating to the staged development.

Officer's response:

The applicant's request to allow the development to be completed over two (2) stages allows the development to be completed in stages, at separate times and does not result in a change to the overall approved development. Therefore the request is recommended to be accepted as part of the negotiations.

Item 8 and Condition 2.1

Applicant's request:

The applicant requested an amended Proposed Subdivision Layout be accepted to facilitate the aforementioned two-stage development. This also facilitated a minor re-alignment to the proposed access easement and a minor change to the proposed lot sizes as a result of ground-truth survey data (resulting in a larger total site area).

Officer's response:

The applicant's request for Council to accept an amended Proposed Subdivision Layout facilitates the staged development. The minor re-alignment to the access easement is accepted as a minor change to allow safe and functional vehicular access to be achieved from Lot 12 and Lot 13 to Alfred Road. A consequence of the access re-alignment, as well as site surveying has resulted in a minor increase to the entire site area of Lot 1844 on LIV40662 which is considered a better planning outcome for the site. The minor changes to the proposed lot sizes are summarised below:

- Lot 14: An increase of approximately 0.4% to be approximately 9.15 hectares;
- Lot 13: An increase of approximately 0.5% to be approximately 12.3 hectares;
- Lot 12: A decrease of approximately 0.1% to be approximately 9.53 hectares;
- Lot 11: An increase of less than 0.1% to be approximately 9.25 hectares.

Therefore the amended Proposed Subdivision Layout is recommended to be accepted as part of the negotiations.

Condition 4.1, 4.2, 4.3, 4.4, 4.5 and 5.4Applicant's request:

The applicant requested the aforementioned conditions be amended as a consequence of the two-stage development.

Officer's response:

The requested amendments to the conditions are only to reference the specific stages, specific road and access works conditions are to be completed prior to survey plan endorsement of the two-stages. The requested changes are consequential to the two-stage development and are recommended to be accepted as part of negotiations.

Condition 9.1Applicant's request:

The applicant requested Condition 9.1. be amended as per the following wording:

Provide evidence that the new lots can be provided with electricity services, either from the relevant service provider (to their standards and requirements) or through alternative electricity sources. This must be provided to Council, prior to the issue of the Compliance Certificate for the Survey Plan.

Officer's response:

Council did not agree with the applicant's above proposed amendment to Condition 9.1 as the request was inconsistent with the planning scheme's requirements for subdivisions. After discussions with the applicant they agreed with Council's position and for the condition to remain as originally stated with their written confirmation provided on 1 November 2017.

REFERRALS

The request to negotiate application was referred to the Department of Infrastructure, Local Government and Planning (DILGP) as a concurrence agency due to the development involving operational work involving the clearing of native vegetation on freehold land. DILGP confirmed on 31 October 2017 the amended plan is generally in accordance with the approved plan accepted in their concurrence response provided on 4 May 2017. DILGP had no further requirements.

CONCLUSION

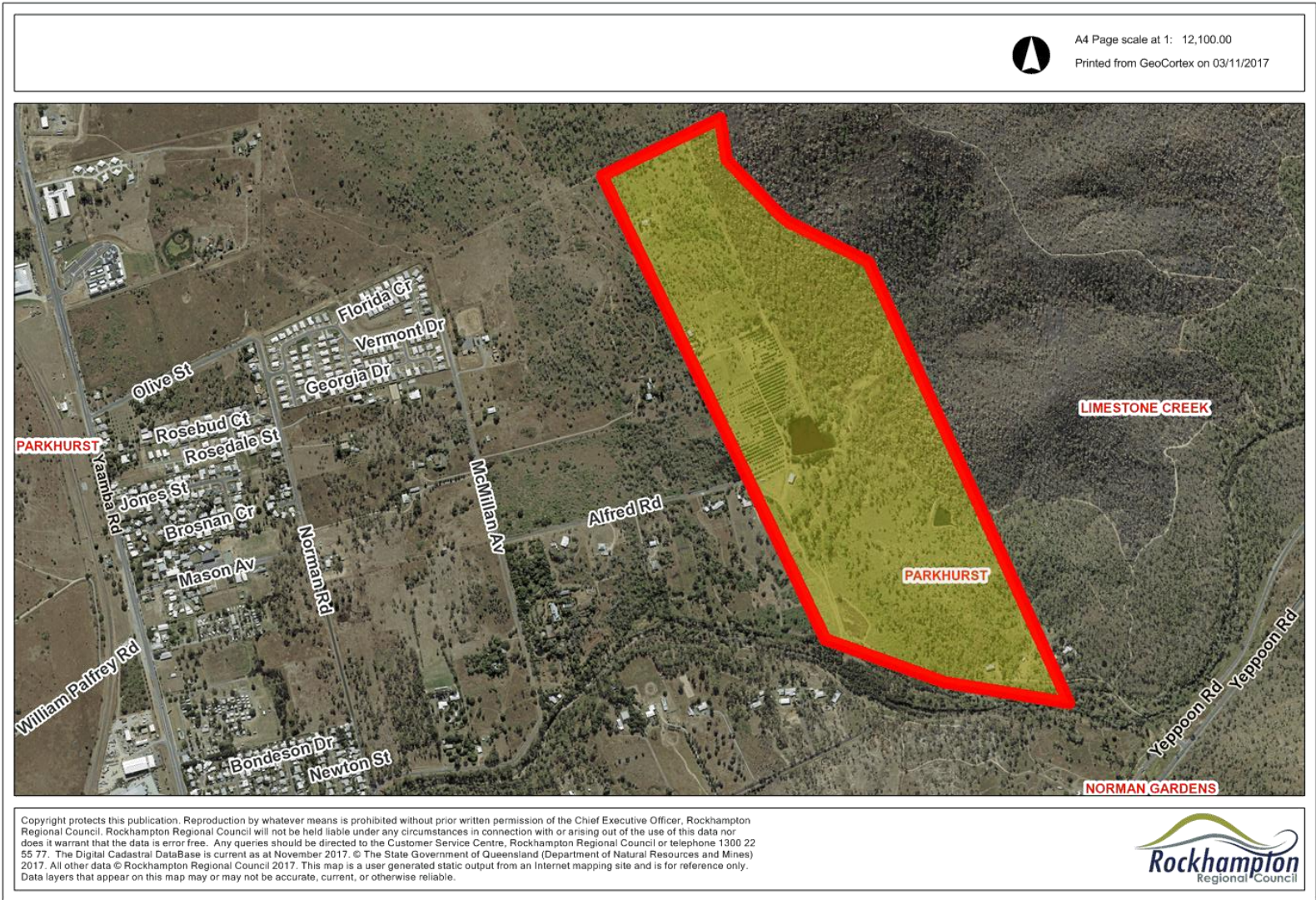
As shown in the assessment above, Council officers consider that the above agreed upon negotiated changes made by the applicant are reasonable. Therefore, Development Assessment's recommendation is for approval.

**D/19-2017 - DEVELOPMENT
APPLICATION FOR RECONFIGURING
A LOT (TWO LOTS INTO FIVE LOTS)
AND ACCESS EASEMENT**

Locality Plan

Meeting Date: 14 November 2017

Attachment No: 1



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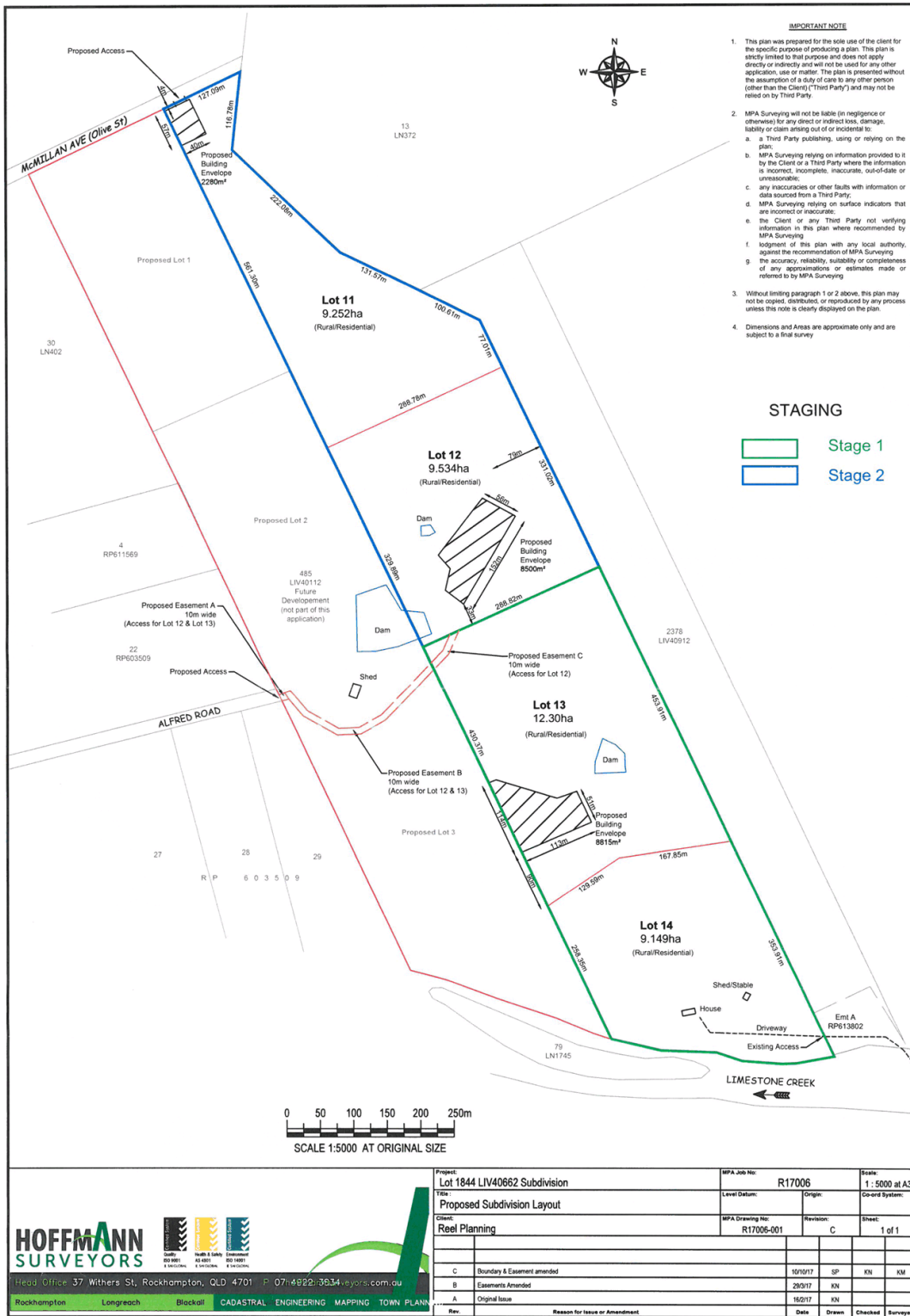


**D/19-2017 - DEVELOPMENT
APPLICATION FOR RECONFIGURING
A LOT (TWO LOTS INTO FIVE LOTS)
AND ACCESS EASEMENT**

**Site Plan-Proposed Subdivision
Layout-R17006-001 Rev C**

Meeting Date: 14 November 2017

Attachment No: 2



8.3 D/93-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES AND OFFICE AND OPERATIONAL WORKS FOR AN ADVERTISING DEVICE

File No: D/93-2017

Attachments:

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

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/93-2017

Applicant: RD Virtue

Real Property Address: Lot 1 on RP603291, Parish of Rockhampton

Common Property Address: 224 Canning Street, Allenstown QLD 4700

Area of Site: 809 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Nil Applicable

Existing Development: Dwelling House

Existing Approvals: Various Building Permits related to the Dwelling House

Approval Sought: Development Permit for a Material Change of Use for Health Care Services and/or Office; and Operational Works for Advertising Devices

Level of Assessment: Impact

Submissions: One (1)

Referral Agency(s): Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	31 July 2017
<i>Confirmation Notice issued:</i>	16 August 2017
<i>Request for Further Information sent:</i>	Not Applicable
<i>Request for Further Information responded to:</i>	Not Applicable
<i>Submission period commenced:</i>	15 September 2017
<i>Submission period end:</i>	6 October 2017
<i>Council request for additional time:</i>	Not Applicable
<i>Government Agency request for additional time:</i>	Not Applicable
<i>Government Agency Response:</i>	Not Applicable

<i>Last receipt of information from applicant:</i>	<i>16 October 2017</i>
<i>Statutory due determination date:</i>	<i>5 December 2017</i>

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services and/or an Office and Operational Works for Advertising Devices, made by RD Virtue, located on Lot 1 on RP603291, Parish of Rockhampton, located at 224 Canning Street, Allenstown - Council resolves to Approve the application subject to the following conditions:

Part A – Material Change of Use for Health Care Services and/or an Office**1.0 ADMINISTRATION**

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
 - 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
 - 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council's satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use unless otherwise stated.
 - 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
 - 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:
 - (i) Access and Parking Works;
 - 1.5.2 Plumbing and Drainage Works; and
 - 1.5.3 Building Works.
 - 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
 - 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
 - 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 2.0 APPROVED PLANS AND DOCUMENTS**
- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	217-1224, Sheet No.1, Rev. 1	27 July 2017
Lower Floor Plan	217-1224, Sheet No.2, Rev. 1	27 July 2017
Elevations	217-1224, Sheet No.3, Rev. 1	27 July 2017
Elevations	217-1224, Sheet No.4, Rev. 1	27 July 2017

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 submission of an application for a Development Permit for Operational Works/Building Works.

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 works on the development site.

3.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).

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

3.4 The existing access from Canning Street to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.

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

3.6 A minimum of four (4) parking spaces must be provided on-site.

3.7 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.

3.8 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"*. And the provisions of a Development Permit for Operational Works (access and parking works).

4.0 PLUMBING AND DRAINAGE WORKS

4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

4.2 Internal Plumbing and Sanitary Drainage of existing buildings must be contained within the lot it serves.

4.3 Alteration or relocation of internal sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2002*.

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

5.1 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.

6.0 SITE WORKS

- 6.1 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.

7.0 BUILDING WORKS

- 7.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction.
- 7.2 A minimum 1.8 metre high solid screen fence must be erected along the side and rear boundaries of the development site and any adjoining residential properties. The fence must be constructed of materials and finishes that are aesthetically pleasing and commensurate with the surrounding residential area.

8.0 ASSET MANAGEMENT

- 8.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 8.2 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.

9.0 ENVIRONMENTAL

- 9.1 An Erosion Control and Stormwater Control Management Plan prepared in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

10.0 ENVIRONMENTAL HEALTH

- 10.1 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"*.
- 10.2 Noise emitted from the activity must not cause an environmental nuisance.
- 10.3 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.
- 10.4 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.
- 10.5 Air-conditioning units must be located so as not to cause a noise nuisance and maintained in proper working order at all times.

11.0 OPERATING PROCEDURES

- 11.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Canning Street or William Street.

11.2 All waste storage areas must be:

11.2.1 kept in a clean and tidy condition; and

11.2.2 maintained in accordance with *Environmental Protection Regulation 2008*.

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 Partnerships website www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site 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 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 4. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with *Standard Capricorn Municipal Development Guidelines, Standard Drawings*) may be accepted in place of the application for a Development Permit for Operational Works (access works).

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.

Part B – Operational Works for Advertising Devices

12.0 ADMINISTRATION

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	217-1224, Sheet No.1, Rev. 1	27 July 2017

12.2 A set of the above approved plans are returned to you as the Consultant. The Consultant is to supply one (1) Approved set to the contractor to be retained on site at all times during construction.

12.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.

12.4 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council.

12.5 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.
- 12.6 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.
- 12.7 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 12.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 12.9 Any proposed changes to the approved stamped plans during the works will be generally considered minor amendments and require Council’s approval. The stamped amended plans and a covering letter will be forwarded to the applicant.
- 13.0 OPERATING PROCEDURE
- 13.1 All signage must only display or advertise a matter associated with the primary purpose for which the premises are used, or the purpose stated in this approval.
- 14.0 ASSET MANAGEMENT
- 15.0 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately and completed at no cost to Council.
- 16.0 CONSTRUCTION AND MAINTENANCE
- 16.1 All signage must be installed flush with the fence and must not extend above the height of the fence at the location (refer to Condition 11) where the sign is affixed.
- 16.2 All signage must be maintained at all times on the premises by the owner to the same standard as it was when it was installed to ensure public safety and not adversely impact the visual amenity.
- 16.3 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the Environmental Protection Act 1994 and Environmental Protection Regulations 2008 must be observed at all times.

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 Partnerships website www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty - *Environmental Protection Act 1994, sec.319*

A person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm (the *general environmental duty*).

In deciding the measures required to be taken, regard must be had to, for example—

- (a) the nature of the harm or potential harm; and
- (b) the sensitivity of the receiving environment; and

- (c) the current state of technical knowledge for the activity; and
- (d) the likelihood of successful application of the different measures that might be taken; and
- (e) the financial implications of the different measures as they would relate to the type of activity.

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.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services and/or an Office and Operational Works for Advertising Devices, made by RD Virtue, located on Lot 1 on RP603291, Parish of Rockhampton, located at 224 Canning Street, Allenstown. Council resolves to issue an Infrastructure Charges Notice for the amount of \$11,990.00.

BACKGROUND

The proposal seeks approval for two (2) different land uses over the same gross floor area for a Health Care Services facility and/or an Office on the ground floor of an existing high-set dwelling house. The proposed development will occupy eighty-five (85) square metres of gross floor area consisting of an open plan reception area, two (2) consulting/office rooms, a restroom and a private storeroom. The development is proposed to operate during the standard business hours from 0800 to 1700 from Monday to Saturday, with no operations proposed for Sunday or public holidays. The proposal requires a new access crossover to be constructed on Canning Street abutting the fenceline of property's northern boundary. The proposal will provide a total of four (4) car parking spaces including one (1) for disabled parking. The site's existing shed at rear of the property abutting the site's western boundary gains access directly to William Street has two (2) enclosed parking spaces which will be exclusively utilised by the existing residential use.

Ancillary to the proposed land use of the ground floor for a Health Care Services facility and/or an Office, the proposal seeks approval for two (2) fence signs to advertise the future business. One of the fence signs will face Canning Street and the second sign will face William Street. The signs are not indicated to be illuminated and the proposed dimensions are to be one (1) metre (high) by 1.5 metres (wide) and are to be affixed to the property's existing fence.

SITE AND LOCALITY

The subject site is located at 224 Canning Street, Allenstown and is designated in the Low-medium density residential zone. The site is located on the corner of two (2) Council roads being Canning Street (classified as an Urban Sub-Arterial) and William Street (classified as an Urban Access Street) and is generally surrounded by properties serving residential purposes in a northern and western direction from the development site, as well as an eastern direction across Canning Street. Approximately thirty (30) metres south of the site, across William Street, is land designated in the District Centre Zone with land uses in this area varying from offices to shops. The site is located approximately 260 metres north of the Allenstown Shopping Centre. It is noted there is also a stand-alone shop operating as a hair salon immediately east of the development site across Canning Street. The site is generally flat with a slight fall from a north-west to south-east direction toward the corner of Canning and William Streets. The site has existing access to essential urban services such as but not limited to reticulated water, sewer and electricity.

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 assessment process provisions of the Development Assessment Rules, 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 – 11 August 2017

Support, subject to conditions / comments.

Public and Environmental Health Comments – 2 August 2017

Support, subject to conditions / comments.

Other Staff Technical Comments -

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

TOWN PLANNING COMMENTS**Central Queensland Regional Plan 2013**

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

State Planning Policy 2017

This policy came into effect in July 2017 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. It is considered that the State Planning Policy is appropriately reflected in the current local planning scheme.

Rockhampton Region Planning Scheme 2015**Low-Medium Density Residential Zone**

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

- (1) The purpose of the low-medium density residential zone code is to:
 - (a) provide locations preferred for the consolidation of a range and mix of dwelling types developed at low-medium densities in the planning scheme area;
 - (b) ***minimise land use conflict and ensure that uses supporting low-medium density development predominantly develop in the zone; and***
 - (c) ***ensure that development within the zone has appropriate standards of infrastructure and essential services.***
- (2) The purposes of the zone will be achieved through the following overall outcomes:
 - (a) development provides for dwellings, dual occupancies and multiple dwellings being generally a low to medium-rise built form (up to three (3) storeys in building height) and low-medium density;
 - (b) ***infill development and greenfield areas are developed in a manner that makes efficient use of land and can provide for the development of a range and mix of accommodation and residential types;***
 - (c) ***non-residential uses only occur within the zone where they:***

- (i) **do not compromise the residential character and existing amenity of the surrounding area;**
- (ii) **are small-scale and consistent with the surrounding urban form;**
- (iii) **primarily function to service the needs of the immediate local residential community;**
- (iv) **do not detract from the role and function of centres;**
- (v) **do not result in the expansion of a centre zone;**
- (vi) **are in proximity to higher order roads (minor urban collector or higher); and**

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

- (vii) *provide for uses along Albert Street that can demonstrate a dependence on having a highway passing trade;*
- (d) **development for an office is limited in scale (200 square metres gross floor area) to ensure the primacy of the principal centre and involves the reuse of an existing building to promote renewal;**
- (e) new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;
- (f) with the exception of a local centre at North Parkhurst (along William Palfrey Road on Lot 5 SP238731), no other neighbourhood or local centres are required within the low-medium density residential zone;
- (g) short-term accommodation, rooming accommodation and tourist parks occur where there is access to public transport and higher order roads (minor urban collector or higher);
- (h) **development has a built form that creates an attractive and pedestrian oriented streetscape and is integrated with nearby centres, community facilities, open space and recreation facilities via pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;**
- (i) **development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;**
- (j) **development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;**
- (k) new residential developments are not located in proximity to existing incompatible uses such as rural uses, industry uses and major community facilities without separation distances, buffering, landscaping and screening that minimise a loss of amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;
- (l) new residential developments are located and integrated with existing neighbourhoods and in proximity to existing community infrastructure;
- (m) **development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints; and**
- (n) **development is serviced by infrastructure that is commensurate with the needs of the use.**

The proposed development is consistent with the purpose of the Low-medium density residential zone. The second storey will retain its existing residential use which is consistent

with land uses in the zone designation and the proposed ground floor will be for a Health Care Services facility and/or an Office, with the development seeking approval for both land uses. The development is of a small-scale being eighty-five (85) square metres of gross floor area which is consistent with the surrounding built form and is not anticipated to compromise the residential character and existing amenity of the surrounding area having regard to traffic, noise, dust, odour and lighting. The scale of the proposed uses is appropriate in ensuring the primacy of the Centre Zone is retained and not expanded. The development will gain access to a higher-order road, Canning Street, designated as an Urban Sub-Arterial within the Planning Scheme’s road hierarchy and is appropriate to facilitate the proposed use. Furthermore, the development has access to Council’s essential infrastructure such as but not limited to reticulated sewer and water.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application: -

- Low-medium density residential zone code;
- Advertising devices code;
- Access, parking and transport code;
- Landscape code;
- Sewer and water code;
- Stormwater management code; and
- Waste management code.

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

Low-Medium Density Residential Code	
Performance Outcome/s	Officer’s Response
<p>P10 Buildings and structures are designed to enhance existing attractive built form by addressing the following:</p> <ul style="list-style-type: none"> (a) mass and proportion; (b) use of materials, patterns, textures, colours and decorative elements; (c) reflective glass material is not used as the principle construction material; (d) podium height and design; (e) roof shapes include pitches and gables to break up the repetitiveness of buildings; (f) buildings incorporate articulation via use of windows, sun-protection devices, balconies, verandas, terraces or wall offsets to avoid a plain and monolithic appearance; (g) roof structures are designed to screen any mechanical plant; (h) facade articulation, detailing, and 	<p><u>Justified:</u></p> <p>The proposal cannot be considered to comply with (l) of the Performance Outcomes (PO) which requires development for small-scale commercial uses to include an awning over the footpath for the full length of the building’s road frontage.</p> <p>The development complies with the other design elements for buildings and structures to provide an attractive built form and an awning on this particular site would be out of place with regards to the existing streetscape and built form of the locality. The proposed design to present as a dwelling house integrates with the residential built form of the surrounding area.</p> <p>Therefore despite not achieving</p>

	<p>window and door proportions;</p> <p>(i) provision made for balconies, verandas, eaves and parapets;</p> <p>(j) driveway crossovers, fence style and alignment;</p> <p>(k) emphasis on entry points; and</p> <p>(l) development for community or small-scale commercial uses include an awning over the footpath for the full length of the building's road frontage.</p> <p>Note—Where a conflict exists PO10 (l) takes precedence.</p>	<p>compliance with the performance outcome, the proposal can be accepted as an acceptable alternative outcome.</p>
<p>P22</p>	<p>Landscaping and streetscaping is provided to:</p> <p>(a) enhance public streets and spaces;</p> <p>(b) create an attractive environment that is consistent with, and defines, the local character of the zone;</p> <p>(c) enhance the appearance of the development;</p> <p>(d) screen components of development from adjoining sensitive land uses or from the street;</p> <p>(e) separate and screen residential uses from industrial zoned land or a lawfully operating industrial use; and</p> <p>(f) allow shading for pedestrian comfort.</p>	<p><u>Justified:</u></p> <p>The proposal cannot comply with Acceptable Outcome (AO) 22.1 which requires non-residential development to include a minimum landscaped area of ten (10) per cent of the total site area.</p> <p>Despite this, the development integrates with the existing built form of the surrounding area as a dwelling house and is consistent with the character of the zone. In relation to PO(d) which requires components of the development to be screened from adjoining sensitive land uses. A recommended condition of the approval requires the development to provide a 1.8 metre high screened fence along all of its boundaries. This condition ensures the car parking spaces and the development occurring on the ground floor will be screened from the street frontage and adjacent properties, maintaining the amenity of the surrounding area.</p> <p>Therefore despite not achieving compliance with the performance outcome, the proposal can be accepted as an acceptable alternative outcome.</p>
<p>Access, Parking and Mobility Code</p>		
<p>Performance Outcome/s</p>		<p>Officer's Response</p>
<p>P5</p>	<p>Provision is made for on-site vehicle parking:</p> <p>(a) to meet the demand likely to be generated by the development; and</p> <p>(b) to avoid on-street parking where that would adversely impact on the</p>	<p><u>Justified:</u></p> <p>The proposal does not comply with AO5.1.1 which requires on-site parking to be provided at the rates set out in Table 9.3.1.3.2. The proposal for an Office meets the requirements set out in the aforementioned table, however the proposal for Health Care Services cannot</p>

	<p>safety or capacity of the road network or unduly impact on local amenity.</p> <p>Editor's note—SC6.6 — Car parking contributions planning scheme policy prescribes circumstances under which an applicant can satisfy PO5.</p>	<p>be considered to comply as it equates to requiring four (4) car parks as well as an additional two (2) car spaces for special use vehicles (such as for blood collection/transport) and one for an emergency ambulance.</p> <p>Despite not meeting these prescribed requirements, due to the small-scale of the use area and the floor plan it is not anticipated that the specific use will ordinarily require the spaces for these vehicles. Therefore it is not anticipated the development will generate a demand for these vehicles and would not create on-street parking which would impact on the road network or impact on local amenity.</p> <p>Therefore despite not achieving compliance with the performance outcome, the proposal can be accepted as an acceptable alternative outcome.</p>
<p>P12</p>	<p>Development is located on roads that are appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network.</p>	<p>Justified:</p> <p>The proposal does not comply with AO12.2 which requires that the development doesn't connect with another road or street that is more than two (2) levels higher in the road hierarchy. Canning Street is classified as an Urban Sub-Arterial and is three (3) levels higher in the hierarchy than William Street classified as an Urban Access Street.</p> <p>While the development site is located on the corner of the two streets, the identified non-compliance with AO12.2 is not anticipated to have an adverse impact on safety or efficiency of the road network due to the small-scale nature of the development.</p> <p>Therefore despite not achieving compliance with the performance outcome, the proposal can be accepted as an acceptable alternative outcome.</p>
<p>P14</p>	<p>Development does not impact on the safety, operation or function of the road network or system.</p>	<p>Justified:</p> <p>The proposal does not comply with AO14.2 which requires that no direct property access is gained to a highway, main road, urban arterial or sub arterial road as defined in SC6.15 — <i>Road infrastructure and hierarchy planning scheme policy</i>. The development is</p>

		<p>proposing to gain access from Canning Street classified as an Urban Sub-Arterial. Access to William Street is not possible as this is proposed to be utilised by the existing residential use and regardless, there is a shed restricting access to the site from this access point.</p> <p>The development is not anticipated to impact on the safety, operation or function of the road network or system as it is small scale in nature.</p> <p>Therefore despite not achieving compliance with the performance outcome, the proposal can be accepted as an acceptable alternative outcome.</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 outcomes and where there is deviation from the codes, sufficient justification has been provided.

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:

Column 1 Use Schedule		Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
			(\$)	Unit	(\$)	Unit	
Essential Services and/or Commercial (Office)	All uses as per AICN 4/14 Table 2.2.1	Area 1	119	per m ² of GFA			\$10,115.00
					8.50	per m ² of impervious area	1,785.00
			Total				\$11,900.00
			Less credit				Nil
			TOTAL CHARGE				\$11,900.00

This is based on the following calculations:

- (a) A charge of \$10,115.00 for Gross Floor Area being 85 square metres (consultation rooms, store room, amenities and reception area)
- (b) A charge of \$1,785.00 for Impervious Area being 210 square metres (access and parking areas); and
- (c) An Infrastructure Credit is not applicable.

Therefore, a total charge of \$11,900.00 is payable and will be reflected in an Infrastructure Charges Notice for the development.

CONSULTATION

The proposal was the subject of public notification between 15 September 2017 and 6 October 2017, as per the requirements of the *Planning Act 2016* and the Development Assessment Rules, and one (1) properly made submission was received.

The following is a summary of the submissions lodged, with Council officer comments:

Issue	Officer's Response
Vehicle Parking (safety concerns)	<p>The submitter expressed concerns that vehicles associated with the development may park on Canning Street outside their property and expressed safety concerns due to the site's close proximity to the roundabout located at the junction of Canning and William Streets in relation to blocking of sightlines.</p> <p>The development is small-scale and not anticipated to require on-street parking. Therefore the development is not anticipated to create any safety issues for the submitter and no additional requirements have been imposed on the applicant.</p>
Privacy and Noise (fencing)	<p>The submitter expressed concerns with privacy and noise as they anticipate there will be vehicle and pedestrian movements between the front entrance and the car park spaces. The development has a 1.8 metre high screened fence on three (3) sides of the property and the submitter proposes the developer provide the same fence on their shared boundary which has an existing 1.2 metre high chainlink fence.</p> <p>The request from the submitter is considered reasonable in protecting their privacy and amenity from the development and Condition 7.2 has been recommended accordingly to address their concerns.</p>

CONCLUSION

The development for a Health Care Services facility and/or an Office with Advertising Devices is consistent as a non-residential use within the Low-Medium Density Residential Zone designation.

Therefore the development is recommended for approval subject to the conditions outlined in the recommendations.

STATEMENT OF REASONS

Description of the development	The proposed development is for a Material Change of Use for Health Care Services and/or an Office and Operational Works for Advertising Devices
Assessment Benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Low-medium density residential zone code; • Advertising devices code; • Access, parking and transport code; • Landscape code; • Sewer and water code; • Stormwater management code; and • Waste management code.
Relevant Matters	The proposed development was assessed against the following relevant matters:

	<ul style="list-style-type: none"> The proposal retains the existing second-storey dwelling and integrates the Health Care Services facility and/or an Office within the dwelling footprint and is in keeping with the surrounding residential character for streetscape and built form. The development is of an appropriate scale for the zone and is not anticipated to compromise residential amenity. 	
<p>Matters raised in submissions</p>	<p>Issue</p>	<p>How matter was dealt with</p>
	<p>Vehicle Parking</p>	<p>The matter was considered and is not anticipated to create safety issues as a result of on-street parking on Canning Street. This is not expected to occur due to the small scale nature of the use and the on-site parking provided is considered acceptable.</p>
	<p>Privacy and Noise</p>	<p>The matter was considered and Condition 7.2 was imposed for the applicant to provide a 1.8 metre high screened fence to mitigate the identified privacy and noise issues due to the site being adjacent to existing residential uses.</p>
<p>Reasons for decision (list non-compliance items and how they were resolved)</p>	<p>The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.</p>	
	<p>Assessment Benchmark</p>	<p>Reasons for the approval despite non-compliance with benchmark</p>
	<p>Low-medium density residential zone code</p>	<p>The existing building does not include a street frontage awning however it is consistent with the surrounding residential streetscape. Despite not proposing landscaping, the development is appropriately screened from adjacent residents and from the street.</p>
	<p>Access, parking and mobility code</p>	<p>The proposed parking for a Health Care Services facility does not meet the rates specified in the code for emergency and transport vehicles requiring extra spaces. The development is not anticipated to require these vehicles being more of a consultative nature. Despite gaining access from a higher-order road due to the small-scale nature of the development it is not expected to impact on the safety, operation or function of the road network.</p>

**D/93-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR HEALTH CARE
SERVICES AND OFFICE AND
OPERATIONAL WORKS FOR AN
ADVERTISING DEVICE**

Locality Plan

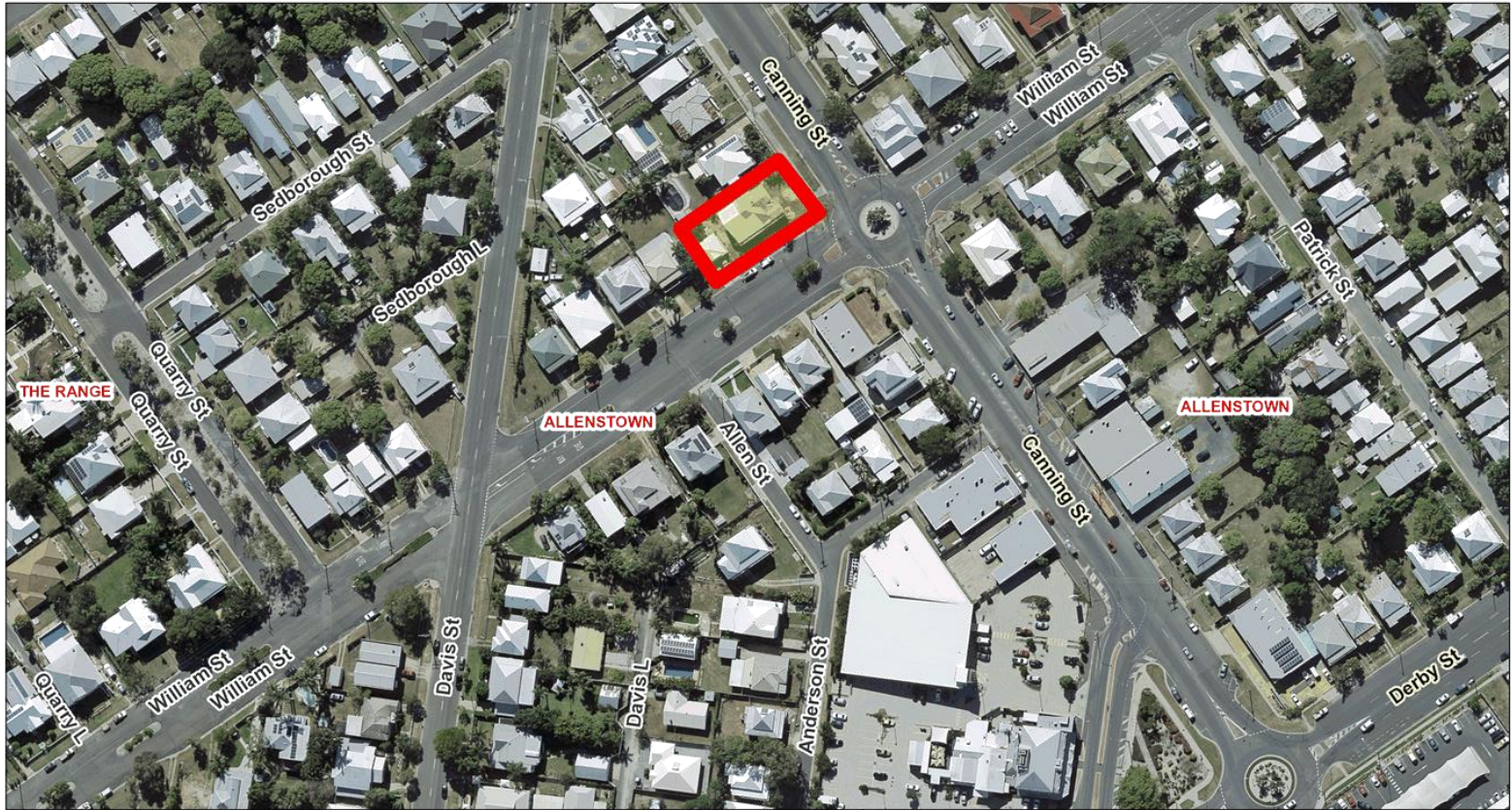
Meeting Date: 14 November 2017

Attachment No: 1

D93-2017 - Locality Plan



A4 Page scale at 1: 1,857.00
Printed from GeoCortex on 06/11/2017



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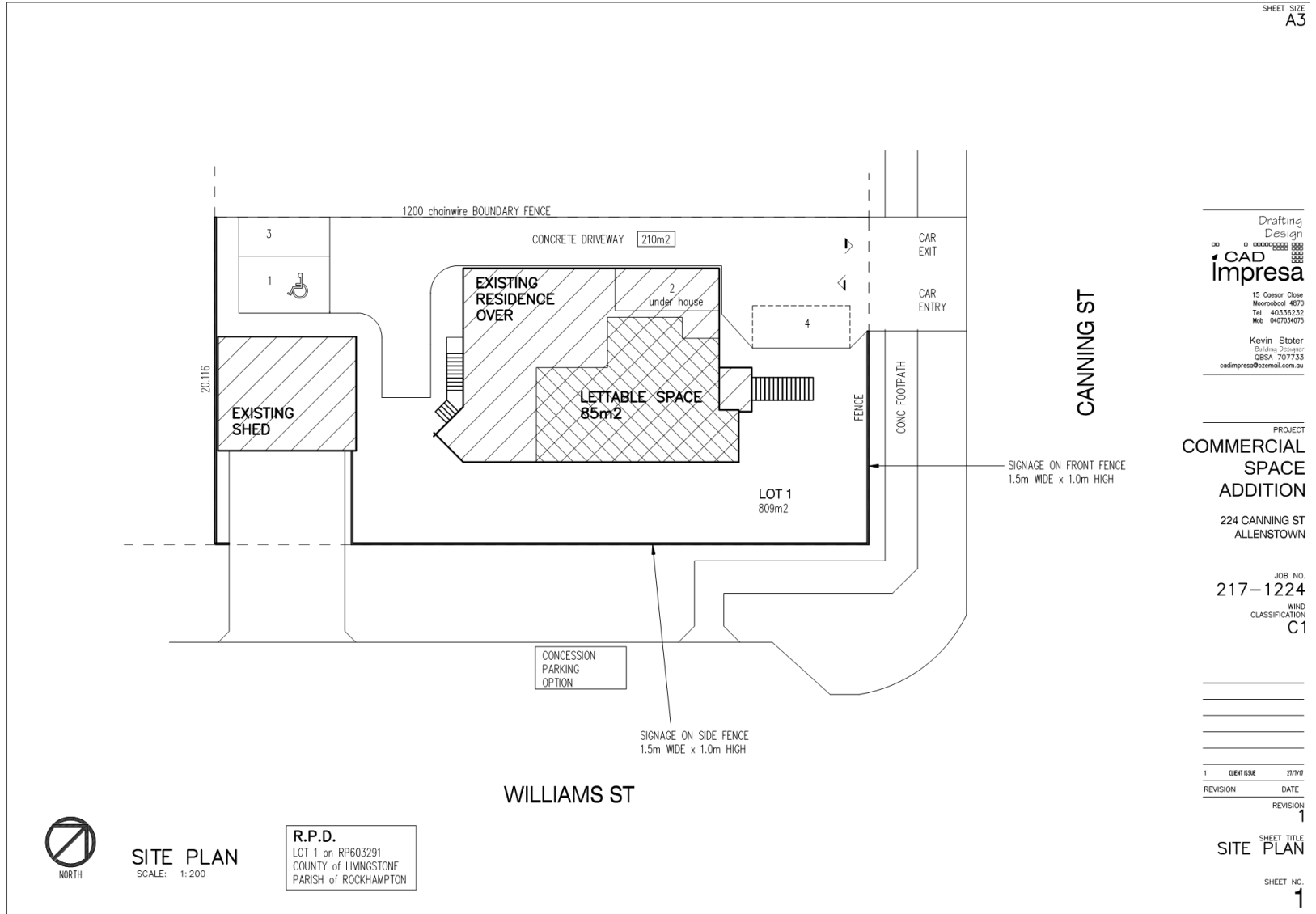


**D/93-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR HEALTH CARE
SERVICES AND OFFICE AND
OPERATIONAL WORKS FOR AN
ADVERTISING DEVICE**

Site Plan

Meeting Date: 14 November 2017

Attachment No: 2



SHEET SIZE
A3

Drafting
Design
**iCAD
Impresa**
15 Coorpar Close
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Tel 40336232
Mob 0407034075

Kevin Storer
Building Designer
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cadimpreso@ozemail.com.au

PROJECT
**COMMERCIAL
SPACE
ADDITION**
224 CANNING ST
ALLENSTOWN

JOB NO.
217-1224
WIND
CLASSIFICATION
C1

REVISION	DATE	REVISION
1	20/11/17	1

SHEET TITLE
SITE PLAN

SHEET NO.
1



SITE PLAN
SCALE: 1:200

R.P.D.
LOT 1 on RP603291
COUNTY of LIVINGSTONE
PARISH of ROCKHAMPTON

**D/93-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR HEALTH CARE
SERVICES AND OFFICE AND
OPERATIONAL WORKS FOR AN
ADVERTISING DEVICE**

Floor Plan

Meeting Date: 14 November 2017

Attachment No: 3

SHEET SIZE
A3

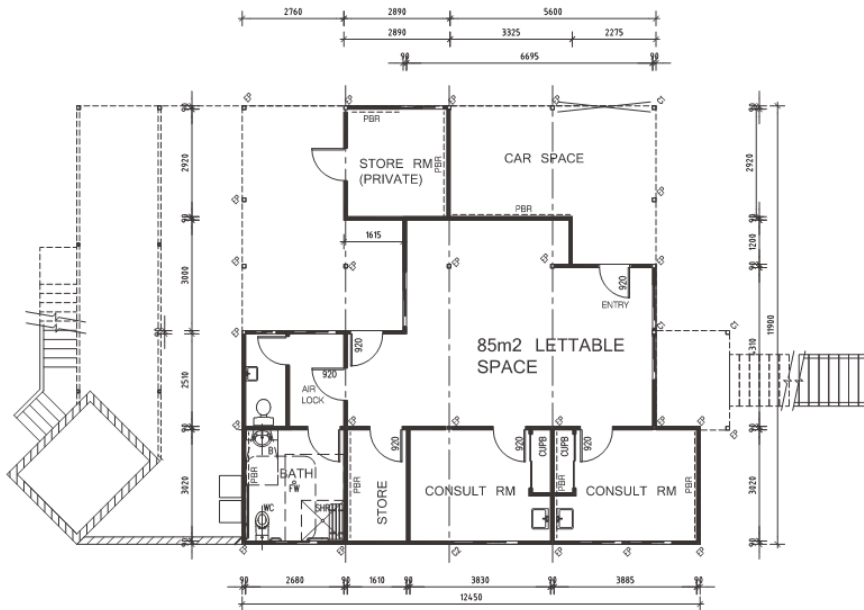
Drafting
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PROJECT
**OFFICE
ADDITIONS**
224 CANNING ST
ALLENSTOWN

JOB NO.
217-1224
WIND
CLASSIFICATION
C1

1	PLANNING APPROVAL	21/11/17
REVISION	DATE	REVISION
		1

SHEET TITLE
**LOWER FLOOR
PLAN**
SHEET NO.
2



LOWER FLOOR PLAN
SCALE: 1:100

**D/93-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR HEALTH CARE
SERVICES AND OFFICE AND
OPERATIONAL WORKS FOR AN
ADVERTISING DEVICE**

Elevation Plan

Meeting Date: 14 November 2017

Attachment No: 4

SHEET SIZE
A3

EXISTING RESIDENCE

ENTRY DOOR

WEATHERBOARD
CLADDING OVER NEW
WALLS, SCYON LINEAR

1 ELEVATION
SCALE: 1:100

EXISTING RESIDENCE

WEATHERBOARD
CLADDING OVER NEW
WALLS, SCYON LINEAR

2 ELEVATION
SCALE: 1:100

CANNING STREET

Drafting
Design
**CAD
Impresa**

15 Connor Close
Mooroolbark VIC 3620
Tel 40336232
Mob 0407014075

Kevin Stiner
Drafting Designer
QBSA 707733
cadimpres@icloud.com.au

PROJECT
**OFFICE
ADDITIONS**
224 CANNING ST
ALLENSTOWN

JOB NO.
217-1224

WIND
CLASSIFICATION
C1

PLANNING APPROVAL	DRAWN
REVISION	DATE
REVISION	DATE

SHEET TITLE
ELEVATIONS

SHEET NO.
3

SHEET SIZE
A3

EXISTING RESIDENCE

WILLIAM STREET

SLIDING GL. WINDOWS IN POWDERCOATED AL FRAME

WEATHERBOARD CLADDING OVER NEW WALLS, SCOTCH LINEAR

3
2 ELEVATION
SCALE: 1:100

4
2 ELEVATION
SCALE: 1:100

REVISION	DATE	REVISION
1		1

Drafting Design
CAD Impresa
15 Connor Close
Mooroolbark VIC
Tel: 40336232
Mob: 0407034075
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Building Designer
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224 CANNING ST
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JOB NO.
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SHEET TITLE
ELEVATIONS

SHEET NO.
4

8.4 D/77-2017 - DEVELOPMENT APPLICATION FOR A FOOD AND DRINK OUTLET

File No: D/77-2017

Attachments: 1. Locality Plan
2. Floor Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services

Author: Jonathon Trevett-Lyall - Planning Officer

SUMMARY

Development Application Number: D/77-2017

Applicant: The Olive Catering Group

Real Property Address: Lot 0 on GTP60042 and Lot 5 on GTP60042, Parish of Rockhampton

Common Property Address: 116 William Street and 124 William Street, Rockhampton City

Area of Site: 180 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Not applicable

Existing Development: Shop

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a Food and Drink Outlet

Level of Assessment: Impact Assessable

Submissions: Seven (7) submissions

Referral Agency(s): Nil

Infrastructure Charges Area: Charge Area 2

Application Progress:

<i>Application Lodged:</i>	30 June 2017
<i>Acknowledgment Notice issued:</i>	12 July 2017
<i>Submission period commenced:</i>	18 September 2017
<i>Submission period end:</i>	9 October 2017
<i>Council request for additional time:</i>	24 October 2017
<i>Last receipt of information from applicant:</i>	16 October 2017
<i>Statutory due determination date:</i>	11 December 2017

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for a Material Change of Use for a Food and Drink Outlet, made by The Olive Catering Group, on land located at 116 William Street and 124 William Street, Rockhampton City, formally described as Lot 0 on GTP60042 and Lot 5 on GTP60042, Parish of Rockhampton, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer and their employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Location Plan	SK-001 Rev 1	22 June 2017
Existing Floor Plan of Previous Use and Proposed Alterations	SK-002 Rev 1	22 June 2017

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

3.0 ASSET MANAGEMENT

- 3.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 3.2 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.

4.0 OPERATING PROCEDURES

- 4.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials

- or parking of construction machinery or contractors' vehicles must not occur within William Street or Kent Street.
- 4.2 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"*.
- 4.3 The loading and/or unloading of delivery and waste collection vehicles is limited between the hours of 0700 and 1800 Monday to Saturday and between the hours of 0800 and 1500 on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
- 4.4 Noise emitted from the activity must not cause an environmental nuisance.
- 4.5 Operations on the development 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.
- 4.6 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.
- 4.7 All waste storage areas must be:
- 4.7.1 kept in a clean and tidy condition; and
 - 4.7.2 maintained in accordance with *Environmental Protection Regulation 2008*.

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the development site, Council's Environment and Public Health Unit must be consulted to determine whether any approvals are required. Such activities may include food preparation, storage of dangerous goods or environmentally relevant activities. Approval for such activities is required before 'fit out' and operation.

BACKGROUND

PROPOSAL IN DETAIL

The proposal is to establish a Food and Drink Outlet (Café) in the existing building located at 124 William Street, Rockhampton. The proposal will occupy a Gross Floor Area (GFA) of 180 square metres comprised of the following:

- 120 square metres on the ground floor to accommodate the main seating area, amenities, office, kitchen, and storeroom; and

- Sixty (60) square metres on the first floor which will be used for additional seating, small functions and gatherings, and will have a small serving kitchen (no food will be prepared in this area).

The development will also take advantage of the wide footpath that is covered by an awning that extends to the edge of the footpath to provide an additional outdoor dining area. The existing car parking space at the rear of the property will be retained. Further, it is anticipated that customers will utilise the existing on street parking on William Street and Kent Street.

SITE AND LOCALITY

The subject site, 124 William Street, Rockhampton, has an area of 120 square metres, is located south-west of the Rockhampton CBD and forms part of a row of shops and commercial tenancies known as Diggora Terrace. The lot has an elongated rectangular shape and backs onto a large irregular allotment being the common property of Diggora Terrace Community Titles Scheme.

The subject site has been improved with a two-storey brick building, which is built to boundary on all sides. The building on the subject site and the directly adjoining properties form part of Diggora Terrace and consist of a mix of commercial tenancies on the ground floor and historically residential accommodation on the first floor. Vehicle access to the tenancy is via an existing vehicle cross over in Kent Street to the common property. A single car parking space is available on the common property that backs onto the subject site. There is a significant number of on street parking spaces (kerbside and central median) available on William Street.

The site is located within the Low-medium density residential zone under the *Rockhampton Region Planning Scheme 2015*. The area consists of a mix of commercial and residential land uses, with the residential use mainly being located on the first floor. The sites directly adjoining the premises consist of other food and drink outlets, shops, and commercial land uses. The opposite side of the road, also in the Low-medium residential zone, consists of large retail showrooms. William Street is a minor urban collector road which connects the central business district with the Bruce Highway and residential suburbs to the south-west.

There are no overlays applicable to the development on the subject site. The existing development is connected to all urban services, being water, sewer, electricity and telecommunication.

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 made 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 – 12 July 2017

Support, subject to conditions/comments.

Public and Environmental Health Comments – 4 July 2017

Support, subject to conditions/comments.

TOWN PLANNING COMMENTS**Central Queensland Regional Plan 2013**

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

State Planning Policy 2017

This State Planning Policy (SPP) came into effect on 3 July 2017 and replaces the previous SPP (April 2016). The new policy expresses the states interests in land-use planning and development and contains a number of changes to better align with the *Planning Act 2016*. This policy requires development applications to be assessed against its requirements where they have not been appropriately reflected in the local planning scheme.

Agriculture

Not Applicable. The proposal does not involve agricultural development.

Biodiversity

Not Applicable. The proposal does not relate to a matter of state environmental significance.

Emissions and hazardous activities

Not Applicable. The proposal will not have any adverse impacts from emissions and hazardous materials.

Liveable communities

Complies. The food and drink outlet will add to the community identity of the locality and will use established infrastructure and services.

Coastal environment

Not Applicable. The proposal is not located in a coastal environment area.

Cultural heritage

Not Applicable. The proposal does not impact on any matters of cultural heritage.

Development and construction

Not Applicable. The proposal is utilising an existing commercial site.

Energy and water supply

Not Applicable. The proposal will not have a negative impact on the existing water and energy supply.

Housing supply and diversity

Not Applicable. The proposal is for a commercial use and not for contributing to a diverse supply of housing.

Infrastructure integration

Not Applicable. The proposal will not compromise the ability of the existing infrastructure and associated services to operate safely and efficiently.

Mining and extractive resources

Not Applicable. The proposal does not involve mining or extractive resources.

Natural hazard, risk and resilience: Bushfire

Not Applicable. The proposal is not located in a bushfire risk area.

Natural hazard, risk and resilience: Coastal Hazards

Not Applicable. The proposal is not located in a coastal hazard area.

Natural hazard, risk and resilience: Flood

Not Applicable. The proposal is not located in a flood risk area.

Strategic airports and aviation facilities

Not Applicable. The proposal is not affected by a strategic airport or aviation facility.

Strategic ports

Not Applicable. The proposal is not affected by a strategic port.

Tourism

Not Applicable. The proposal is not for a tourism based activity.

Transport infrastructure

Not Applicable. The existing road hierarchy can effectively manage all types of relevant traffic.

Water quality

Not Applicable. The proposal is on an existing development site.

Rockhampton Region Planning Scheme 2015**Strategic framework**

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

(i) Settlement pattern

- (1) The pattern of settlement is reinforced in accordance with the Strategic framework – settlement pattern maps (SFM-1 to SFM-4) and as defined in Table 3.3.2.2 – Strategic map designations and descriptions. Sufficient land has been allocated for residential, commercial, industrial and community uses to meet the needs of the region for at least twenty (20) years.
 - (2) Residential development within Rockhampton and Gracemere will occur in urban areas, urban infill and intensification areas and new urban areas (greenfield areas). These areas are shown on the strategic framework maps SFM-2 to SFM-3.
 - (3) Urban development in Mount Morgan will only occur within the urban area and local centre as shown on strategic framework map SFM-4.
 - (4) Residential development is compact, encourages strong neighbourhoods with attractive places for residents, makes efficient use of land and optimises the delivery and use of infrastructure and services. Expansion beyond these identified areas will not occur to ensure a focus on urban infill and intensification areas and to avoid further encroachment on natural assets and ecologically vulnerable areas.
-

- (5) Sufficient land for employment growth has been identified in industrial areas, new industrial areas and centres (including proposed centres) at locations that can be most efficiently serviced with infrastructure and facilities.
- (6) Future urban areas and future industrial areas are the preferred location for greenfield development beyond 2026.
- (7) The settlement pattern provides for a diverse range of housing to meet changing demographic needs, and creates opportunities for more affordable living close to services and facilities. These housing options will help stimulate centres and community focal points, and assist in making the most efficient use of infrastructure and other public investment.
- (8) Higher density development is focussed around centres and public transport nodes and corridors. Increased residential densities will be encouraged in the urban infill and intensification areas in a range of dwelling types that are located to make public transport, walking and cycling more convenient, safe and viable.
- (9) The design of the built environment (including buildings, streets and public spaces) is consistent with the existing or desired character of the area and buildings are oriented to the street and public places. Development is undertaken in accordance with urban design principles.
- (10) Centres provide for employment, retail, accommodation, entertainment and community services that meet the needs of residential communities that are well connected by the public transport network.
- (11) Centres are based on a hierarchy that ensures the scale and form of development is appropriate to the location, and that the centres' roles and functions are appropriate within the wider planning scheme area.
- (12) Centres are consolidated within designated areas, and expansion does not occur into adjoining residential areas.
- (13) An integrated and high quality public open space network caters for the needs of residents, particularly in and around centres and higher density areas.
- (14) The continuing viability of areas that provide for economic development such as industrial and specific use areas is protected from incompatible land uses.
- (15) Limited rural residential areas provide for semi-rural living; however, these areas do not expand beyond the areas designated.
- (16) The productive capacity of all rural land is protected.
- (17) Rural lands and natural areas are maintained for their rural and landscape values.
- (18) The scenic and environmental values of areas identified as nature conservation or natural corridor link are protected.
- (19) The cultural heritage of Rockhampton is conserved for present and future communities.
- (20) Development responds to natural hazards (flooding, bushfire, steep land, storm tide inundation and coastal erosion) by avoiding, mitigating, adapting and building resilience to natural hazards in areas mapped as being susceptible.

Complies – The proposal is reusing an existing commercial site and will provide services and facilities close to residential uses.

(ii) Natural environment and hazards

- (1) The natural environment and landscape are highly valued by the community for their contribution to the planning scheme area's biodiversity, economic prosperity, culture, character and sense of place. These areas are to be protected from incompatible development.
- (2) Development does not create unsustainable impacts on:
 - (a) the natural functioning of floodplains;
 - (b) environmentally significant areas, including areas of state and locally significant vegetation, which provide fauna habitat and support biodiversity; and
 - (c) the quality of water entering waterways, wetlands and local catchments.
- (3) Development does not increase the risk to human life and property in areas that are affected, or potentially affected, by storm-surge, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide. This occurs through the avoidance of natural hazards in new development areas, particularly greenfield areas and the mitigation of risks in existing built up areas.
- (4) Strategic and iconic scenic and landscape values are protected from potential adverse impacts of development.

Not applicable – The proposal is not affected by any natural hazards and will not increase the risk to human life or property across the surrounding area.

(iii) Community identity and diversity

- (1) The quality of life of residents is enhanced through equitable access to social infrastructure, community services and facilities necessary to support community health and well-being.
- (2) The community is self-sufficient and does not rely on services and facilities located in other regions. Development contributes to the provision of new social infrastructure, including land.
- (3) Cultural heritage including character housing and heritage buildings are conserved and enhanced.
- (4) Public places are safe, functional, characterised by good urban design, and include a range of facilities to encourage healthy and active lifestyles.
- (5) Crime prevention through environmental design is achieved in urban areas including public spaces to improve public safety.

Complies – The proposal will lead to an improved quality of life in the area by providing employment and helping to create a safe public space.

(iv) Access and mobility

- (1) Connectivity is achieved between residential uses, employment centres and services through the provision of active transport infrastructure integrated with efficient public transport services.
- (2) The trunk transport network (as shown on the strategic framework maps SFM-9 to SFM-12 and in plans for trunk infrastructure in the local government infrastructure plan) supports the settlement pattern and the local economy by facilitating the efficient and safe movement of people and goods both within the

planning scheme area (especially between the main urban centres of Rockhampton and Gracemere), and to and from other locations.

- (3) The transport network encourages and supports active living in centres by providing for integrated walking, cycling, and public transport infrastructure to support a progressive reduction in car dependency.
- (4) The safety and efficiency of transport infrastructure, including the Bruce and Capricorn highways and other state and local roads, rail, airport and seaports, are not compromised by development.

Not applicable - The proposal will not impact on the transport network.

(v) **Infrastructure and services**

- (1) Infrastructure and services are planned and delivered in a logical and cost efficient manner in support of the planned settlement pattern. It is fit for purpose and is sensitive to cultural and environmental values. In particular:
 - (a) efficient, affordable, reliable, timely and lasting infrastructure makes best use of public resources;
 - (b) the long-term needs of the community, industry and business are met; and
 - (c) the desired standards of service in Part 4 — Local government infrastructure plan are achieved.

Not applicable - The proposal will utilise the existing infrastructure network.

(vi) **Natural resources and economic development**

- (1) The economy of the planning scheme area continues to grow and provides the community with diverse and new employment opportunities. Rockhampton continues to strengthen as the retail, service, cultural and administrative centre for both the planning scheme area and the wider Central Queensland region.
- (2) The strategic importance of Rockhampton for transport and logistics industries is fostered, given its central location at the junction of the Bruce Highway, the Capricorn Highway (through to the Landsborough Highway) and the Burnett Highway (through to the Leichhardt Highway).
- (3) The local community continues to value its traditional economic assets and natural resources and protects and conserves them and the contribution they make to maintaining and growing the region's economic prosperity, culture, character and sense of place. The region's traditional economic sectors of tourism and agriculture (including the iconic beef industry) continue to strengthen.
- (4) Development protects and, where possible, leverages the intrinsic economic value of the region's natural resources, including productive grazing, agricultural and forestry land, extractive and mineral resources, marine and coastal resources, and existing and planned water resources, including watercourses, water bodies and groundwater.
- (5) Natural assets identified by this planning scheme are protected as they underpin current and emerging tourism opportunities and important lifestyle values for residents.

Complies – The proposal will provide the community with employment opportunities and will not have any negative impacts on the natural resources of the region.

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

Low-medium density residential zone

The subject site is situated within the Low-medium density residential zone under the *Rockhampton Region Planning Scheme 2015*. The purpose of the Low-medium density residential zone identifies that: -

- 1) *The purpose of the low-medium density residential zone code is to:*
 - a) *provide locations preferred for the consolidation of a range and mix of dwelling types developed at low-medium densities in the planning scheme area;*
 - b) *minimise land use conflict and ensure that uses supporting low-medium density development predominantly develop in the zone; and***
 - c) *ensure that development within the zone has appropriate standards of infrastructure and essential services.***
- 2) *The purposes of the zone will be achieved through the following overall outcomes:*
 - a) *development provides for dwellings, dual occupancies and multiple dwellings being generally a low to medium-rise built form (up to three (3) storeys in building height) and low-medium density;*
 - b) *infill development and greenfield areas are developed in a manner that makes efficient use of land and can provide for the development of a range and mix of accommodation and residential types;*
 - c) *non-residential uses only occur within the zone where they:***
 - i) *do not compromise the residential character and existing amenity of the surrounding area;***
 - ii) *are small-scale and consistent with the surrounding urban form;***
 - iii) *primarily function to service the needs of the immediate local residential community;***
 - iv) *do not detract from the role and function of centres;***
 - v) *do not result in the expansion of a centre zone;***
 - vi) *are in proximity to higher order roads (minor urban collector or higher); and***

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

 - vii) *provide for uses along Albert Street that can demonstrate a dependence on having a highway passing trade;***
 - b) *development for an office is limited in scale (200 square metres gross floor area) to ensure the primacy of the principal centre and involves the reuse of an existing building to promote renewal;*
 - c) *new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;*
 - d) *with the exception of a local centre at North Parkhurst (along William Palfrey Road on Lot 5 SP238731), no other neighbourhood or local centres are required within the low-medium density residential zone;*

- e) *short-term accommodation, rooming accommodation and tourist parks occur where there is access to public transport and higher order roads (minor urban collector or higher);*
- f) ***development has a built form that creates an attractive and pedestrian oriented streetscape and is integrated with nearby centres, community facilities, open space and recreation facilities via pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;***
- g) ***development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;***
- h) ***development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;***
- i) *new residential developments are not located in proximity to existing incompatible uses such as rural uses, industry uses and major community facilities without separation distances, buffering, landscaping and screening that minimise a loss of amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;*
- j) *new residential developments are located and integrated with existing neighbourhoods and in proximity to existing community infrastructure;*
- k) ***development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints; and***
- l) ***development is serviced by infrastructure that is commensurate with the needs of the use.***

The proposed development is consistent with the purpose of the Low-medium density residential zone under the *Rockhampton Region Planning Scheme 2015*. There is not anticipated to be any land use conflict for the proposed food and drink outlet. The site is already serviced by existing infrastructure that is of an appropriate standard for the development. The size of the development (180 square metres) would be considered small-scale and would not compromise the residential character and amenity of the area with regard to noise, dust, odour and lighting. The small-scale size of the development will not detract from the role and function of centres or result in the expansion of a centre zone. The proposed food and drink outlet will be located on a minor collector road and will utilise the footpath for dining which will activate the street front.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application: -

- Low-medium density residential zone code;
- Access, parking and transport code;
- Landscape code;
- Stormwater management code;
- Waste management code;

- Water and sewer code; and
- Works code.

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

Low-medium density residential zone code		
Performance Outcome/s		Officer's Response
PO8	<p>The development is located and designed so that buildings and structures make provision for:</p> <ul style="list-style-type: none"> (a) an appropriate scale and size that reflects the purpose of the zone; (b) access to natural light and ventilation; (c) landscaping; (d) privacy and noise attenuation; (e) screening of materials when stored outside buildings; (f) integration with the streetscape and built form; (g) orientated to the street frontage; (h) landscape features of the site; and (i) access to open space. <p>Editor's note—Figure 6.2.2.3.2a — Development site plan provides guidance.</p>	<p>The proposed food and drink outlet is using an existing building which is built to boundary on all sides as part of a terrace development. Although the site will not meet all of the requirements of PO8 it is justified as they are utilising an existing building.</p>
PO11	<p>Non-residential development may locate in the low-medium density residential zone when the use can demonstrate the following:</p> <ul style="list-style-type: none"> (a) it services the day-to-day needs of residents of the local neighbourhood or located on Albert Street and can demonstrate a dependence on having highway passing trade; (b) it does not compromise the residential character and 	<p>The proposed food and drink outlet will service the day-to-day needs of local residents by providing access to a small-scale food and drink outlet. The size of the development (180 square metres) would be considered small-scale and would not compromise the residential character and amenity of the surrounding area with regard to noise, dust, odour and lighting. The proposal is reusing an existing building so would be consistent with the surrounding built form. The small-scale size of the development will not detract from the role</p>

	<p>existing amenity of the surrounding area in relation to lighting, noise, dust and odour;</p> <p>(c) is small in scale;</p> <p>(d) is consistent with the surrounding built form and streetscape;</p> <p>(e) the use provides only a convenience function and does not compromise the role and function of existing centres;</p> <p>(f) does not adjoin an existing centre zone;</p> <p>(g) located in proximity to public transport facilities and public transport routes; and</p> <p>(h) minimises impacts on local amenity and the local street network.</p> <p>Editor's note—SC6.10 — Economic impact assessment planning scheme policy provides guidance on how to achieve compliance with this performance outcome.</p>	<p>and function of centres or result in the expansion of a centres zone. The proposal would have minimal impacts on the local amenity and street network.</p>
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Access, parking and transport code		
	Performance Outcome/s	Officer's Response
PO5	<p>Provision is made for on-site vehicle parking:</p> <p>(a) to meet the demand likely to be generated by the development; and</p> <p>(b) to avoid on-street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.</p> <p>Editor's note—SC6.6 — Car parking contributions planning scheme policy prescribes circumstances under which an applicant can satisfy PO5</p>	<p>The proposed food and drink outlet will not result in an increase in the GFA on the site, so will not require an increase in the existing number of on-site car parks. The Kent Street road frontage has an existing loading zone area that can accommodate any service deliveries and waste collection associated with the development. There is sufficient on-street parking for visitors and employees on William Street and Kent Street.</p>

Landscaping code
Officer's Response
The proposal cannot comply with this code as the existing buildings are historic and built to boundary. However, landscaping is encouraged by way of pot plants at entry-ways etcetera; however, it will not form a condition of this approval.

The development complies or has been conditioned to comply with the remaining infrastructure and services related codes. The existing building is connected to reticulated sewer, water and stormwater networks. No upgrades to infrastructure are necessary at this stage.

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

INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 5) 2015 applies to the application and it falls within Charge Area 2.

There have been no changes to the amount of gross floor area or impervious area associated with the proposed use. The proposed use and the existing use are both charged at the same rate. Therefore, there are no applicable infrastructure charges for the proposed development.

CONSULTATION

The proposal was the subject of public notification between 18 September 2017 and 9 October 2017, as per the requirements of the *Sustainable Planning Act 2009*, and seven (7) properly made submissions were received.

The following is a summary of the submissions lodged, with Council officer comments:

Issue	Officer's Response
The proposed business will contribute positively to the surrounding businesses due to increased patronage of the area.	Section 3.5.3.1 (1)(a) of the Strategic Framework outlines that development contributes to the identification and enhancement of public and civic spaces. The proposed food and drink outlet has helped to create a strong community connection, increase the usage of the area, and by adding to the sense of civic pride to the local community.
The proposed business is adding to the region's variety of food offerings and sources food locally.	Not a planning consideration.
Great to see new businesses in the region with so many vacant tenancies.	Not a planning consideration.
Their presence has led to a noticeable decrease in delinquent behaviour in the area.	Section 3.5.2.1 (4) of the Strategic Framework outlines that development creates safe environments that discourage antisocial behaviour.

Issue	Officer's Response
	<p>The proposed food and drink outlet adds to the public presence in the area which increases public surveillance and therefore decreases the opportunities for vandalism and nuisance.</p>
<p>The proposed business has added life and vibrancy into the area. This is welcoming for residents and customers to the area.</p>	<p>Section 3.5.3.1 (1)(a) of the Strategic Framework outlines that development contributes to the identification and enhancement of public and civic spaces.</p> <p>The proposed food and drink outlet has helped to create a strong community connection by adding to the sense of civic pride for the local community.</p>
<p>The increased traffic has made it difficult to access our residential property.</p>	<p>Schedule 6.15 of the <i>Rockhampton Region Planning Scheme 2015</i> outlines the road infrastructure hierarchy to ensure that land use activities which generate vehicular or other traffic movements are located on the appropriate classification of road.</p> <p>William Street is classified as a minor urban collector and should be able to handle up to 3000 vehicular trips per day. Kent Lane is classified as an urban access street and should be able to handle up to 750 vehicular trips per day.</p> <p>The proposed food and drink outlet will not lead to an increase of traffic that will exceed the daily vehicular trips per day for either William Street or Kent Lane.</p>
<p>The increased traffic limits the amount of street parking for the local Salon's customers and for residential properties.</p>	<p>Table 9.3.1.3.2 of the <i>Rockhampton Region Planning Scheme 2015</i> identifies the parking requirements for land uses within the Rockhampton Regional Council area.</p> <p>The parking requirements for the existing use as a shop is one (1) space per twenty-five (25) square metres of gross floor area (GFA). This would be calculated on the GFA of the ground floor. The ground floor is 120 square metres, which would equate to a parking requirement of approximately five (5) spaces.</p> <p>The proposed food and drink outlet has a parking requirement of one (1) space per fifteen (15) square metres of GFA for seating areas (including outdoor seating</p>

Issue	Officer's Response
	<p>areas). The GFA for the seating areas of the proposal is approximately ninety-six (96) square metres, which would equate to a parking requirement of approximately six and a half (6.5) spaces.</p> <p>The difference between the parking requirements for the two (2) uses is minimal and would not have a major impact on the amount of street parking available for other businesses and residents in the vicinity.</p>
There are already two (2) coffee shops in the direct vicinity.	Not a planning consideration.

REFERRALS

There were no referrals associated with this application.

CONCLUSION

The proposal for establishing a Food and Drink Outlet within the Low-medium density residential zone is considered to be a consistent use and can be supported by the *Rockhampton Region Planning Scheme 2015*.

Therefore, the proposal for a Material Change of Use for a Food and Drink Outlet at 124 William Street, Rockhampton, is recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

**D/77-2017 - DEVELOPMENT
APPLICATION FOR A FOOD AND
DRINK OUTLET**

Locality Plan

Meeting Date: 14 November 2017

Attachment No: 1

D/77-2017 - Locality Plan



A4 Page scale at 1: 1,285.55
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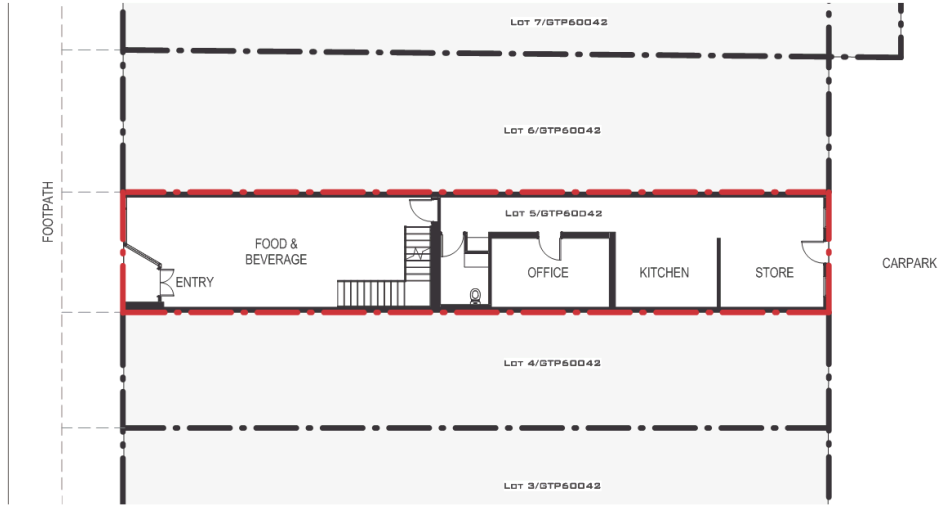
**D/77-2017 - DEVELOPMENT
APPLICATION FOR A FOOD AND
DRINK OUTLET**

Floor Plan

Meeting Date: 14 November 2017

Attachment No: 2

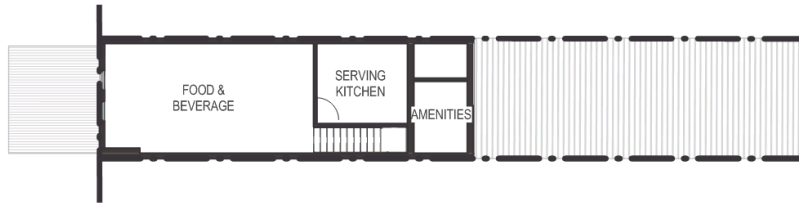
WILLIAM STREET



SITE PLAN LEGEND		
SITE AREA		120 m2
GROUND FLOOR AREA		120 m2
FIRST FLOOR AREA		60.6 m2

EXISTING FLOOR PLAN

SCALE: 1 : 150



EXISTING FIRST FLOOR

SCALE: 1 : 150

drawing title:
**EXISTING FLOOR PLAN OF
 PREVIOUS USE & PROPOSED
 ALTERATIONS**

drawing no: **SK-002**



project: FOOD & BEVERAGE location: 124 WILLIAM ST, ROCKHAMPTON, LOT 5/GTP60042		client:		project: GG-001	issued for: PRELIMINARY
project: FOOD & BEVERAGE location: 124 WILLIAM ST, ROCKHAMPTON, LOT 5/GTP60042		client:		project no: GG-001	scale: As Indicated date: JUN 17 drawn: [blank] Author: [blank]
project: FOOD & BEVERAGE location: 124 WILLIAM ST, ROCKHAMPTON, LOT 5/GTP60042		client:		REVISIONS 1 PRELIMINARY	ISSUED FOR PRELIMINARY REV: 1

PRELIMINARY FLOOR PLANS
 If the drawings are printed and used for construction, please refer to the Building Application, tender or construction contracts.
 The client is responsible for ensuring that the drawings are used for the intended purpose.
 COPYRIGHT LIABILITY:
 These drawings, contents and designs are copyrighted and the property of the architect and shall not be used for any other purpose without the written consent of the architect.
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26/06/2017 10:55:08 AM

8.5 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - SEPTEMBER 2017

File No: 1464

Attachments:

1. Monthly Operations Report for Planning and Regulatory Services - September 2017
2. Traffic Light Report - September 2017

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: Steven Gatt - Manager Planning and Regulatory Services

SUMMARY

The Monthly Operations Report for the Planning and Regulatory Services Section for September 2017 is presented for Councillor's information.

OFFICER'S RECOMMENDATION

THAT the Planning and Regulatory Services Monthly Operations Report for September 2017 be 'received'.

COMMENTARY

The monthly operations report for the Planning and Regulatory Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2017/2018 Operational Plan Key Performance Indicators.

**MONTHLY OPERATIONS REPORT FOR
PLANNING AND REGULATORY
SERVICES - SEPTEMBER 2017**

**Monthly Operations Report for
Planning and Regulatory Services -
September 2017**

Meeting Date: 14 November 2017

Attachment No: 1



Monthly Operations Report

Planning and Regulatory Services
September 2017

1. Highlights

Local Laws

Local Laws continue to provide quality customer service whilst experiencing high levels of requests for service. A snapshot of high profile customer requests is provided below:

- Wandering animal customer requests are currently 46% above the same period in 2016/2017;
- Barking Dog Stage1 customer requests are currently 11% above the same period in 2016/2017;
- Local Law Infringements are maintaining 2016/2017 levels YTD;
- Animal Infringements are maintaining 2016/2017 levels YTD;

The dog registration renewal period ended on 31 August 2017; to date 12,005 dogs have been renewed for 2017-2018 which is 76% of all known dogs registered.

To date, 12,935 dogs are registered with Council for 2017-2018. This figure includes renewed dog registrations and brand new dog registrations.

During the month of September, 3,156 reminder dog registration renewal notices were issued.

Health and Environment

Small Landholders Day

The Environment and Public Health, Pest Management and Vector Management units had stalls at the Small Landholders Day on the 16th September 2017 at the Rockhampton show grounds

The Pest Management Officers delivered a 45 minute talk on weed identification and control methods. It was identified that properties on the Fitzroy floodplain were still struggling to deal with invasive plants deposited by recent flooding as well as soil disturbance caused by the flood re-invigorating growth from invasive plant seed banks.

Weed Buster Week Stall

Pest Management and Vector Management had a stall at Stockland from the 6-8 September 2017; approximately 250 enquiries were answered during this time.

Pest Management

Expansion of Aquatic Invasive Plant Biocontrol Facility

The Fitzroy Basin Association (FBA) has approved in principle, funding for an expansion to Councils aquatic invasive plant biocontrol facility. The expansion will allow Council to grow and provide biological agents for the control of water lettuce, salvinia and water hyacinth to residents.

Building Plumbing and Compliance

- The Building unit received 25 applications for the month and 18 applications were decided.
- The Plumbing unit received 25 applications for the month and 21 applications were decided.

Development Assessment

The Stockland Ellida development application has been lodged with Council for the first few stages of the master planned community.

The unit received the following applications for the month:

- 16 applications of those 14 were properly made;
- 5 requests to change applications;
- 1 Development Incentive application.

15 applications were decided.

2. Innovations, Improvements and Variations

Local Laws

- The review of the Local Laws continued in September 2017. In particular, the Local Law No 1 (Administration) 2011, Subordinate Local Law No 1.5 (Keeping of Animals) 2011, Local Law No 2 (Animal Management) 2011, Subordinate Local Law No 2 (Animal Management) 2011; Local Law No 5 (Parking) 2011, Subordinate Local Law No 5 (Parking) 2011 with a view to preliminary reporting to Council in December 2017.
- The Smart Parking Sensor project continued with the installation of parking sensors and relays. Upgrade to Pinforce, network integration and testing was carried out during this period.
- Mobile technology is currently being tested by key users. Testing of the infield device is proving to be successful with improving current process and with efficiencies being identified.
- Registration renewal payments will continue to be receipted and owners' details updated.

Health and Environment

- A *Food Safety for Event Organisers Guide* has been developed for organisers of temporary events where food is sold. The guide outlines the responsibilities and requirements of event organisers and food business licensees at temporary events in the Rockhampton Region.

The guide will allow event organisers to understand what they are required to do and what the Environment & Public Health Unit can assist them with to ensure that food businesses at events comply with the *Food Act 2006* and the *Food Safety Standards*.

- *Investigating General Biosecurity Obligation Work Instruction* accepted and training delivered to staff. This work instruction ensures Pest Management Officers have a standard and consistent approach to the relevant investigations whilst continuing to comply with the requirements of the *Biosecurity Act 2014*.

Building, Plumbing and Compliance

- The unit has completed a Pre Lodgement Process document to allow applicants to discuss the requirements of the application. This is to provide a more efficient application process and to cut down on information requests.
- The unit received training from McInnes Wilson Lawyers, one of Council's panel firms, in relation to Authorised Officers and Powers of Entry.

□

3. Customer Service Requests

Response times for completing customer requests in this reporting period for *September* are outlined in the *Traffic Light Report for Planning and Regulatory Services* in attachment 2.

The Planning and Regulatory Services section has received 12,221 customer requests from January 2017 to date. Of these 11,522 have been completed giving an average completion rate of 94.28% across the spectrum of operations.

Local Laws

- Local Laws has received 1049 customer requests in the reporting period of September, completing 780 within the period;
- Dog "wandering" customer requests and dog registration enquiry customer requests continued to exceed in the period and averaging completion rate in days 0.64 and 2.44 respectively;
- Wandering Animals customer requests are currently 46% above the same period in 2016/17;
- Barking Dogs Stage 1 customer requests are currently 11% below the same period in 2016/2017.

4. Service Delivery

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Local Laws			
Dog registration enquiry customer requests continued to exceed in the period with 438 requests during the period	10 days	2.44 days	Operational
Wandering Animals second largest (119) number of customer requests received during the period	10 days	0.64 days	Operational
Barking Dog Stage 1 complaints	30 days	3.41 days	Operational
Health and Environment			
Annual inspection of licensed food businesses undertaken.	488 premises	24% completed	Operational
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken.	9 premises	22% completed	Operational
Annual inspection of devolved licensed environmentally relevant activities undertaken.	16 premises	6% completed	Operational
Development Assessment			
Acknowledgement notices (where required) sent out within 10 business days of applications being properly made	100%	100%	Operational
Information Requests (where required) sent out within timeframes required under IPA, SPA and PA	100%	100%	Operational
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under IPA, SPA and PA)	100%	94%	Operational
Decision notices are issued within 5 business days of the decision being made	100%	100%	Operational
Building			
Action notices and confirmation notices (where required) sent out within 10 business days of applications being lodged	100%	100%	Operational
Information requests (where required) sent out within timeframes under <i>Planning Act 2016</i>	100%	100%	Operational
Building approvals – decision are made within 35 business day timeframe	100%	100%	Operational
Plumbing			

Plumbing and Drainage Approvals – decisions are made within 20 business day timeframes	100%	100%	Operational
--	------	------	-------------

5. Legislative Compliance and Standards

Legislative timeframes

Item	Due Date	Compliant? (Yes/No)	Status
Local Laws			
Local Law Officers Powers of Entry	Various	Yes	All officers completed and updated
C Class Drivers Licence	Various	Yes	All officers provided licences to HR
Certificate IV (Government Investigations)	Various	80%	Training completed, officers have until November 2017 to complete assessment.
Environment and Public Health			
Council's Ground Distribution Contract Licence	6 April 2020	Yes	Current
Pest Management Officers AC/DC Licenses	Various	Yes	Current
Vector Management Officers Pest Management Technicians Licenses	Various	Yes	Current
Payment of Pest Management Government Charges to DAFF	December 2017	Yes	Current
Building, Plumbing & Compliance			
Compliance Officers Powers of Entry	Various	Yes	All officers completed and updated
C Class Drivers Licence	Various	Yes	All officers provided licences to HR
Cert IV (Government Investigations)	Various	80%	Training completed, officers have until November 2017 to complete assessment

6. Operational Plan Targets by Section

Operational Plan Ref	Action	Target	Status
1.1.4.4	<i>Completion of a new animal pound facility at Gracemere</i>	<i>Completed in accordance with project schedule</i>	<p>Land sale finalised in July 2017</p> <p>D/34-2017 Development Permit for a Material Change of Use for Animal Keeping resolved by Council.</p> <p>5 September 2017, Development Permit for a Reconfiguration of a Lot by Boundary Realignment of 4 Lots into 2 Lots reported to Council for Council resolution.</p>
1.3.2.1	<i>Prevention of disease and adverse impact of domestic animals</i>	<i>Implement actions in accordance with the Animal Management Guidelines</i>	No reported cases of infectious diseases at the Pound for the period.
		<i>Implement public health programs in accordance with schedule</i>	
3.1.3.1	<i>Implement strategic plans to advise community on programs</i>	<i>Achieve strategy outcomes in the Biosecurity Plan in accordance with timeframes</i>	Biosecurity Plan endorsed by Council to go to neighbouring Councils and BQ for consultation
4.1.1.1	<i>Provide timely and accurate responses to requests</i>	<i>In accordance with unit's customer service standards or adopted service levels</i>	<p>Areas of Local Laws in the traffic light report meet the completion standard at 95%. This is an exceptional team achievement.</p> <p>The business and resourcing improvements are in progress to address the remaining areas and to maintain/improve the consistency in meeting to acceptable completion standard in the months ahead.</p> <p>Parking regulation infringements are below 2016/2017 levels by 39% YTD. This is due to relaxing of parking regulations as a result of:</p> <ul style="list-style-type: none"> - Suspension of parking enforcement at Pilbeam Theatre from Wed, 20 Sept to Sun, 01 Oct 2017 for the Dance Festival; - Interruption to Pinforce production; - Periods of Officer Development training on "Smart Parking Sensor" project. <p>The Development Assessment Unit is addressing over 90% of customer requests received within</p>

Operational Plan Ref	Action	Target	Status
			5 business days of receipt.
4.1.1.2	<i>Provide effective delivery of Council services</i>	<i>In accordance with unit's customer services</i>	Customer service improvement projects under way as per operational; project tables
4.2.1.1	<i>Provide effective development management programs in line with legislative requirements for noise, odour and dust protection</i>	<i>Compliance with statutory codes and regulations</i>	<p>Work Instructions continuously developed and reviewed.</p> <p>Local Laws continue to respond to residential complaints in relation to noise dust and odour. In the subject period:</p> <ul style="list-style-type: none"> - 2 noise complaints actioned; - 2 dust complaints received and actioned; <p>Local Laws is continuing to action barking dog complaints. In the subject period there was 61 stage 1 barking complaints received and 46 responded to within an average response rate of 3.41 days.</p>
4.2.1.2	<i>Provide formal and informal education opportunities to the public to ensure the community are aware of their legislative obligations</i>	<i>Education program implemented in accordance with program milestones</i>	<p>Education program for 2017-2018 currently being planned.</p> <p>Vector Management, Pest Management, Environment and Public Health and Local Laws undertook displays at the Small Landholders Day on 16 September 2017.</p> <p>Vector Management and Pest Management undertook displays at Stocklands during Weedbuster Week 6, 7 & 8 September 2017.</p>
4.2.2.3	<i>Provide a diverse range of compliance tools to a wide range of amenity, health and safety issues across the community to enhance liveability</i>	<i>Develop an enforcement manual by 30 June 2018</i>	<p>Current compliance tools as per Councils Enforcement Strategy and legislation.</p> <p>In progress with Council solicitors Corrs Chambers Westgarth.</p>
5.2.1.1	<i>Comply with legislative requirements</i>	<i>Updates to be present to Council in sectional monthly reports</i>	See section 5 of this report.
5.2.1.4	<i>Operational risks are monitored and managed in accordance with legislative requirements</i>	<i>Risk registers are presented to Council on a quarterly basis</i>	Risk register currently being reviewed.
5.2.1.8	<i>Monitor and review non-compliance of legislative requirements</i>	<i>Report on legislative non-compliance included in sectional reports presented to</i>	No non-compliances in decision making, planning and reporting processes identified.

Operational Plan Ref	Action	Target	Status
		<i>Council on a monthly basis</i>	
5.3.1.1	<i>Workforce planning is reviewed to ensure that resourcing levels meet business needs in accordance with budget allocations</i>	<i>Review workforce requirements in accordance with budget schedule</i>	Current resourcing does not meet business needs but is in accordance with budget allocation.
5.3.2.1	<i>Continually review operational expenditure</i>	<i>Identify at least one operational saving per section of responsibility</i>	See section 2 of this report.
5.4.2.6	<i>Pursue improved processes through all levels of Council</i>	<i>Identify at least two improved processes per section of responsibility</i>	See section 2 of this report.

7. Operational Projects

As at period ended **September** – 25% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Local Laws					
Pets in the Park Microchipping Days		June 18	Planning	\$17,000	Nil
Issuing of Dog Registration Renewals	June 17	September 17	Completed	\$20,000	\$14,583.23
Health and Environment					
Biosecurity Plan	Commenced		Council endorsed draft for consultation	Operational budget	
Dengue Management Plan	Commenced		Discussed with Qld Health. Draft being finalised.	Operational budget	
Enforcement Guideline			Awaiting Enforcement Manual and Policy	Operational budget	
Story Books (food safety, mosquitos) – education tools	Commenced		Story line developed. Feedback on characters provided to M&E for update.	Operational budget	
In field devices to record activity in the field	Commenced		Annual food inspection proforma continues to be tested and proforma amended as necessary	Operational budget	
Building, Plumbing and Compliance					
Backlog of outstanding customer requests		1 Jan 18	Monthly meetings with relevant staff to discuss	Operational	

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
			outstanding/problems and closeout issues	budget	
Compliance process review		1 Sept 17	Discussions with admin, CIS and consultants	Operational budget	
Work flow alignment	21 Aug 17	Sept 17	Infor consultant engaged to align pathway with new legislation	\$10,000	Nil
Development Assessment					
Outstanding infrastructure charges	June 2017	Dec 18	Outstanding charges are being collected by writing to the applicant and sending a tax invoice. If charges are not paid they are put as a rate against the land	Within budget	Within budget
Development Advice Centre	July 2017	June 18	To get the Development Advice Centre up and running with staff trained in the Centre's activities. The aim is to have the Development Advice Centre operational in early 2018	Budget for staff	Within budget

8. Budget

Financial performance as expected for the reporting period



End of Month General Ledger - (Operating Only) - Planning & Regulatory

As At End Of September

Report Run: 30-Oct-2017 16:11:06 Excludes Nat Accs: 2802,2914,2917,2924

	Adopted Budget	EOM Commitments	YTD Actual	Commit + Actual	Variance	On target
	\$	\$	\$	\$	%	25% of Year Gone
COMMUNITY SERVICES						
Planning and Regulatory Services						
<u>Development Assessment</u>						
Revenues	(807,066)	0	(356,474)	(356,474)	44%	✓
Expenses	1,292,143	215,387	398,602	613,989	48%	✗
Transfer / Overhead Allocation	30,630	12	(7,544)	(7,532)	-25%	✓
Total Unit: Development Assessment	515,707	215,399	34,584	249,983	48%	✗
<u>Building, Plumbing and Compliance</u>						
Revenues	(762,880)	0	(244,908)	(244,908)	32%	✓
Expenses	1,130,867	16,136	338,950	355,086	31%	✗
Transfer / Overhead Allocation	(105,696)	8,163	(39,955)	(31,791)	30%	✓
Total Unit: Building, Plumbing and Compliance	262,291	24,299	54,087	78,386	30%	✗
<u>Health & Environment</u>						
Revenues	(189,489)	0	(53,540)	(53,540)	28%	✓
Expenses	2,556,478	135,562	579,100	714,661	28%	✗
Transfer / Overhead Allocation	353,717	257	76,174	76,431	22%	✓
Total Unit: Health & Environment	2,720,707	135,819	601,734	737,553	27%	✗
<u>Local Laws</u>						
Revenues	(1,420,867)	0	(514,698)	(514,698)	36%	✓
Expenses	2,853,790	582,024	644,428	1,226,452	43%	✗
Transfer / Overhead Allocation	256,157	233	61,611	61,845	24%	✓
Total Unit: Local Laws	1,689,080	582,258	191,341	773,599	46%	✗
<u>Planning and Regulatory Services Management</u>						
Expenses	917,963	10,694	93,693	104,387	11%	✓
Transfer / Overhead Allocation	0	0	514	514	0%	✗
Total Unit: Planning and Regulatory Services Managen	917,963	10,694	94,207	104,901	11%	✓
Total Section: Planning and Regulatory Services	6,105,748	968,469	975,953	1,944,422	32%	✗
Total Department: COMMUNITY SERVICES	6,105,748	968,469	975,953	1,944,422	32%	✗
Grand Total:	6,105,748	968,469	975,953	1,944,422	32%	✗

9. Section Statistics

<i>Program Activity</i>	<i>Dates/s Held</i>	<i>Visitor/Participant Numbers</i>	<i>Comments</i>
Health and Environment			
Weedbuster Week	6, 7 & 8 Sept 17		Information stalls held by Vector and Pest Management
Small Landholders Day	16 Sept 17	Approx. 700	Information stalls held by Vector and Pest Management and Environment and Public Health
Applications/Inspections		September 2017	Comments
Number of Food Business Licence Applications		2	
Number of Short Term Food Business Licence Applications		10	
Number of Mobile Food Business Licence Applications		0	
Total Number of Food Business Licences		511	
Number of Annual Inspections for Food Business Licences		116	

Local Laws

Registered Dogs

Description	July 17	August 17	September 17	October 17	Financial YTD
New Dogs Registered	293	357	280		930
Dog Registration Renewals	4449	5706	1850		12005
Total	4742	6063	2130		12935

Declared Dogs

Description	July 17	August 17	September 17	October 17	Total
Dangerous Dogs	4	2	1		36
Menacing Dogs	1	3	0		49
Restricted Dogs	0	0	0		1

Infringements Issued

Description	July 17	August 17	September 17	October 17	Financial YTD
Parking Infringements	569	380	342		1291
Animal Infringements	84	52	55		211
Local Law Infringements	10	1	6		17
Total	663	433	403		1519

**MONTHLY OPERATIONS REPORT FOR
PLANNING AND REGULATORY
SERVICES - SEPTEMBER 2017**

Traffic Light Report - September 2017

Meeting Date: 14 November 2017

Attachment No: 2



All Monthly Requests (Priority 3) Planning & Regulatory Services 'Traffic Light' report September 2017

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	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)	Avg Completion Time (days) Q1
			Received	Completed								
Dog Registration Enquiry	71	67	438	366	75	1	10	● 2.44	● 2.84	● 6.69	5.95	● 2.56
Animals (more than permitted number)	19	16	14	6	11	0	30	● 6.67	● 24.83	● 20.78	15.74	● 15.35
Building Inspection Booking	1	1	1	1	0	0	1	● 1.00	● 11.60	● 9.83	9.00	● 8.25
Building Enquiry - General Info/Admin etc	14	13	30	26	4	1	5	● 1.42	● 7.27	● 10.19	2.47	● 6.14
Living in Illegal Premises	3	3	0	0	0	0	28	● 0.00	● 19.00	● 46.40	10.50	● 0.00
Other Building Compliant Issue	29	29	4	2	0	2	7	● -103.50	● 404.25	● 147.18	-9.25	● 764.17
Poor Condition of Building	3	3	1	1	0	0	28	● 1.00	● 20.93	● 42.38	7.79	● 21.25
Pool Fence Issues	3	1	3	2	3	0	28	● 2.50	● 4.50	● 23.71	4.00	● 4.50
Retaining Wall Issues	2	1	0	0	1	0	28	● 0.00	● 7.00	● 43.00	8.25	● 13.00
Storm Water Complaint	0	0	0	0	0	0	28	● 0.00	● 11.54	● 27.66	12.56	● 6.33
Complaints MGM Landuse. (Section Use Only)	0	0	0	0	0	0	10	● 0.00	● 0.00	● 0.00	0.00	● 0.00
Planning Compliance Request/Enquiry	23	17	13	7	6	6	45	● 6.43	● 17.21	● 30.22	25.18	● 9.53
Dog Attack on Animal (Confirmed)	0	0	0	0	0	0	10	● 0.00	● 0.00	● 0.00	0.00	● 0.00
Dog Attack on Person (Fear) CSO	12	9	13	3	11	2	20	● 3.00	● 11.35	● 14.80	10.57	● 11.03
Dog Attack on Animal (Alleged) CSO	10	9	9	3	3	4	20	● 7.67	● 14.14	● 15.46	10.13	● 12.79
Dog Attack on Person (Bite) CSO	1	1	4	1	2	1	20	● 3.00	● 9.36	● 15.74	8.88	● 8.25
Duty Planner (New Enquiry)	4	4	86	84	0	1	1	● 0.74	● 0.73	● 0.82	0.56	● 0.70
Temporary Relocation of Business DueTo Disaster	0	0	0	0	0	0	35	● 0.00	● 0.00	● 0.00	0.00	● 0.00
Plan Sign Sealling - Contributions	0	0	0	0	0	0	10	● 0.00	● 0.00	● 9.67	9.67	● 0.00
Telephone Enquiry (Existing Application/Call Back)	3	3	20	20	0	0	1	● 1.15	● 0.90	● 0.86	1.10	● 0.88
GIA Moratorium (Compliance)	0	0	0	0	0	0	45	● 0.00	● 0.00	● 0.00	0.00	● 0.00
Heavy Vehicle Parking	1	1	4	2	2	0	10	● 4.00	● 7.67	● 15.82	9.18	● 7.75
Overgrown Allotments	9	5	16	6	10	4	45	● 8.33	● 14.14	● 22.60	21.62	● 12.93
Regulated Parking	7	7	23	16	7	0	10	● 5.13	● 6.95	● 6.48	4.94	● 7.47
Dust Complaint	0	0	2	2	0	0	10	● 6.00	● 4.00	● 3.60	1.50	● 4.33
Litter/Illegal Dumping	2	0	6	3	5	0	20	● 3.00	● 8.11	● 37.58	36.32	● 8.62
Noise Complaint	2	1	4	2	1	2	10	● 12.50	● 8.10	● 5.39	3.18	● 7.85
Plumbing Inspection Booking	0	0	0	0	0	0	1	● 0.00	● 0.50	● 0.25	0.25	● 0.00
P&D Works without a Plumbing Permit	1	1	0	0	0	0	5	● 0.00	● 12.00	● 6.00	9.75	● 12.00
Requests for Toilet Counts	3	2	0	0	1	0	5	● 0.00	● 4.00	● 8.90	3.33	● 4.67
Onsite (Private) Treatment Plant Odours	2	2	0	0	0	0	5	● 0.00	● 18.00	● 27.67	0.00	● 23.50
P&D Waste Water Leaking to Adjoining Properties	2	2	0	0	0	0	5	● 0.00	● 12.80	● 11.83	7.50	● 10.75
Plumbing and Drainage - Quote Required	0	0	0	0	0	0	5	● 0.00	● 0.00	● 0.00	0.00	● 0.00
Plumbing and Drainage - Sanitary Drainage Plan	0	0	36	35	1	0	5	● 0.49	● 0.65	● 0.77	0.67	● 0.46
Plumbing Issues General	3	3	5	4	1	0	5	● 1.50	● 5.00	● 8.53	2.10	● 4.27
Planning Development Certificates	2	2	12	12	0	0	3	● 1.17	● 1.88	● 1.43	1.20	● 1.98

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days)		Avg Completion Time (days) 12 Months (complete and incomplete)	Avg Duration (days) 12 Months (complete and incomplete)	Avg Completion Time (days) Q1
			Received	Completed				Current Mth	6 Months			
Barking Dog Complaint - Stage 1	28	26	61	46	16	1	30	● 3.41	● 5.82	● 5.28	2.21	● 4.83
Barking Dog Complaint - Stage 2 LLEO Use Only	25	16	15	4	18	2	30	● 8.00	● 24.80	● 22.48	13.93	● 17.37
Vector Misting	1	1	7	7	0	0	7	● 2.71	● 8.24	● 5.29	5.29	● 2.50
Nuisance Vehicle	11	9	25	15	12	0	10	● 6.13	● 8.86	● 7.92	4.90	● 8.69
Wandering Animals / Livestock	40	37	119	95	22	5	10	● 0.64	● 5.92	● 83.44	3.71	● 9.22
Wandering Stock	0	0	0	0	0	0	10	● 0.00	● 4.33	● 2.62	1.94	● 0.00

8.6 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - OCTOBER 2017

File No: 1464

Attachments:

1. Monthly Operations Report for Planning and Regulatory Services - October 2017
2. Traffic Light Report - October 2017

Authorising Officer: Colleen Worthy - General Manager Community Services

Author: Steven Gatt - Manager Planning and Regulatory Services

SUMMARY

The Monthly Operations Report for the Planning and Regulatory Services Section for October 2017 is presented for Councillor's information.

OFFICER'S RECOMMENDATION

THAT the Planning and Regulatory Services Monthly Operations Report for October 2017 be 'received'.

COMMENTARY

The monthly operations report for the Planning and Regulatory Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2017/2018 Operational Plan Key Performance Indicators.

MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - OCTOBER 2017

Monthly Operations Report for Planning and Regulatory Services - October 2017

Meeting Date: 14 November 2017

Attachment No: 1



Monthly Operations Report

Planning and Regulatory Services

October 2017

1. Highlights

Local Laws

Local Laws continue to provide quality customer service whilst experiencing high levels of requests for service. A snapshot of high profile customer requests is provided below illustrating high levels of activity in those areas:

- Wandering animal customer requests are currently 26% above the same period in 2016/2017;
- Barking Dog Stage1 customer requests are currently 8% above the same period in 2016/2017.

The dog registration renewal period ended on 31 August 2017; to date 12,289 dogs have been renewed for 2017-2018 which is 79% of all known dogs registered.

To date, 13,423 dogs are registered with Council for 2017-2018. This figure includes renewed dog registrations and brand new dog registrations.

Key Education Activities

A number of key community education and future planning activities were undertaken during the month in collaboration with industry partners.

Snip 'n' Chip is a city wide dog and cat desexing and microchipping initiative to encourage owners of pets to have their animal desexed/microchipped. The subsidised desexing and microchipping is part of a larger program which aims to educate the community and will contribute to a reduction in the number of stray dogs and cats.

Stage 1 of the program is aimed at pension or concession card holders providing an avenue to have their pets desexed/microchipped at a reduced fee.

Snip 'n' Chip has been scheduled to deliver here in January 2018.

Health and Environment

The Vector Management and Pest Management Units had a stall at Tropicana on 7 October 2017; up to 100 enquiries were received at each stall.

The enquiries received highlighted the importance of dispelling myths about mosquitoes. Officers will undertake further work in this space.

Food Safety Week Preparation

The E&PH unit is preparing for Food Safety Week 2017 which will occur from 13-17 November 2017. Food Safety Week is going to include the launch of the "Food Safety Explorers" with a colouring in and naming competition. The theme this year is 'Is it Done Yet' and there will be a stall at Stockland's on the Tuesday - Thursday to coincide.

Pest Management

The Pest Management Officers collaborated with Landcare to hold a Weed Identification Day at Westwood on 26 October 2017. Council officers presented at this event, which was organised by Landcare.

Vector Management

Vector Management Officers undertook unscheduled mosquito surveillance on 19 October 2017 following a rainfall event.

- Rural sites - of six sites, nine peg sites sampled. Minimal breeding below the threshold was found on three sites. This resulted in no treatment being required.
- Urban sites – of the four sites inspected, three had minimal breeding and below the threshold. One site had a small area, approximately 1 hectare, which had breeding above the threshold. This area was treated with Aldosid Pellets (s-methoprene).

2. Innovations, Improvements and Variations

Local Laws

- The review of the Local Laws continued in October 2017. In particular, the Local Law No 1 (Administration) 2011, Subordinate Local Law No 1.5 (Keeping of Animals) 2011, Local Law No 2 (Animal Management) 2011, Subordinate Local Law No 2 (Animal Management) 2011, Local Law No 5 (Parking) 2011, Subordinate Local Law No 5 (Parking) 2011 with a view to preliminary reporting to Council in December 2017.
- The Smart Parking Sensor project continued with the installation of parking sensors and relays. Further network integration modifications and testing continued during this period.
- Mobile technology continued to be tested by key users and further investigations are continuing to identify tablet devices that would best fit the current and planned needs to best achieve operational and device support efficiencies.
- Registration renewal payments will continue to be receipted and owners' details updated.

Health and Environment

- The links from Council's website have all been renewed and updated to ensure the public are directed straight to the relevant legislation. This covers all public health, pest and vector areas on our website.

Building, Plumbing and Compliance

- Plumbing Inspectors are reviewing the current check list for accepting properly made applications. This is to prepare for the new statutory time frame of two days to complete certain applications.

Staff Development

Two members from the unit attended the EHA National Conference to listen to presentations on a variety of food safety and public health topics.

Staff attended the "Working Effectively with People from CALD Backgrounds" training. This training is to assist staff when communicating with people from non-English speaking backgrounds.

Two Building, Plumbing and Compliance officers attended a training course in dealing with difficult situations and conversations; they will report to the team and pass on the experience at our next meeting.

3. Customer Service Requests

Response times for completing customer requests in this reporting period for *October* are outlined in the *Traffic Light Report for Planning and Regulatory Services*. Refer attachment 2.

The Planning and Regulatory Services section has received 13,297 customer requests from January 2017 to date. Of these, 12,693 have been completed giving an average completion rate of 95.45% across the spectrum of operations.

Health and Environment

- Vector Management received 39 requests for misting in October 2017, an increase from 11 requests for the same period in 2016. This is a higher than expected number of requests and can be attributed to rainfall during the month.

Building, Plumbing and Compliance

- The Building Section has received a total of 24 applications for the month to 27 October; the unit continues to complete all of their applications within the regulatory timeframes.
- The Plumbing Section has received 45 applications for the month to 27 October; the unit continues to complete all of their applications within the regulatory timeframes.

The unit has continued to clear the backlog of customer requests whilst also keeping up to date with new requests. Year to date, a total of 1,380 requests have been completed.

4. Service Delivery			
Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Local Laws			
Dog registration enquiry customer requests (179) reduced from the previous month	10 days	8.22 days	Operational
Wandering Animals second largest (129) number of customer requests received during the period	10 days	0.67 days	Operational
Barking Dog Stage 1 complaints (55)	30 days	3.85 days	Operational
Health and Environment			
Annual inspection of licensed food businesses undertaken	488 premises	29% completed	Operational
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken	9 premises	22% completed	Operational
Annual inspection of devolved licensed environmentally relevant activities undertaken	16 premises	6% completed	Operational
Development Assessment			
Acknowledgement notices (where required) sent out within 10 business days of applications being properly made	100%	100%	Operational
Information Requests (where required) sent out within timeframes required under IPA, SPA and PA	100%	100%	Operational
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under IPA, SPA and PA)	100%	100%	Operational
Decision notices are issued within 5 business days of the decision being made	100%	100%	Operational
Building			
Action notices and confirmation notices (where required) sent out within 10 business days of applications being lodged	100%	100%	Operational
Information requests (where required) sent out within timeframes under <i>Planning Act 2016</i>	100%	100%	Operational
Building approvals – decision are made within 35 business day timeframe	100%	100%	Operational
Plumbing			
Plumbing and Drainage Approvals – decisions are made within 20 business day timeframes	100%	100%	Operational

5. Legislative Compliance and Standards

Legislative timeframes

Item	Due Date	Compliant? (Yes/No)	Status
Local Laws			
Certificate IV (Government Investigations)	Various	80%	Training completed, officers have until November 2017 to complete assessment.
Environment and Public Health			
Council's Ground Distribution Contract Licence	6 April 2020	Yes	Current
Pest Management Officers AC/DC Licenses	Various	Yes	Current
Vector Management Officers Pest Management Technicians Licenses	Various	Yes	Current
Payment of Pest Management Government Charges to DAFF	December 2017	Yes	Current
Building, Plumbing & Compliance			
Compliance Officers Powers of Entry	Various	Yes	All officers completed and updated
C Class Drivers Licence	Various	Yes	All officers provided licences to HR
Cert IV (Government Investigations)	Various	80%	Training completed, officers have until November 2017 to complete assessment

6. Operational Plan Targets by Section

Operational Plan Ref	Action	Target	Status
1.1.4	Maintain Council buildings and facilities		
1.1.4.4	Completion of a new animal pound facility at Gracemere	Completed in accordance with project schedule	Operational works are due to commence the 3 rd week of November.
1.3.2	Public safety initiatives that enhance public amenity and lifestyle		
1.3.2.1	Prevention of disease an adverse impact of domestic animals	Implement actions in accordance with the Animal Management Guidelines	There were two identified cases of Kennel Cough at the pound during the period. All impounded dogs were vaccinated as a precautionary measure. The infected dogs were isolated and cared for as per the veterinary advice received.
		Implement public health programs in accordance with schedule	
2.2.3.1	Support programs that assist people with seeking employment		
2.2.3.1	Support programs that encourage residents to transition away for social support options	Consider options in budget planning to support employment programs in 2018/19	Traineeship program utilised with recruitment currently underway for the appointment of two trainees within the section. Options for suitable employment programs for 18/19 are being investigated.
3.1.3	Provide effective weed, pest animal and environmental health management programs		
3.1.3.1	Implement strategic plans to advise community on programs	Achieve strategy outcomes in the Biosecurity Plan in accordance with timeframes	Biosecurity Plan sent to neighbouring Councils and BQ for consultation. Comments were due on the 27 October 2017. Currently no comments have been received. Plan in final review before being submitted to Committee for approval.
4.2.1	Ensure public health, safety, local policies and law are adhered to		
4.2.1.1	Provide effective development management programs in line with legislative requirements for environment health, food, safety, noise, odour and dust protection	Compliance with statutory codes and regulations	Work practices and procedures are developed in line with governing bodies, statutory codes, and associated legislation including any acts and/or regulations.

Operational Plan Ref	Action	Target	Status
4.2.1.2	Provide formal and informal education opportunities to the public to ensure the community are aware of their legislative obligations	Education program implemented in accordance with program milestones	<p>2017 Education program is currently being planned. The Section, is looking to redesign an existing position within the current structure to fulfil the specific requirements required of this role.</p> <p>Vector Management and Pest Management Units undertook displays at Tropicana on 7 October 2017.</p> <p>Pest Management Officers had a display and presented at a Weed Identification Day in Westwood organised by Landcare on 26 October 2017.</p>
4.2.2	Monitor compliance and trigger legislative changes		
4.2.2.3	Provide a diverse range of compliance tools to a wide range of amenity, health, and safety issues across the community to enhance liveability	Develop an enforcement manual by 30 June 2018	<p>Manual under development with Corrs Chambers.</p> <p>First draft reviewed by Council officers and CIS.</p>
5.2.1	Council's decision making, planning and reporting processes provide transparent and accountable governance		
5.2.1.8	Monitor and review non-compliance of legislative requirements.	Report on legislative non-compliance included in sectional reports presented to Council on a monthly basis.	No non-compliances in decision making, planning and reporting processes identified.
5.3.1	Council's resources are allocated in an efficient and effective manner		
5.3.1.1	Workforce planning is reviewed to ensure that resourcing levels meet business needs in accordance with budget allocations	Review workforce requirements in accordance with budget schedule	The various units within the section continue to review and refine current work practices to ensure best practice is achieved in accordance with resource and staffing levels.

7. Operational Projects

As at period ended October – 33% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Local Laws					
Pets in the Park Microchipping Days		June 18	Planning	\$17,000	Nil
Issuing of Dog Registration Renewals	June 17	September 17	Completed	\$20,000	\$14,583.23
Health and Environment					
Biosecurity Plan	Commenced		Council consultation completed. Final review before being presented to committee for approval.	Operational budget	
Dengue Management Plan	Commenced		Discussed with Qld Health, no comments received. Draft being finalised.	Operational budget	
Enforcement Guideline			Awaiting Enforcement Manual and Policy.	Operational budget	
Story Books (food safety, mosquitos) – education tools	Commenced		Story line developed. Characters part of Food Safety Week colouring in competition.	Operational budget	
In field devices to record activity in the field	Commenced		Annual food inspection proforma continues to be tested and proforma amended as necessary.	Operational budget	
Building, Plumbing and Compliance					

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Backlog of outstanding customer requests		1 Jan 18	Monthly meetings with relevant staff to discuss outstanding/problems and closeout issues.	Operational budget	
Compliance process review		1 Sept 17	Discussions with admin, CIS and consultants.	Operational budget	
Work flow alignment	21 Aug 17	Sept 17	Infor consultant engaged to align pathway with new legislation.	\$10,000	Nil
Development Assessment					
Outstanding infrastructure charges	June 2017	Dec 18	Outstanding charges are being collected by writing to the applicant and sending a tax invoice. If charges are not paid they are put as a rate against the land.	Within budget	Within budget
Development Advice Centre	July 2017	June 18	To get the Development Advice Centre up and running with staff trained in the Centre's activities. The aim is to have the Development Advice Centre operational in early 2018.	Within approved Budget for staff	Within budget

8. Budget



End of Month General Ledger - (Operating Only) - Planning and Regulatory Services

As At End Of October

Report Run: 02-Nov-2017 13:30:46 Excludes Nat Accts: 2802,2914,2917,2924

	Adopted Budget	Adopted Budget (Pro Rata YTD)	EOM Commitments	YTD Actual	YTD Commit + Actual	Variance	On target
	\$	\$	\$	\$	\$	%	33.3% of Year Gone
Planning and Regulatory Services							
Development Assessment							
1 - Revenues	(807,066)	(269,022)	0	(357,414)	(357,414)	44%	✓
2 - Expenses	1,292,143	430,714	54,984	440,080	495,064	38%	✘
3 - Transfer / Overhead Allocation	30,630	10,210	0	(7,341)	(7,341)	-24%	✓
Total Unit: Development Assessment	515,707	171,902	54,984	75,325	130,309	25%	✓
Building, Plumbing and Compliance							
1 - Revenues	(762,880)	(254,293)	0	(255,156)	(255,156)	33%	✓
2 - Expenses	1,130,867	376,956	3,636	378,091	381,727	34%	✘
3 - Transfer / Overhead Allocation	(105,696)	(35,232)	0	(34,516)	(34,516)	33%	✘
Total Unit: Building, Plumbing and Compliance	262,291	87,430	3,636	88,419	92,055	35%	✘
Health & Environment							
1 - Revenues	(189,489)	(63,163)	0	(53,996)	(53,996)	28%	✘
2 - Expenses	2,556,478	852,159	39,066	628,803	667,869	26%	✓
3 - Transfer / Overhead Allocation	353,717	117,906	0	83,734	83,734	24%	✓
Total Unit: Health & Environment	2,720,707	906,902	39,066	658,542	697,608	26%	✓
Local Laws							
1 - Revenues	(1,420,867)	(473,622)	0	(518,697)	(518,697)	37%	✓
2 - Expenses	2,853,790	951,263	158,179	717,817	875,996	31%	✓
3 - Transfer / Overhead Allocation	256,157	85,386	0	69,712	69,712	27%	✓
Total Unit: Local Laws	1,689,080	563,027	158,179	268,832	427,011	25%	✓
Planning and Regulatory Services Management							
2 - Expenses	917,963	305,988	13,200	101,925	115,124	13%	✓
3 - Transfer / Overhead Allocation	0	0	0	775	775	0%	✘
Total Unit: Planning and Regulatory Services Managen	917,963	305,988	13,200	102,699	115,899	13%	✓
Grand Total:	6,105,748	2,035,249	269,065	1,193,817	1,462,882	24%	✓

9. Section Statistics

<i>Program Activity</i>	<i>Dates/s Held</i>	<i>Visitor/Participant Numbers</i>	<i>Comments</i>
Health and Environment			
Tropicana	7 October 2017	100 enquiries for Vector Management. 40 enquiries for Pest Management, large public presence.	Information stalls held by Vector and Pest Management.
Weed Identification Day	26 October 2017	Information currently being collated by Landcare.	Pest Management Officers presented at this event.
Applications/Inspections		October 17	Comments
Number of Food Business Licence Applications		2	
Number of Short Term Food Business Licence Applications		5	
Number of Mobile Food Business Licence Applications		0	
Total Number of Food Business Licences		524	
Number of Annual Inspections for Food Business Licences		145	

Local Laws

Registered Dogs

Description	July 17	August 17	September 17	October 17	Financial YTD
New Dogs Registered	293	357	280	204	1,134
Dog Registration Renewals	4,449	5,706	1,850	284	12,289
Total	4,742	6,063	2,130	488	13,423

Declared Dogs

Description	July 17	August 17	September 17	October 17	Total
Dangerous Dogs	4	2	1	0	31
Menacing Dogs	1	3	0	0	48
Restricted Dogs	0	0	0	0	1

Infringements Issued

Description	July 17	August 17	September 17	October 17	Financial YTD
Parking Infringements	569	380	342	330	1,621
Animal Infringements	84	52	55	64	255
Local Law Infringements	10	1	6	4	21
Total	663	433	403	398	1,897

- Parking infringements are below 2016/2017 levels by 61% YTD. This is due to the relaxing of parking regulations due to periods of Officer Development training on the "Smart Parking Sensor" project.
- Animal infringements are below 2016/2017 levels by 16% YTD. A reduction in infringement notice offences in relation to the keeping of animals is a positive shift towards responsible dog ownership behaviour.

Development Assessment

Description	July 17	August 17	September 17	October 17	Financial YTD
New Applications	15	13	13	13	54
Request to Change Applications	3	5	2	4	14
Development Incentives Applications	0	1	1	1	3
Total Received	18	19	16	18	71
Total Decided	24	15	19	22	80

Building

Description	July 17	August 17	September 17	October 17	Financial YTD
Concurrence Applications	6	10	13	13	42
Domestic Building Works	9	7	9	6	31
Commercial Building Works	2	2	3	5	12
Total Received	17	19	25	24	85
Total Decided	11	29	19	23	82

Plumbing

Description	July 17	August 17	September 17	October 17	Financial YTD
New Applications	30	38	25	45	138
Total Received	30	38	25	45	138
Total Decided	32	42	21	27	122

MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - OCTOBER 2017

Traffic Light Report - October 2017

Meeting Date: 14 November 2017

Attachment No: 2



All Monthly Requests (Priority 3) Planning & Regulatory Services 'Traffic Light' report October 2017

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	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	76	73	179	139	43	0	10	● 8.22	● 3.44	● 7.21	6.49
Animals (more than permitted number)	11	4	12	2	16	1	30	● 5.50	● 22.72	● 20.88	15.41
Building Inspection Booking	0	0	0	0	0	0	1	● 0.00	● 11.60	● 9.83	9.00
Building Enquiry - General Info/Admin etc	11	8	51	37	17	0	30	● 1.43	● 7.36	● 9.77	2.64
Living in Illegal Premises	0	0	1	0	1	0	30	● 0.00	● 19.00	● 46.40	10.00
Other Building Compliant Issue	0	0	9	1	4	4	30	● 2.00	● 370.54	● 156.41	-4.78
Poor Condition of Building	2	1	3	0	3	1	30	● 0.00	● 17.46	● 37.84	9.18
Pool Fence Issues	3	1	5	0	6	1	30	● 0.00	● 4.50	● 29.03	4.25
Retaining Wall Issues	1	0	0	0	1	0	30	● 0.00	● 7.00	● 43.00	8.25
Storm Water Complaint	1	1	9	3	5	1	30	● 2.33	● 9.08	● 27.48	12.00
Complaints MGM Landuse. (Section Use Only)	0	0	0	0	0	0	10	● 0.00	● 0.00	● 0.00	0.00
Planning Compliance Request/Enquiry	17	11	14	1	12	7	30	● 1.00	● 15.66	● 28.49	26.60
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	15	9	12	7	10	1	20	● 9.86	● 11.89	● 14.91	10.62
Dog Attack on Animal (Alleged) CSO	10	5	22	12	13	2	20	● 7.42	● 12.99	● 13.89	9.42
Dog Attack on Person (Bite) CSO	6	3	4	2	5	0	20	● 6.00	● 9.62	● 15.11	8.95
Duty Planner (New Enquiry)	0	0	100	93	4	3	1	● 0.52	● 0.70	● 0.83	0.59
Temporary Relocation of Business DueTo Disaster	0	0	0	0	0	0	35	● 0.00	● 0.00	● 0.00	0.00
Plan Sign Sealling - Contributions	0	0	0	0	0	0	10	● 0.00	● 0.00	● 14.00	14.00
Telephone Enquiry (Existing Application/Call Back)	1	1	18	18	0	0	1	● 0.67	● 0.88	● 0.86	1.21
GIA Moratorium (Compliance)	0	0	0	0	0	0	45	● 0.00	● 0.00	● 0.00	0.00
Heavy Vehicle Parking	2	0	3	2	3	0	10	● 7.00	● 7.55	● 15.17	9.58
Overgrown Allotments	17	9	40	11	32	5	45	● 4.73	● 14.18	● 22.93	21.35
Regulated Parking	7	7	20	14	6	0	10	● 6.43	● 7.13	● 6.67	5.03
Dust Complaint	0	0	0	0	0	0	10	● 0.00	● 4.00	● 3.60	1.50
Litter/Illegal Dumping	4	2	9	4	7	0	20	● 6.75	● 9.85	● 8.61	5.25
Noise Complaint	3	3	5	5	0	0	10	● 2.80	● 9.47	● 6.42	3.94
Plumbing Inspection Booking	0	0	1	1	0	0	1	● 0.00	● 0.33	● 0.25	0.25
P&D Works without a Plumbing Permit	1	1	0	0	0	0	30	● 0.00	● 12.00	● 7.00	2.00
Requests for Toilet Counts	2	2	0	0	0	0	30	● 0.00	● 16.40	● 14.60	3.00
Onsite (Private) Treatment Plant Odours	0	0	0	0	0	0	30	● 0.00	● 19.00	● 19.17	0.00
P&D Waste Water Leaking to Adjoining Properties	0	0	1	0	0	1	30	● 0.00	● 10.75	● 11.83	7.50
Plumbing and Drainage - Quote Required	0	0	0	0	0	0	5	● 0.00	● 0.00	● 0.00	0.00
Plumbing and Drainage - Sanitary Drainage Plan	1	1	46	44	2	0	30	● 0.32	● 0.57	● 0.72	0.62
Plumbing Issues General	1	1	6	6	0	0	30	● 0.33	● 280.26	● 141.57	2.13
Planning Development Certificates	0	0	21	20	1	0	3	● 1.85	● 1.88	● 1.46	1.31

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days)		Avg Duration (days) 12 Months (complete and incomplete)	
			Received	Completed				Current Mth	6 Months		
Barking Dog Complaint - Stage 1	17	13	55	33	26	0	30	● 3.85	● 5.94	● 5.68	2.75
Barking Dog Complaint - Stage 2 LLEO Use Only	19	8	11	0	22	0	30	● 0.00	● 26.61	● 24.68	13.93
Vector Misting	0	0	39	35	0	4	7	● 1.49	● 1.98	● 4.90	4.83
Nuisance Vehicle	10	7	23	10	15	1	10	● 6.30	● 9.42	● 8.35	5.06
Wandering Animals / Livestock	29	27	129	92	37	2	10	● 0.67	● 5.28	● 80.60	3.61
Wandering Stock	0	0	0	0	0	0	10	● 0.00	● 5.55	● 2.75	1.98

8.7 RECONFIGURATION OF A LOT INCENTIVES POLICY

File No: 7028

Attachments: 1. DRAFT - Reconfiguration of a Lot Incentives Policy (V2)

Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

Council is desirous of introducing an incentive for reconfiguration of a lot approvals, by allowing the developer to pay infrastructure charges on a per lot basis either when the lot is transferred or within two (2) years of the approval (whichever is the earlier). These infrastructure charges are listed as a rate against the property until they are paid, with no penalty interest being payable when paid within the two (2) year timeframe.

OFFICER'S RECOMMENDATION

THAT Council adopt the Reconfiguration of a Lot Incentives Policy.

BACKGROUND

On 3 October 2017 a report was taken to the Planning and Regulatory Services Committee meeting in relation to introducing a Reconfiguration of a Lot Incentives Policy. The Planning and Regulatory Services Committee resolved that a Reconfiguration of a Lot Incentives Policy be drafted.

The attached draft policy outlines that on writing to Council requesting the Reconfiguration of a Lot Incentives the applicant would pay infrastructure charges on a per lot basis either when the lot is sold and transferred or within two years of the lot being created (whichever is the earlier). An infrastructure agreement would need to be entered into with Council, which would require that the infrastructure charges are listed as a rate against the property until they are paid.

CONCLUSION

The Reconfiguration of a Lot Incentives Policy has been drafted to give effect to development incentives proposed to be given to developers of reconfiguration of lot approvals (over five (5) lots).

RECONFIGURATION OF A LOT INCENTIVES POLICY

DRAFT - Reconfiguration of a Lot Incentives Policy (V2)

Meeting Date: 14 November 2017

Attachment No: 1



RECONFIGURATION OF A LOT INCENTIVES POLICY (COMMUNITY POLICY)

1 Scope:

This policy applies to large scale reconfiguration of a lot approvals within the Rockhampton Region.

2 Purpose:

To deliver significant and sustainable economic development and growth outcomes for the Region.

3 Related Documents:

Primary

Nil

Secondary

Local Government Act 2009

Planning Act 2016

Planning Regulation 2017

Rockhampton Region Planning Scheme 2015 (RockePlan)

Rockhampton Regional Council Adopted Infrastructure Charges Resolution (No. 5) 2015

State Planning Regulatory Provision (adopted charges) July 2012

4 Definitions:

To assist in interpretation, the following definitions apply:

CEO	<i>Chief Executive Officer</i> A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Council	Rockhampton Regional Council.
Qualifying Development	A development that has made an application and has been granted a development incentive under this policy.
Region	All areas covered by the Rockhampton Region Planning Scheme (RockePlan), Rockhampton City Plan (superseded), Fitzroy Shire Planning Scheme (superseded) and Mount Morgan Shire Planning Scheme (superseded).

5 Policy Statement:

This policy is designed to assist developers of large scale reconfiguration of a lot (ROL) approvals in the Region to apply for incentives in order to stimulate sustainable growth within our regional economy.

Eligible developers have the opportunity to write to Council requesting to:

- (a) have any applicable infrastructure charges allocated to each lot; and
- (b) defer the payment of the agreed infrastructure charges until the earliest of the following:
 - (i) ownership of the lot is transferred; or
 - (ii) within two years of a new title being created for the lot.

It is not the purpose of this policy to enhance the viability of marginal and/or speculative development. As a discretionary scheme, Council reserves the right to approve or refuse applications for incentives made under this policy at its sole discretion.

Development that is ineligible or not approved for an incentive under this policy will be required to pay infrastructure charges in accordance with section 122 of the *Planning Act 2016* when the survey plan is sealed.

5.1 Eligibility

To be eligible to apply for an incentive mentioned in this policy, a development must meet the following requirements:

5.1.1 Applicable Area

Developments must be located within the Region.

5.1.2 Development

The development must be the subject of a current development permit for ROL for five lots or more for residential allotments which has taken effect.

5.2 Infrastructure Agreement

Should Council grant incentives following approval of eligible projects, prior to Council endorsing the survey plan, the applicant must enter into an infrastructure agreement in relation to the payment of infrastructure charges. The infrastructure agreement will include the following conditions (among others):

5.2.1 Infrastructure charges are to be applied in accordance with the Adopted Infrastructure Charges Resolution and this policy

5.2.2 The survey plan is to be lodged with the Department of Natural Resources and Mines (Titles Office) within one month of the plan being endorsed by Council, or as otherwise approved by the CEO.

5.2.3 Upon receipt by Council of the title notification for each lot created from the Titles Office, Council will attach the value of the infrastructure charges for each lot as a rate in line with section 123 of the *Planning Act 2016*.

5.2.4 The infrastructure charges attached to the property in line with the infrastructure agreement shall be paid when the subject lot is transferred in ownership, or within two years of the issuance of title, whichever is the earlier.

5.2.5 Interest on the outstanding infrastructure charges will not be applied by Council for the first two year period, however, interest will be applied to any outstanding infrastructure charges remaining unpaid after this period.

5.2.6 Should the infrastructure charges not be paid within three (3) years, Council will exercise its rights under the *Local Government Act 2009* to recover the outstanding infrastructure charges as a rate and charge against the property.

6 Review Timelines:

This policy will be reviewed when any of the following occur:

- 6.1.** The related information is amended or replaced; or
- 6.2.** Other circumstances as determined from time to time by the Council.

7 Responsibilities:

Sponsor	Chief Executive Officer
Business Owner	General Manager Communities
Policy Owner	Manager Planning and Regulatory Services
Policy Quality Control	Corporate Improvement and Strategy

**EVAN PARDON
CHIEF EXECUTIVE OFFICER**

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 Development Incentives

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

12.2 Parking Occupancy and Turnover - Pilbeam Theatre

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

12 CONFIDENTIAL REPORTS

12.1 DEVELOPMENT INCENTIVES

File No: D/312-2012

Attachments:

1. Streetscape Elevation
2. Final Report Rockhampton Accommodation
3. Development Incentives Application Form

Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Mercy Health and Aged Care has constructed a unit complex to enable visiting Doctors and patients to stay at a location beside the Mater Hospital.

12.2 PARKING OCCUPANCY AND TURNOVER - PILBEAM THEATRE**File No:** 8041**Attachments:** Nil**Authorising Officer:** Steven Gatt - Acting General Manager Community Services**Author:** Nishu Ellawala - Coordinator Local Laws

This report is considered confidential in accordance with section 275(1)(e), of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by it.

SUMMARY

This report provides an analysis of the parking occupancy and the current revenue and expenses of the parking infrastructure at the Pilbeam Theatre Car Park and the impact of the introduction of 2 hour free parking.

13 CLOSURE OF MEETING