



PLANNING AND REGULATORY COMMITTEE MEETING

AGENDA

13 FEBRUARY 2018

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 13 February 2018 commencing at 9:00am for transaction of the enclosed business.

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

CHIEF EXECUTIVE OFFICER
8 February 2018

Next Meeting Date: 27.02.18

Please note:

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

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1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)
Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Planning and Regulatory Committee held 5 December 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 for Planning and Regulatory Committee
Authorising Officer:	Colleen Worthy - General Manager Community Services
Author:	Colleen Worthy - General Manager Community Services

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 for Planning and Regulatory Committee

Meeting Date: 13 February 2018

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
5 September 2017	Flood Immunity cost options - Poison Creek Road	THAT Council requests a report of flood immunity cost options to be delivered in conjunction with the Carbine Resource upgrade of impacted Poison Creek Road creek crossings.	Stuart Harvey	19/09/2017	

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 SHARED SERVICE AGREEMENT BETWEEN CAPRICORN PEST MANAGEMENT GROUP AND ROCKHAMPTON REGIONAL COUNCIL

File No: 1379

Attachments: 1. Shared Service Agreement Between Capricorn Pest Management Group and Rockhampton Regional Council

Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services

Author: Karen Moody - Coordinator Health and Environment

SUMMARY

Formal adoption by Council is required for the Shared Service Agreement between Capricorn Pest Management Group and Rockhampton Regional Council for administrative support given by Administration Officers within the Health and Environment Unit. The attached agreement outlines the services provided, terms of agreement and agreed compensation amounts.

OFFICER'S RECOMMENDATION

THAT the proposed Shared Service Agreement between Capricorn Pest Management Group and Rockhampton Regional Council is endorsed by Council and the Chief Executive Officer sign the attached contract.

COMMENTARY

Late October 2016 the Capricorn Pest Management Coordinator resigned which left the group without administrative support. As a temporary measure Rockhampton Regional Council stepped in to cover the gap.

BACKGROUND

Before the previous CPMG Administrator's employment, the Health Administration Officer at Rockhampton Regional Council unofficially carried out the basic minute taking for approximately one year. The CPMG decided to employ a Coordinator to carry out additional tasks seeking funding, building membership, further research and driving of projects. After the Coordinator lodged their resignation, the CPMG Management Committee agreed to seek assistance from Fitzroy Basin Association to conduct those additional duties and downscale the Coordinator role to an administrative support role. The previous Coordinator was employed for one day per week. The current administrative support over the past twelve months averages 1.4 days per month.

PREVIOUS DECISIONS

The Manager of Planning and Regulatory Services has previously waived recovering remuneration between December 2016 through to 31 March 2017 as only minor assistance was provided during those months. In early 2017 the Capricorn Pest Management Group, Management Committee moved a motion to seek formal administrative assistance for the group.

BUDGET IMPLICATIONS

A debtor account will be issued to the Capricorn Pest Management Group quarterly, with monies being deposited into Recoveries Budget under Pest Management. The total amount owed 1 April 2017 to 31 January 2018 is \$6,043.04.

LEGAL IMPLICATIONS

The Shared Service Agreement was a template used from previous shared service agreements between Rockhampton Regional Council and other outside organisations.

A spreadsheet is updated monthly with dates, hours worked and the type of duties conducted. The CPMG Management Committee requested to be charged in 15 minute blocks.

STAFFING IMPLICATIONS

There are three administration officers in the Health and Environment unit. With the additional work being carried out on behalf of CPMG, the unit administrative functions are still being met and there is no impact to work deadlines within the unit.

CORPORATE/OPERATIONAL PLAN

Rockhampton Regional Council is a participating member of the CPMG which manages various initiatives that are mutually beneficial to manage landscapes in and around our Region; including waterways (creeks), the Fitzroy River, national parks, floodplains (including wetlands) and to educate our community on sustainable practices. It is important council participate in regional programs including resource sharing days, networking and managing pests across the region. With council's ongoing support and representation in groups such as CPMG, our organisation considers its collaboration with other regional stakeholders a priority. We are meeting our corporate plan KPI's by working with CPMG to plan strategically, constructively consider and represent the interests of our region.

CONCLUSION

The Shared Services Agreement between CPMG and Rockhampton Regional Council is endorsed for the CEO to sign.

**SHARED SERVICE AGREEMENT
BETWEEN CAPRICORN PEST
MANAGEMENT GROUP AND
ROCKHAMPTON REGIONAL COUNCIL**

**Shared Service Agreement Between
Capricorn Pest Management Group
and Rockhampton Regional Council**

Meeting Date: 13 February 2018

Attachment No: 1

SHARED SERVICE AGREEMENT

THIS SHARED SERVICE AGREEMENT (the "Agreement") dated this _____ day of February, 2018

BETWEEN:

Capricorn Pest Management Group Inc (CPMG) of P O Box 913, Rockhampton,
Queensland 4700

- AND -

Rockhampton Regional Council (RRC) of 230 Bolsover Street, Queensland, 4700

BACKGROUND:

- A. Capricorn Pest Management Group has lost their administrative support and Rockhampton Regional Council has substituted their staff to assist with the provision of administrative support to coordinate CPMG meetings, produce correspondence and complete actions as 'moved' by members of the group.
- B. Rockhampton Regional Council is agreeable to providing services to the Capricorn Pest Management Group on the terms and conditions set out in this Agreement.

IN CONSIDERATION OF the matters described above and of the obligations set forth in this Agreement, the receipt and sufficiency of which consideration is hereby acknowledged, CPMG and the RRC (individually the "Party" and collectively the "Parties" to this Agreement) agree as follows:

Services Provided

1. CPMG hereby agrees to engage the RRC to provide CPMG with administrative services (the "Services") consisting of:

Provision of administrative support consisting of:

- Sending meeting invitations, creation of agendas, minutes, contact lists, task and action lists.
- Procurement services including issuing debtor accounts for yearly membership, purchasing items including catering and/or equipment.
- Organising 'Information packs' for potential members and sending correspondence.
- Answering phone enquiries on behalf of CPMG.
- Ordering catering for meetings.
- The first point of contact for events, workshops, meetings. Arranging booking of facilities, catering, rsvp's, liaising with outside organisations requiring information or facilitating landholders workshops.
- Liaising with Council's marketing specialists for posters and advertising.

2. The Shared Services will also include any other tasks which the Parties may agree on. The RRC hereby agrees to provide such Shared Services to the CPMG.

Term of Agreement

3. The term of this Agreement (the "Term") will begin on the date of this Agreement and will remain in full force and effect indefinitely until terminated as provided in this Agreement.
4. In the event that either Party wishes to terminate this Agreement, that Party will be required to provide 30 days written notice to the other Party.
5. This Agreement may be terminated at any time by mutual agreement of the Parties.
6. Except as otherwise provided in this Agreement, the obligations of the RRC will end upon the termination of this Agreement.

Performance

7. The Parties agree to do everything necessary to ensure that the terms of this Agreement take effect.

Compensation

8. For the services rendered by the RRC as required by this Agreement, CPMG will provide compensation (the "Compensation") to the RRC in the amount of **\$52.19** per hour.
9. CPMG will be invoiced via a quarterly debtor account with an attached spreadsheet outlining dates and times work was carried out by RRC on behalf of CPMG and this account will be due within 14 days of receipt.
10. The above Compensation includes all applicable sales tax, and duties as required by law.

Reimbursement of Expenses

11. The RRC will be reimbursed from time to time for reasonable and necessary expenses incurred by the RRC in connection with providing the Shared Services under this Agreement.
12. All expenses and accounts must be pre-approved by two members of the three Management Executives on the Capricorn Pest Management Committee.
13. Accounts will be issued quarterly to CPMG.

Confidentiality

14. Confidential information (the "Confidential Information") refers to any data or information relating to the business of CPMG which would reasonably be considered to be proprietary to CPMG including, but not limited to, accounting records, business processes, and client records and that is not generally known in the industry of CPMG and where the release of that Confidential Information could reasonably be expected to cause harm to CPMG.
15. The RRC agrees that they will not disclose, divulge, reveal, report or use, for any purpose, any Confidential Information which the RRC has obtained, except as authorized by CPMG or as required by law. The obligations of confidentiality will apply during the term of this Agreement and will survive indefinitely upon termination of this Agreement.

16. All written and oral information and material disclosed or provided by CPMG to the RRC under this Agreement is Confidential Information regardless of whether it was provided before or after the date of this Agreement or how it was provided to the RRC.

Return of Property

17. Upon the expiry or termination of this Agreement, the RRC will return to CPMG any property, documentation, records, or Confidential Information which is the property of the CPMG.

Capacity

18. In providing the Services under this Agreement it is expressly agreed that the RRC is providing the services by way of an administrative services arrangement whereby an hourly rate is paid for the administrative service and reimbursement of reasonable and necessary expenses in relation to the administrative service that is provided to CPMG in accordance with the terms of this agreement.

Notice

19. All notices, requests, demands or other communications required or permitted by the terms of this Agreement will be given in writing and delivered to the Parties of this Agreement as follows:

- a. Capricorn Pest Management Group
P O Box 913
Rockhampton, Queensland, 4700
- b. Rockhampton Regional Council
230 Bolsover Street,
Rockhampton, Queensland, 4700

or to such other address as any Party may from time to time notify the other.

Australian Business Number (ABN)

20. The Australian Business Numbers (ABN's) for the Parties to this Agreement are as follows:
- a. Capricorn Pest Management Group: ABN 5831 5024 718
 - b. Rockhampton Regional Council: ABN 59 923 523 766

Indemnification

21. Except to the extent paid in settlement from any applicable insurance policies, and to the extent permitted by applicable law, each Party agrees to indemnify and hold harmless the other Party, and its respective directors, stockholders, affiliates, officers, agents, employees, and permitted successors and assigns against any and all claims, losses, damages, liabilities, penalties, punitive damages, expenses, reasonable legal fees and costs of any kind or amount whatsoever, which result from or arise out of any act or omission of the indemnifying party, its respective directors, stockholders, affiliates, officers, agents, employees, and permitted successors and assigns that occurs in connection with this Agreement. This indemnification will survive the termination of this Agreement.

Dispute Resolution

22. In the event a dispute arises out of or in connection with this Agreement, the Parties will attempt to resolve the dispute through friendly consultation.
23. If the dispute is not resolved within a reasonable period then any or all outstanding issues may be submitted to mediation in accordance with any statutory rules of mediation. If mediation is unavailable or is not successful in resolving the entire dispute, any outstanding issues will be submitted to final and binding arbitration in accordance with the laws of the State of Queensland. The arbitrator's award will be final, and judgment may be entered upon it by any court having jurisdiction within the State of Queensland.

Modification of Agreement

24. Any amendment or modification of this Agreement or additional obligation assumed by either Party in connection with this Agreement will only be binding if evidenced in writing signed by each Party or an authorized representative of each Party.

Time of the Essence

25. Time is of the essence in this Agreement. No extension or variation of this Agreement will operate as a waiver of this provision.

Assignment

26. The RRC will not voluntarily or by operation of law assign or otherwise transfer its obligations under this Agreement without the prior written consent of CPMG.

Entire Agreement

27. It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement except as expressly provided in this Agreement.

Enurement

28. This Agreement will endure to the benefit of and be binding on the Parties and their respective heirs, executors, administrators and permitted successors and assigns.

Titles/Headings

29. Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Agreement.

Gender

30. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.

Governing Law

31. It is the intention of the Parties to this Agreement that this Agreement and the performance under this Agreement, and all suits and special proceedings under this Agreement, be construed in accordance with and governed, to the exclusion of the law of any other forum, by the laws of the State of Queensland, without regard to the jurisdiction in which any action or special proceeding may be instituted.
-

Severability

32. In the event that any of the provisions of this Agreement are held to be invalid or unenforceable in whole or in part, all other provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable parts severed from the remainder of this Agreement.

Waiver

33. The waiver by either Party of a breach, default, delay or omission of any of the provisions of this Agreement by the other Party will not be construed as a waiver of any subsequent breach of the same or other provisions.

IN WITNESS WHEREOF the Parties have affixed their signatures under hand on this _____ day of February, 2018.

The President of the Capricorn Pest
Management Group

Signature

Councillor Pat Brennan
President

Rockhampton Regional Council Chief
Executive Officer

Signature

Mr Evan Pardon
CEO

8.2 D/14-2017/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/14-2017 FOR A MATERIAL CHANGE OF USE FOR A SHOP AND RECONFIGURING A LOT (ACCESS EASEMENT)

File No: D/14-2017/A

Attachments: 1. Locality Plan
2. Site Plan

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

Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/14-2017

Applicant: Aldi Stores (A Limited Partnership)

Real Property Address: Lot 1 on SP161848 and Lot 1 on SP191827, Parish of Rockhampton

Common Property Address: 143-167 Gladstone Road, Allenstown

Type of Approval: Application under the Development Incentives Policy for Development Permit D/14-2017 for a Material Change of Use for a Shop and Reconfiguring a Lot (access easement)

Date of Decision: 12 May 2017

Application Lodgement Fee: \$9,641.00

Infrastructure Charges: \$351,232.00

Infrastructure charges incentive: All other areas – 50%

Incentives sought: Refund of Development Application Fee
Refund of Service and Connection Fees

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for Development Permit D/14-2017 for a Material Change of Use for a Shop and Reconfiguring a Lot (access easement), on Lot 1 on SP161848 and Lot 1 on SP191827, Parish of Rockhampton, located at 143-167 Gladstone Road, Allenstown, Council resolves to Approve the following incentives if the use commences prior to 12 May 2020:

- a) A fifty per cent (50%) reduction of infrastructure charges to the amount of \$175,616.00;
- b) A refund of the development application fee of \$9,641.00 on commencement of the use;
- c) A refund of service and connection fees on completion of the development; and
- d) That Council enter into an agreement with the applicant in relation to (a),(b) and (c).

BACKGROUND**Project outcomes anticipated by applicant:**

The proposal is to establish a 1,999 square metre supermarket (Aldi) at 143-167 Gladstone Road, Allenstown.

New jobs and investment:

The supermarket, which will include a capital component of twelve (12) million dollars, will supply retail goods to residents of the Rockhampton Region and visitors from other parts of Central Queensland.

The applicant will employ twelve (12) employees to operate the supermarket.

While the principal building contractor may come from outside the Rockhampton Region, part of the construction services should be provided by Rockhampton Region sub-contractors.

Once construction is complete, Aldi will contract Rockhampton Region businesses to provide cleaning, landscaping, locksmith and external maintenance services for the supermarket.

Benefits of project for applicant's business:

The development will be Aldi's first supermarket in the Rockhampton Region. A second has been announced for North Rockhampton. The two supermarkets will give Aldi a presence on either side of the Fitzroy River and a strong base within the Rockhampton Region.

The two (2) outlets will help reduce some of Aldi's fixed costs such as logistics.

Benefits of project to Rockhampton Regional economy:

The Aldi supermarket will significantly expand competition for the sale of retail goods in Rockhampton. The presence of the Aldi store should reduce supermarket prices in the Rockhampton Region and attract a numbers of shoppers from other regions in Central Queensland to Rockhampton.

PLANNING ASSESSMENT**COMMENTS FROM RELEVANT UNITS****Economic Development Unit's Comments – 28 November 2017**

Support.

CONCLUSION

The development meets the eligibility criteria under the Development Incentives Policy and the applicant has demonstrated some economic benefits arising from the development. Therefore, in accordance with the policy, a fifty (50) per cent discount could be applied to the infrastructure charge with a refund of the development application fee and the service and connection fees.

**D/14-2017/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/14-2017 FOR A MATERIAL CHANGE
OF USE FOR A SHOP AND
RECONFIGURING A LOT (ACCESS
EASEMENT)**

Locality Plan

Meeting Date: 13 February 2018

Attachment No: 1

D/14-2017/A - Locality Plan



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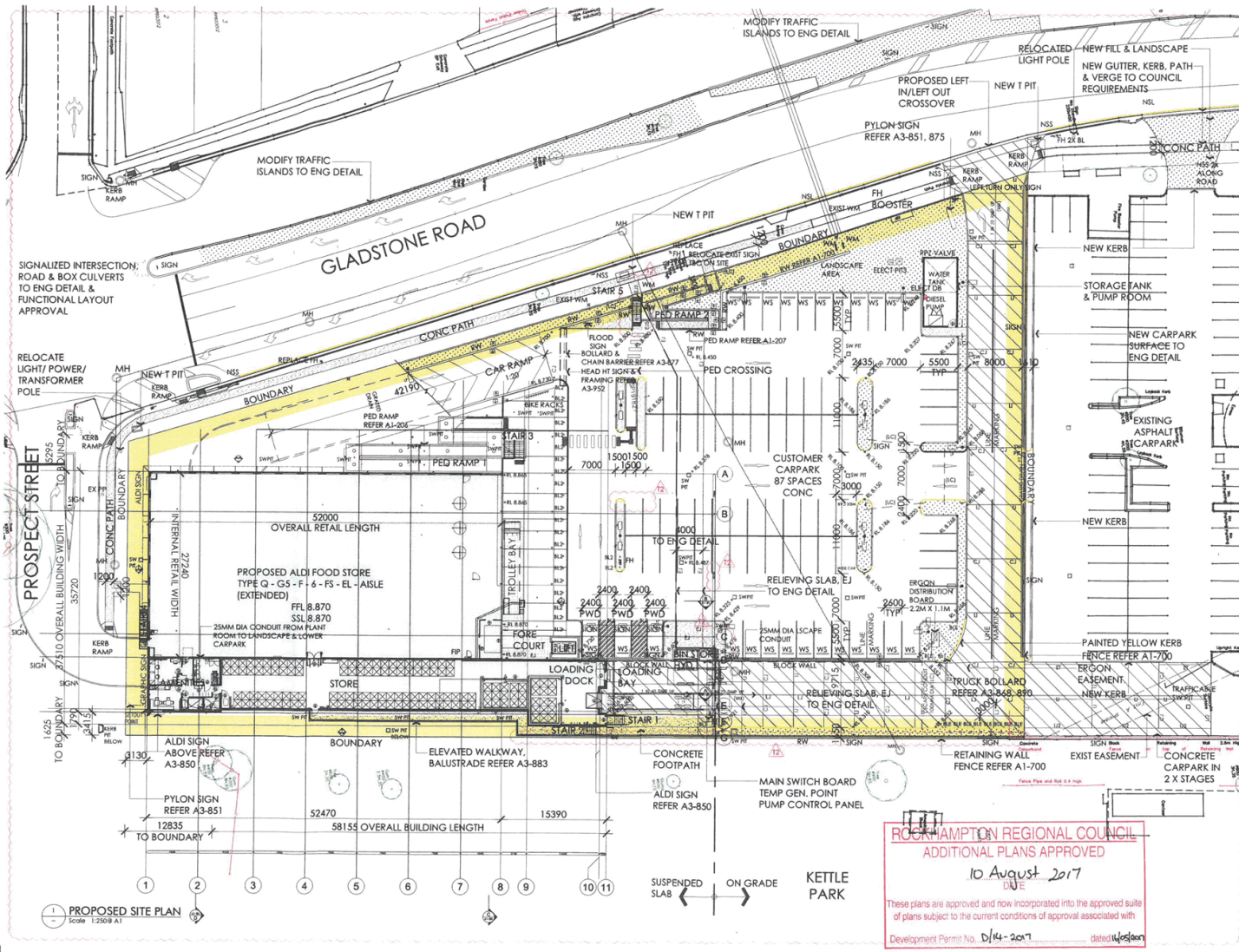


**D/14-2017/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/14-2017 FOR A MATERIAL CHANGE
OF USE FOR A SHOP AND
RECONFIGURING A LOT (ACCESS
EASEMENT)**

Site Plan

Meeting Date: 13 February 2018

Attachment No: 2



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TENDER NOT FOR CONSTRUCTION

No.	DATE	REVISION	BY
1		ISSUED	ESC
2		REVISED DRAWING	ESC

PROPERTY DESCRIPTION

TOTAL SITE AREA	=	APPROX 8408 SQM
ALDI GROSS AREA	=	1999 SQM
ALDI NET FLOOR AREA	=	1921 SQM
RETAIL NET AREA	=	1468 SQM
AMENITY NET AREA	=	82 SQM
STORAGE NET AREA	=	430 SQM

LEGEND

- TOUGH FACILE GROUND SURFACE INDICATORS
- LANDSCAPING
- CONCRETE PATH
- EXTENT OF CONCRETE CARPARK
- BIO RETENTION
- LIGHTPOLE
- GRATED DRAIN
- BOLLARD
- EXIST
- FH/HYD
- MH
- NSS
- NO STOPPING SIGN
- SW
- TEMPORARY BOLLARD
- WM
- WS

REQUIRED TOTAL = 127 SPACES

CARPARK AREAS

LANDSCAPE AREA	=	555 SQM
LOWER LEVEL - STAGE 1	=	200 SQM
LOWER LEVEL - STAGE 2	=	200 SQM
CARPARK AREA	=	3916 SQM
LOWER LEVEL - STAGE 1	=	1625 SQM
LOWER LEVEL - STAGE 2	=	2482 SQM

REQUIRED TOTAL = 127 SPACES

CARPARK AREAS

STANDARD	=	84 SPACES
PWD	=	3 SPACES
STAGE 1	=	33 SPACES
STAGE 2	=	3 SPACES
PWD	=	3 SPACES
TOTAL STAGE 1	=	117 SPACES
TOTAL STAGE 2	=	148 SPACES

ROCKHAMPTON REGIONAL COUNCIL
ADDITIONAL PLANS APPROVED
10 August 2017
DATE

These plans are approved and now incorporated into the approved suite of plans subject to the current conditions of approval associated with Development Permit No. D/14-2017 dated 14/08/2017

LETTERS AND ARCHITECTS

PROPOSED ALDI FOOD STORE
15-18/1 GARDNER RD
ALLENSTOWN, ROCKHAMPTON, QLD 4700

PROPOSED SITE PLAN

DATE	ISSUED
RAS	JAR 13/01/14
21/1/2016	4140

DA-03 B

8.3 D/32-2017/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/32-2017 FOR A MATERIAL CHANGE OF USE FOR INDOOR SPORT AND RECREATION (PERSONAL TRAINING GYM)

File No: D/32-2017/A

Attachments:

1. Locality Plan
2. Floor Plan

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

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/32-2017/A

Applicant: XO Fitness Centre Pty Ltd

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

Common Property Address: 121 Kent Street, Rockhampton City

Planning Scheme Zone: Low-medium density residential zone

Type of Approval: Development Permit for a Material Change of Use for Indoor Sport and Recreation (personal training gym)

Date of Decision: 27 July 2017

Application Lodgement Fee: \$2,378.00

Infrastructure Charges: \$1,047.99

Infrastructure charges incentive: Non-residential development throughout the region (Maximum Concession: 50%)

Incentives sought: Refund of Development Application Fees; and
Refund of service and connection fees.

OFFICER'S RECOMMENDATION

THAT in relation to the application made under the Development Incentives Policy for Development Permit D/32-2017 for a Material Change of Use for an Indoor Sport and Recreation (Personal Training Gym), located on Lot 2 on RP619304, Parish of Rockhampton, located at 121 Kent Street, Rockhampton City - Should the use commence prior to 27 July 2020, Council resolves to approve the following incentives:

- a) A 50 percent concession of the infrastructure charges in the amount of \$523.99;
- b) A reimbursement of the development application fees in the amount of \$2,378.00, upon commencement of the use;
- c) A refund of service and connection fees upon completion of the development; and
- d) That Council enter into an agreement with the applicant in relation to (a), (b) and (c).

BACKGROUND**Project outcomes anticipated by applicant:**

The applicant is developing a women's only personal training gym and fitness facility located at 121 Kent Street, Rockhampton within Council's Priority Infrastructure Area. This is a new business which plans to provide training and fitness services for women in South Rockhampton and surrounding areas.

The applicant is seeking a 50% concession of their infrastructure charges in the amount of \$523.99 and a reimbursement of the applicable development application fees in the amount of \$2,378.00.

New jobs and investment:

The applicant expects to spend \$50,000 in establishing the gym and fitness facility which includes engaging the services of local contractors, suppliers and consultants. The applicant anticipates the business will have an annual turnover of \$60,000 in Year 1, \$120,000 in Year 2 and \$150,000 in Year 3. The applicant expects to employ two (2) staff, (one full-time and one part-time) in Year 1, five (5) staff (two full time, three part-time) in Year 2 and a total of eight (8) staff (three full-time, five part-time) in Year 3.

Benefits of project for applicant's business:

The facility will enable the applicant to establish their business which they expect will grow strongly in both turnover and employment.

Benefits of project to Rockhampton Regional economy:

While a number of gyms and fitness facilities have been established in the Rockhampton region, this women's only facility widens the choice available for people. As the service capital of Central Queensland, the Rockhampton Region needs a choice of services so residents and visitors can choose those which best suit their particular needs.

PLANNING ASSESSMENT**Development Engineering Unit's Comments – (14 November 2017)**

Support, no comments or objections.

Economic Development Unit's Comments – (23 November 2017)

Support, subject to comments.

Other Staff Technical Comments -

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

CONCLUSION

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

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

Locality Plan

Meeting Date: 13 February 2018

Attachment No: 1

D/32-2017 - Locality Plan



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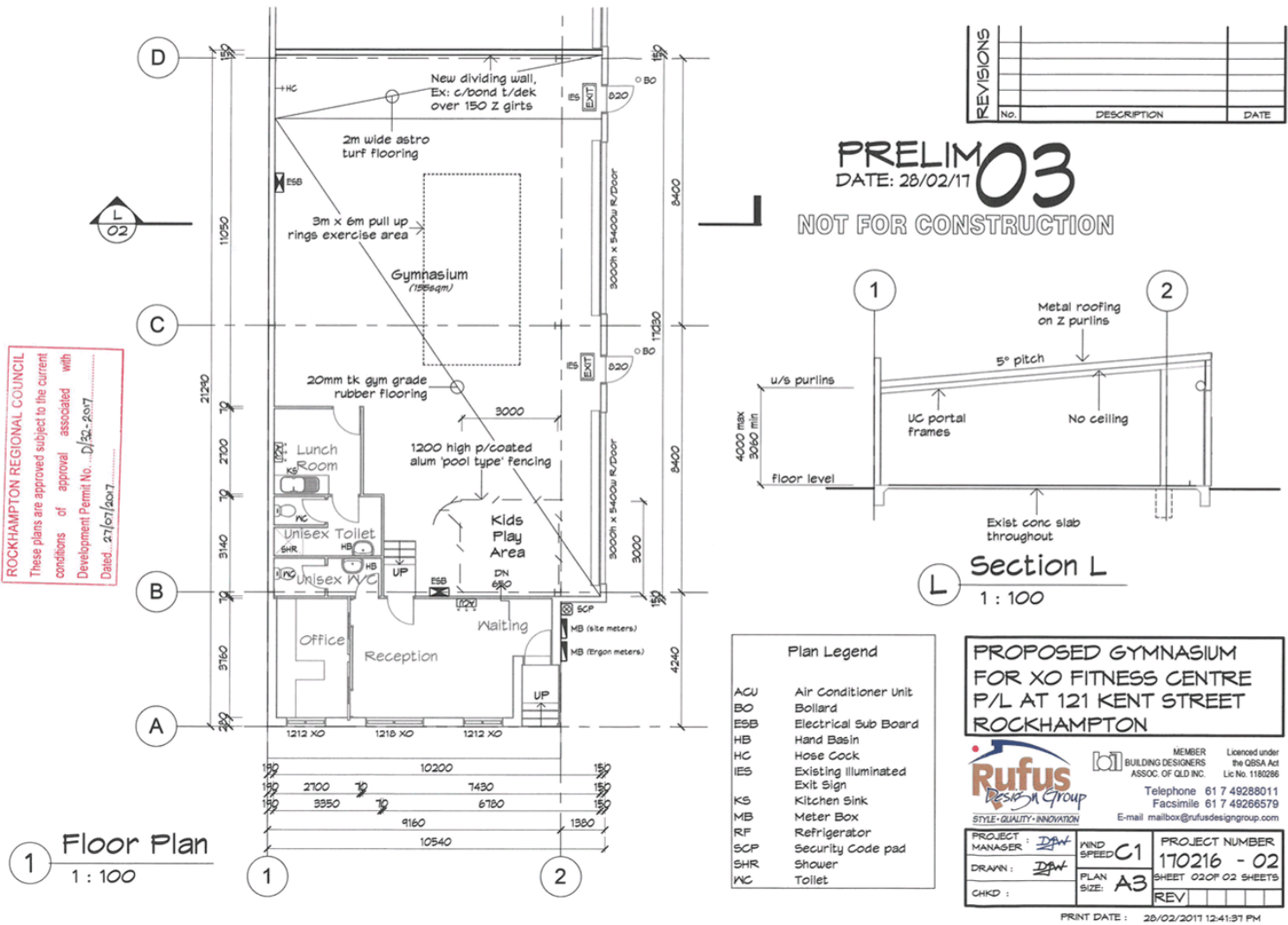


**D/32-2017/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/32-2017 FOR A MATERIAL CHANGE
OF USE FOR INDOOR SPORT AND
RECREATION (PERSONAL TRAINING
GYM)**

Floor Plan

Meeting Date: 13 February 2018

Attachment No: 2



8.4 D/125-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HOTEL

File No: D/125-2017

Attachments:

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

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

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/125-2017

Applicant: Red Lion Property Holdings Pty Ltd

Real Property Address: Lot 1 and 2 on RP600326, Parish of Rockhampton

Common Property Address: 138 and 140 Denham Street, Allentown

Area of Site: 1,400 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Nil Applicable

Existing Development: Hotel

Existing Approvals: Lot 1 on RP600326 - Hotel and associated building and plumbing approvals; and
Lot 2 on RP600326 – Dwelling House

Approval Sought: Development Permit for a Material Change of Use for a Hotel

Level of Assessment: Impact

Submissions: One (1) submission

Referral Agency(s): Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	11 October 2017
<i>Acknowledgment Notice issued:</i>	24 October 2017
<i>Request for Further Information sent:</i>	24 October 2017
<i>Request for Further Information responded to:</i>	23 November 2017
<i>Submission period commenced:</i>	28 November 2017
<i>Submission period end:</i>	19 December 2017
<i>Council request for additional time:</i>	1 February 2018
<i>Last receipt of information from applicant:</i>	23 January 2018

Statutory due determination date:	27 February 2018
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OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a Hotel, made by Red Lion Property Holdings Pty, Lot 1 and 2 on RP600326, Parish of Rockhampton, located at 138 and 140 Denham Street, Allenstown - Council resolves to Approve the application despite its conflict with the planning scheme and provide the following merits to justify the decision despite the conflict:

- a) The development is an extension of an existing use which is of a scale and design that does not adversely impact on the residential character or amenity of the surrounding area;
- b) The proposed carpark will meet the demands generated by the development whilst protecting the safety and capacity of the road network;
- c) The application only received one (1) properly made submission which related to noise. The application demonstrated that the noise generated by the development would be within acceptable levels in accordance with the standards of the *Environmental Protection Policy (Noise) 2008*;
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a Hotel, made by Red Lion Property Holdings Pty Ltd, Lot 1 and 2 on RP600326, Parish of Rockhampton, located at 138 and 140 Denham Street, Allenstown - Council resolves to Approve the application subject to the following conditions:

Part A: General Conditions (Applicable to both Stages One and Two)

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 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.
- 1.6 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 Lot 1 and Lot 2 on RP600326 must be amalgamated and registered as one lot prior to the commencement of the use for Stage Two.

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>Drawing/report title</u>	<u>Prepared by</u>	<u>Date</u>	<u>Reference number</u>
Proposed Site Plan	Lotus	23 January 2018	Nil, Revision E
Floor Plan & Elevations	Lotus	23 January 2018	Nil, Revision E
Proposed Carpark and Swept Path Analysis	McMurtrie	18 July 2017	0071718-SK-0001, Revision A
Noise Impact Assessment	Alpha Acoustics	25 September 2017	Nil

- 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 and/or Building Works.

3.0 STAGED DEVELOPMENT

- 3.1 This approval is for a development to be undertaken in two (2) stages, namely:
- 3.1.1 Cocktail room and hotel room (Stage One); and
- 3.1.2 Beer garden, storeroom, bar and grill and carpark (Stage Two).
- in accordance with the approved Site Plan (refer to condition 2.1).
- 3.2 Stage One must be completed prior to the commencement of use for Stage Two.
- 3.3 Unless otherwise expressly stated, the conditions must be read as being applicable only to the particular stages(s) being developed.

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 A Development Permit for Plumbing and Drainage Works must be obtained for both Stages One and Two. This also applies to the removal and/or demolition of any existing dwelling structure on the development site.
- 4.2 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.

- 4.3 Amended sewerage/Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.
- 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 A Development Permit for Building Works must be obtained for the proposed extensions on the development site for both Stages One and Two.
- 8.0 LANDSCAPING
- 8.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 8.2 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.
- 8.3 The landscaped areas must be subject to:
- 8.3.1 a watering and maintenance plan during the establishment moment; and
 - 8.3.2 an ongoing maintenance and replanting programme.
- 9.0 ENVIRONMENTAL HEALTH
- 9.1 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"*.
- 9.2 Noise emitted from the activity must not cause an environmental nuisance.
- 9.3 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.
- 9.4 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy 2008*.
- 10.0 ASSET MANAGEMENT
- 10.1 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.

- 10.2 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.
- 10.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the *Asset Design and As Constructed Manual (ADAC)*.
- 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 Denham Street, West Street.

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. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Infrastructure Charges Notice

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

Part B: Stage One

12.0 ADMINISTRATION

- 12.1 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 12.1.1 Plumbing and Drainage Works; and
 - 12.1.2 Building Works.

Part C: Stage Two**13.0 ADMINISTRATION**

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

13.1.1 Operational Works:

- (i) Access and Parking Works;
- (ii) Stormwater Works;
- (iii) Site Works;

13.1.2 Plumbing and Drainage Works; and

13.1.3 Building Works.

14.0 ACCESS AND PARKING WORKS

14.1 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.

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

14.3 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).

14.4 The existing access from Denham Street to the development must be upgraded to a commercial access standard to comply with the requirements of the *Capricorn Municipal Development Guidelines*.

14.5 Service and delivery vehicles including for the purpose of refuse collection, are not permitted to enter the site.

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

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

14.8 The access driveway to the site's proposed carpark on Denham Street must be confined within the extent of the development site's boundaries.

14.9 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.

14.10 A minimum of 11 parking spaces must be provided on-site.

14.11 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"*.

14.12 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).

14.13 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.

-
- 14.14 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
- 14.15 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

15.0 SEWERAGE WORKS

- 15.1 All sewerage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008*, and *Plumbing and Drainage Act 2002*.
- 15.2 The development must be connected to Council's reticulated sewerage network and the existing sewerage connection point(s) must be retained and upgraded, if necessary, to service the development.
- 15.3 Compliance with the Build Over Sewer Compliance Permit (Reference: 583-2017) is required, in particular:
- 15.3.1 The space around the subject access chamber must be constructed with all new walls/gates with a minimum offset of 1.2 metres from the centre of the access chamber.
- 15.3.2 Suitable ventilation must be provided with a minimum opening of 2.1 metres from the breezeway to the carpark.
- 15.3.3 The subject access chamber must have a gas tight sealed lid to ensure gases are not released into the covered area.

Note: In the event of a sewer surcharge or the access chamber lid becoming unsealed, please contact Fitzroy River Water (FRW) immediately to rectify.

16.0 WATER WORKS

- 16.1 All water works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008*, and *Plumbing and Drainage Act 2002*.
- 16.2 The development must be connected to Council's reticulated water network and the existing water connection point(s) must be retained and upgraded, if necessary, to service the development.
- 16.3 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

17.0 STORMWATER WORKS

- 17.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 17.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, and sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 17.3 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.
- 17.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.

- 17.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including retention systems, inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy. In particular please indicate the location of the detention tank as outlined in the Stormwater Management Plan.
- 18.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 18.1 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, and sound engineering practice.
- 19.0 SITE WORKS
- 19.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 19.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 19.2.1 the location of cut and/or fill;
 - 19.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 19.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 19.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 19.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 19.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 19.4 Retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 19.5 Any retaining structures close to or crossing sewerage infrastructure must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* The structure must be self-supporting and no additional load must be applied to Council's sewerage infrastructure.
- 20.0 BUILDING WORKS
- 20.1 The proposed building must be designed to suit the Building Over/Adjacent to Local Government Sewerage Infrastructure Permit (Reference: 583-2017) conditions/plans.
- 20.2 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2008* and must be:
- 20.2.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 20.2.2 surrounded by at least a 1.8 metre high screen fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
-

- 20.2.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor as Kerbside collection. No Waste Service Vehicles are permitted entry into the site.
- 20.2.4 setback a minimum of two (2) metres from any road frontage; and
- 20.2.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2002*.

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

21.0 ENVIRONMENTAL HEALTH

- 19.1 All recommendations included in the Noise Impact Assessment (refer to condition 2.1) are to be implemented prior to the commencement of use of Stage Two and maintained thereafter.

Note: Any air-conditioning units proposed for the beer garden area (including the storeroom, bar and grill areas) must be located, installed and maintained at all times, so as not to cause a nuisance.

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a Hotel, made by Red Lion Property Holdings Pty Ltd, Lot 1 and 2 on RP600326, Parish of Rockhampton, located at 138 and 140 Denham Street, Allenstown, Council resolves to issue an Infrastructure Charges Notice for the amount of \$17,628.25.

BACKGROUND

PROPOSAL IN DETAIL

The proposal is seeking approval for extensions to the Red Lion Hotel. These extensions will be separated into two (2) stages to include the following:

- Stage 1: an already constructed indoor area used as a hotel room and cocktail bar; and
- Stage 2: outdoor beer garden area which includes a storeroom, bar and grill and an ancillary carpark.

The indoor hotel room and cocktail bar was installed in 2016 in association with building permit 1094-2016-BPCCOM along the site's western boundary resulting in an additional 180 square metres of gross floor area. The hotel room is used for informal storage and small functions while the cocktail bar operates as a separate small-scale bar and dining area with its own independent pedestrian access to Denham Street.

The proposed outdoor beer garden area is to be 285 square metres which will have a semi-enclosed roof structure with a maximum height of 4.8 metres. This area is also proposed to include a Gross Floor Area of 46 square metres including a storeroom, bar and grill. This area replaces the hotel's existing rear carpark and an already constructed 2.2 metre high fence located contiguous to the site's northern and eastern boundaries fronting West Street. The proposal also includes an ancillary car park to be located at 140 Denham Street to provide 11 car parking spaces including one (1) disabled space. Vehicles are proposed to enter and exit the site via Denham Street and will incorporate a new pedestrian access to the hotel via a breezeway through to the outdoor beer garden area.

SITE AND LOCALITY

The subject site has a total site area of 1,400 square metres and is located in the Low-Medium Density Residential Zone. Lot 1 on RP600326 is currently occupied by the Red Lion Hotel while Lot 2 on RP600326 accommodates a Dwelling House.

Both allotments have separate electricity, telecommunications, reticulated water and sewer infrastructure and both utilise Denham Street as their lawful point of discharge.

The surrounding area is characterised by a mixed land use pattern including established residential, commercial (chiropractic and medical offices) and community uses (Catholic Education Diocese). The site has two (2) road frontages with Denham Street to the south and West Street to the east.

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 – (30 January 2018)

Support, subject to comments and conditions.

Public and Environmental Health Comments – (13 October 2017)

Support, subject to comments and conditions.

Other Staff Technical Comments -

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

TOWN PLANNING COMMENTS

Central Queensland Regional Plan 2013

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

State Planning Policy 2017

The current State Planning Policy (SPP) came into effect on 3 July 2017 and replaces the previous SPP (April 2016). The new policy expresses the state's 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. However, it is considered that the State Planning Policy is appropriately reflected in the current local planning scheme.

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:

1. 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.

2. **3.3.10 Element – Urban infill and intensification**

- (1) Urban infill and intensification areas are designated for higher density and walkable neighbourhoods that accommodate different dwelling choice. These areas include older suburbs in proximity to centres located at Gracemere and Rockhampton, as shown on the strategic framework maps (SFM-1 to SFM-4).
- (2) ***Urban infill and intensification areas are characterised by residential uses, providing ready access to a range of shopping, community and other local services and facilities. Long-term and short-term residential land uses are within easy walking and cycling distance to non-residential uses and public transport.***
- (3) Urban infill and intensification areas provide for medium and high density developments that are consistent with the low-medium and high density residential zone codes. These neighbourhoods have a sense of enclosure at the street level provided by small building setbacks, with the built environment part of its character usually dominant. Streets are characterised by street trees which provide shade and character, footpaths for walking trips, and through pavements shared by cars and bikes. These streets are usually grid-based and well connected, reducing the need to drive.
- (4) The expansion of industrial areas and centres (including specialised centres) into the urban infill and intensification area will not be supported.
- (5) ***Development provides for land uses consistent with the zone outcomes, densities and urban form which supports walkable, self-contained communities that:***
 - a. provide choice of housing types and contributes to “affordable living” by including smaller and inexpensive options close to centres;***
 - b. reduce vehicle-based trip making and travel costs;***
 - c. provide access to employment, retail and commercial services, recreational opportunities and community facilities; and***
 - d. protect residential amenity commensurate with its location.***

Complies: The development site is designated within the Urban Infill and Intensification area. Whilst residential development is the primary intent of this settlement pattern, the proposal is supported as a longstanding local service which is anticipated to create additional employment opportunities. The proposal is anticipated to increase noise levels associated with the business, particularly with respect to the outdoor beer garden area. However, the noise impact assessment conducted by the applicant has demonstrated that these levels are within acceptable limits. The report’s recommendations have been included in a condition with respect to design and materials, as well as general and administrative controls to be implemented and maintained by the business. The development is expected to protect the residential amenity commensurate with the hotel’s location surrounded by various low density residential uses. Therefore the development complies with the settlement pattern’s strategic outcomes.

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 site is not affected by any designated natural environment or hazards strategic outcomes.

(i) 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.

Not applicable: As a private, commercial development the proposal is not applicable to be assessed against the community identity and diversity strategic outcomes.

(ii) 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.***

Complies: The site has access to Denham and West Streets with Denham Street being designated on the bicycle network as a major cycling urban on-route. The development includes an ancillary carpark which is expected to protect the safety and efficiency of transport infrastructure. Therefore the development complies with the access and mobility strategic outcomes.

(iii) **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.

Complies: The development is not anticipated to compromise the effectiveness or safety of the local area's transport network. Furthermore the site has access to reticulated water, sewer, electricity and telecommunications services. Therefore the development is considered to comply with the infrastructure and services strategic outcomes.

(iv) **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 development will extend the existing hotel to include a hotel room, cocktail bar, an outdoor beer garden and ancillary carpark. The proposal aligns with the principles for local economic growth to facilitate an increased number of patrons and provide additional employment opportunities within the business.

The proposal provides meeting and dining facilities as well as an entertainment activity for the local community, with the extensions expected to increase its economic contribution to the greater Rockhampton Region. Therefore, the development complies with the strategic outcomes for economic development.

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 provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community related activities and small-scale services and facilities that cater for local residents.***
- (2) The local government purpose of the zone code is to:
 - (a) provide locations 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.***
- (3) 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 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) ***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 frontage, therefore limited to:
 - (A) products predominantly displayed outside of any enclosed building and are demonstrably dependent on high visibility for attracting customers or businesses and typically include outdoor sales; or
 - (B) products predominantly displayed inside a building, consistent with the showroom definition with gross floor area of no more than 500 square metres and is demonstrably dependent on high visibility for attracting customers or business; and

- (C) other uses which service and support the broad range of needs to highway users and include a food and drink outlet, service station, car wash and the like;
- (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 (including but not limited to topography, bushfire and flooding); and**
- (n) **development is serviced by infrastructure that is commensurate with the needs of the use.**

This proposal is not considered to be consistent with the purpose of the Low-Medium Density Residential Zone. The development seeks to extend the existing Hotel to include a cocktail bar, hotel room and an outdoor beer garden as well as an ancillary carpark. The outdoor beer garden will include a semi-enclosed seating area and the ancillary carpark will provide 11 car parking spaces. The proposal as a non-residential use however cannot be considered small-scale and consistent with the surrounding built form which primarily consists of low density residential uses. Therefore, despite the hotel being an existing longstanding use on the subject site, the proposed extensions are considered inconsistent with the intent of the zone.

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; and
- Waste and Sewer Code.

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

Low-Medium Density Residential Zone Code	
Performance Outcome/s	Officer's Response
<p>PO1</p> <p>Development does not adversely impact on the urban form of the surrounding low-medium density residential area and significant scenic landscape features having regard to the scale and height of buildings, site cover and density.</p>	<p><u>Justified:</u></p> <p>The beer garden to be located adjacent to the site's northern boundary will include a three-tiered, semi-enclosed roof area with a maximum height of 4.8 metres above ground level. The structure integrates with the built form of the surrounding low-medium density residential area by having regard to the height of the structure. It is noted the adjacent residence includes a carport which separates the structure from the dwelling house by approximately four (4) metres from the property boundary.</p> <p>Therefore despite the non-compliance with the performance outcomes, the development has justified compliance with respect to the performance outcomes.</p>
<p>PO8</p> <p>The development is located and designed so that buildings and structures make provision for:</p> <p>(a) an appropriate scale and size that reflects the purpose of the zone;</p> <p>(b) access to natural light and ventilation;</p> <p>(c) landscaping;</p> <p>(d) privacy and noise attenuation;</p> <p>(e) screening of materials when stored outside buildings;</p> <p>(f) integration with the streetscape and built form;</p> <p>(g) orientated to the street frontage;</p>	<p><u>Justified:</u></p> <p>The already constructed hotel room and cocktail bar is built to the extent of the site's road frontage at Denham Street. Although the prescribed setback is not achieved, it maintains the Hotel's existing setback from the road frontage which integrates with the streetscape and built form. The outdoor beer garden incorporates a semi-enclosed roofed area and a small enclosed storeroom both located at the extent of the site's rear northern boundary. Despite not maintaining the setback, the storeroom is oriented to the rear of the adjacent Dwelling House and the outdoor roofed area is separated by an existing carport by approximately four (4) metres located on the adjacent residential property. Notwithstanding, the buildings are designed and located to be of an appropriate scale that does not compromise the intent of the zone and protects the existing residential amenity.</p> <p>Therefore despite the non-compliance with the acceptable outcome, this proposal has justified its compliance with respect to the performance outcome.</p>

	(h) landscape features of the site; and (i) access to open space.	
PO19	The development minimises adverse impacts on the amenity of adjoining land use and the surrounding area.	<p><u>Justified:</u></p> <p>The proposal will maintain the existing Hotel's operating hours of 10:00 to 00:00.</p> <p>The applicant has conducted a noise impact assessment. This report assessed the anticipated increase in noise from the venue as a result of the extensions for the outdoor beer garden with respect to the existing surrounding residential properties. The report provided recommendations for design and materials and also operational and administrative controls to be implemented and maintained by the Hotel to comply with the <i>Environmental Protection Policy (Noise) 2008</i> standards. This has also been included as a condition under 19.1.</p> <p>As such, the development is not anticipated to have an adverse impact on the amenity of the surrounding area. Therefore, the proposal has justified its compliance with respect to the performance outcome.</p>
PO22	<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 seeks to incorporate 62.5m² of landscaping area, equating to approximately 5% of the total site area of 1,400m². It is noted that the existing hotel did not provide any landscaping area and the inclusion of planter boxes for landscaping within the site's outdoor beer garden area and the inclusion of garden beds in the ancillary carpark is a vast improvement on the existing situation. This improves the internal amenity within the site and enhances the appearance of the development both within active use areas and passively with respect to its integration with the surrounding streetscape.</p> <p>Therefore, the proposal has justified its compliance with respect to the performance outcome.</p>

Access, Parking and Transport Code	
Performance Outcome/s	Officer's Response
<p>PO5 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><u>Justified:</u></p> <p>The proposal cannot be considered to comply with AO5.1 which prescribes that on-site car parking is to be provided at the rates outlined in the Access, Parking and Transport Code. This would require a total of 17 on-site parking spaces to be provided, with the proposal providing a total of 11 on-site parking spaces.</p> <p>Despite the non-compliance, the additional car parking spaces are anticipated to improve the on-street parking situation associated with the existing Hotel whilst meeting the demand generated by the Hotel's extensions. Furthermore, additional on-site car parking spaces are expected to lessen the impact of the existing Hotel whilst meeting the needs of the extensions with regards to the safety and capacity of the road network and protecting local amenity.</p> <p>Therefore, this proposal has justified its compliance with respect to the performance outcome.</p>

Waste Management Code	
Performance Outcome/s	Officer's Response
<p>PO3 Waste storage minimises adverse impacts on adjoining properties.</p>	<p><u>Justified:</u></p> <p>The location of the waste storage area is approximately 13 metres from the adjacent residential house and lids are to be fitted to the mobile commercial waste bins. Furthermore, the storage area has been conditioned under 18.2 to be appropriately screened by a 1.8 metre high fence and for the maintenance of the waste area to be either drained as trade waste or to engage a mobile commercial bin cleaning service as required. The waste storage area is not anticipated to adversely impact on the adjoining property.</p> <p>Therefore, the proposal has justified its compliance with respect to the performance outcome.</p>

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

Planning Scheme Policies As evident from the above assessment, the proposal generally complies with the requirements of the applicable planning scheme policies.

Sufficient Grounds

The proposed development cannot be considered to be consistent with the *Rockhampton Region Planning Scheme 2015*. Council should note, however, that pursuant to the *Planning Act 2016* a development can be approved on its merits. The merits to support the development are as follows:

- a) The development is an extension of an existing use which is of a scale and design that does not adversely impact on the residential character or amenity of the surrounding area;
- b) The proposed carpark will meet the demands generated by the development whilst protecting the safety and capacity of the road network;
- c) The application only received one (1) properly made submission which related to noise. The application demonstrated that the noise generated by the development would be within acceptable levels in accordance with the standards of the *Environmental Protection Policy (Noise) 2008*;
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

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

INFRASTRUCTURE CHARGES

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

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	
Entertainment	All uses as per AICN 4/14 Table 2.2.1	Areas 1	170	per m ² of GFA	8.50	per m ² of impervious area	\$46,133.75
						Total	\$46,133.75
						Less credit	\$28,505.50
						TOTAL CHARGE	\$17,628.25

This is based on the following calculations:

Lot 1 on RP600326:

- (a) A charge of \$38,420.00 for Gross Floor Area being 226 square metres (hotel room, cocktail bar, service area, storeroom, bar and grill);
- (b) A charge of \$4,343.50 for Impervious Area being 511 square metres (roof and hardstand areas); and
- (c) An Infrastructure Credit of \$7,505.50, made up as follows:
 - (i) \$3,162.00 - Infrastructure Credit applicable for the existing storeroom structure (18.6 square metres); and

- (ii) \$4,343.50 - Infrastructure Credit applicable for the existing impervious roof and hardstand areas (511 square metres).

Sub-Total: \$35,258.00

Lot 2 on RP600326:

- (d) A charge of \$3,370.25 for Impervious Area being 396.5 square metres (access and parking areas); and

- (e) An Infrastructure Credit of \$21,000.00, made up as follows:

- (iii) \$21,000.00 - Infrastructure Credit applicable for the existing allotment.

Sub-Total: -\$17,629.75

Therefore, a total charge of \$17,628.25 is payable and will be reflected in an Infrastructure Charges Notice for the development.

CONSULTATION

The proposal was the subject of public notification between 28 November 2017 and 19 December 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
Noise	<p>The submitter's objection raised concerns that the Hotel extensions would increase the level of noise generated by the use, impacting the residential amenity of the area.</p> <p>The development application submitted to Council included a Noise Impact Assessment report which assessed this concern. The report demonstrated that the proposed extensions would remain within acceptable noise levels in accordance with the <i>Environmental Protection (Noise) Policy 2008</i>. For the development to achieve acceptable levels, section 7 of the applicant's report included recommendations to be implemented and maintained, these are summarised below:</p> <ul style="list-style-type: none"> • Noise controls to have the outdoor beer garden's entire under roof area treated with acoustic absorption using an acoustic insulation product; • Glass louvres are recommended to be installed above the blockwork fence, connecting with the roof, along the beer garden area's shared boundary with 148 West Street; • There are noise limits imposed for separate operating times including daytime and evening (10:00 - 22:00) and night time (22:00 - 00:00) which incorporates any in-house amplified music; and • General administrative controls for waste to be placed into the bins and for all deliveries to the venue to occur during daytime hours, minimising the potential for any noise annoyance during the evening or night time hours. <p>The application has addressed the submitter's noise mitigation issue and this has been included with the conditions of approval.</p>

REFERRALS

The application was not required to undertake any referrals.

CONCLUSION

The proposal for a Hotel cannot be considered to be consistent with the intent of the Low-Medium Density Residential Zone being that the use cannot be considered small-scale or consistent with the surrounding built form. Whilst the proposal conflicts with the planning scheme the development does not conflict with the strategic framework and generally complies with the requirements of the relevant codes.

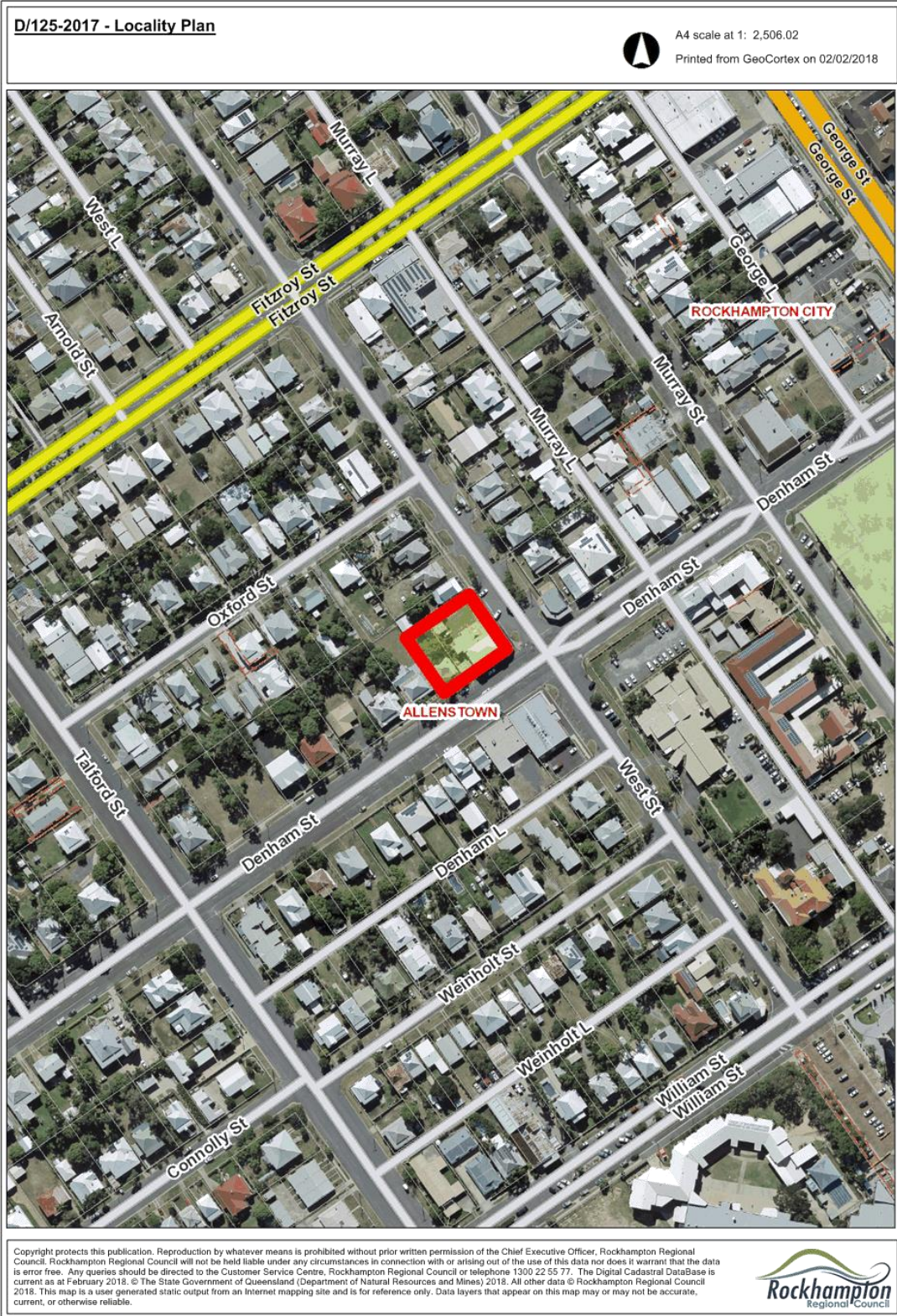
Therefore the proposal is regarded as having sufficient merits to recommend approval subject to conditions outlined in the recommendation.

**D/125-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A HOTEL**

Locality Plan

Meeting Date: 13 February 2018

Attachment No: 1



**D/125-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A HOTEL**

Site Plan

Meeting Date: 13 February 2018




Attachment No: 2

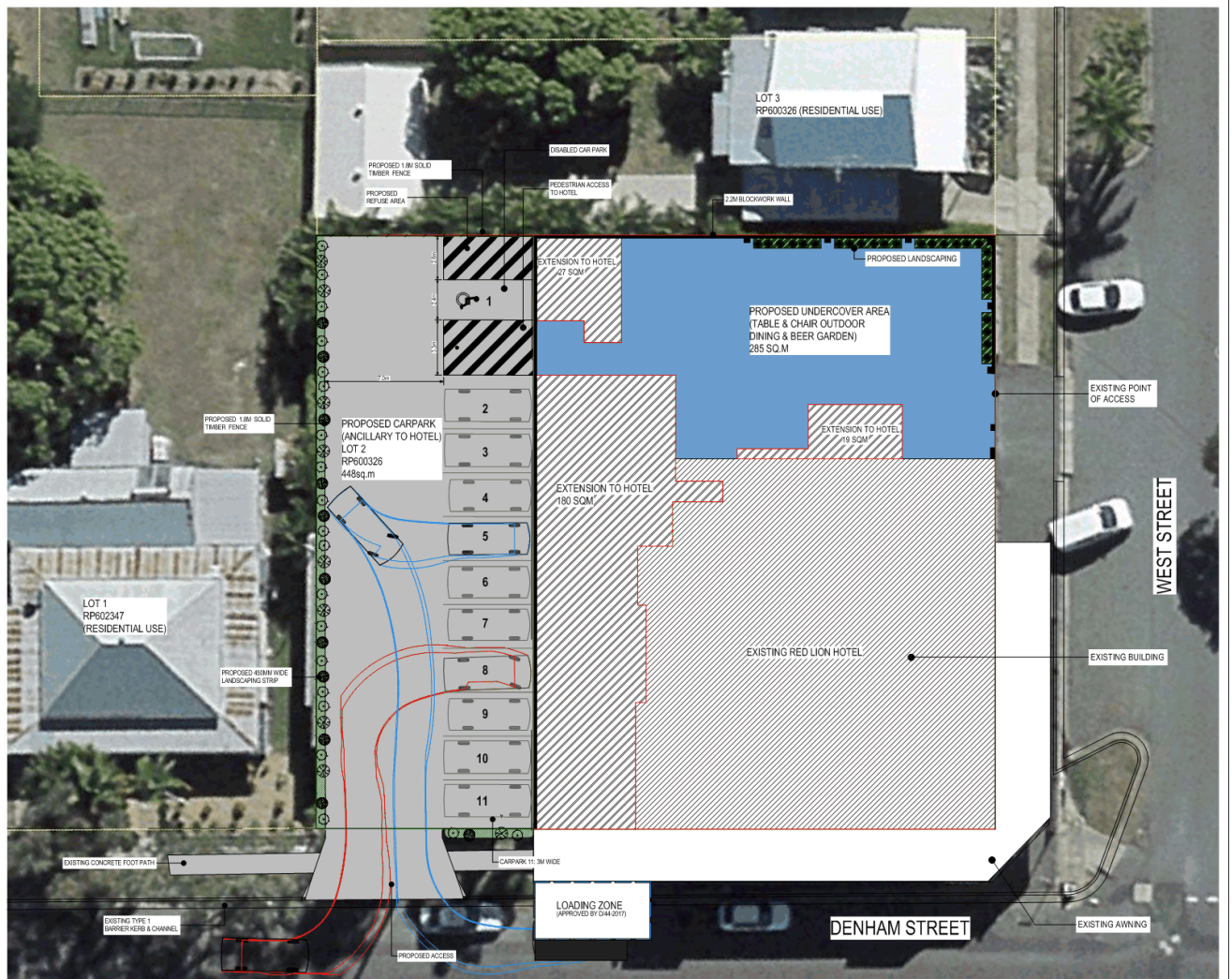
AREA SCHEDULE:
 TOTAL SITE AREA: 1400 SQM

NEW UNDERCOVER AREA ON LOT 1 RP600326
 (OVER EXISTING IMPERVIOUS AREA):
 BUILDING HEIGHT (PROP. UNDERCOVER AREA): 4800MM
 NEW HOTEL EXTENSION GFA: 226 SQM
 NEW UNDERCOVER AREA: 285 SQM
 NEW SITE COVER: 331 SQM
 EXISTING SITE COVER: 621 SQM
 TOTAL SITE COVER: 952 (68% OF SITE AREA)
 LANDSCAPING: 11 SQM

NEW CAR PARK ON LOT 2 RP600326:
 NO. OF CAR PARKS: 11
 IMPERVIOUS AREA: 396.5 SQM
 LANDSCAPING: 51.5 SQM

LEGEND

-  EXISTING ROOF AREA
-  PROPOSED HOTEL EXTENSION
-  PROPOSED ROOF AREA



Lotus
 Interior Design & Project Management
 47 Ferguson Street
 Allentown, QLD 4700
 P 0438 840 734
 E ginab@livo.com.au
 ABN 83 254 142 805

PROPOSED SITE PLAN

138 & 140 DENHAM STREET
 ALLENTOWN
 LOTS 1 & 2: RP600326



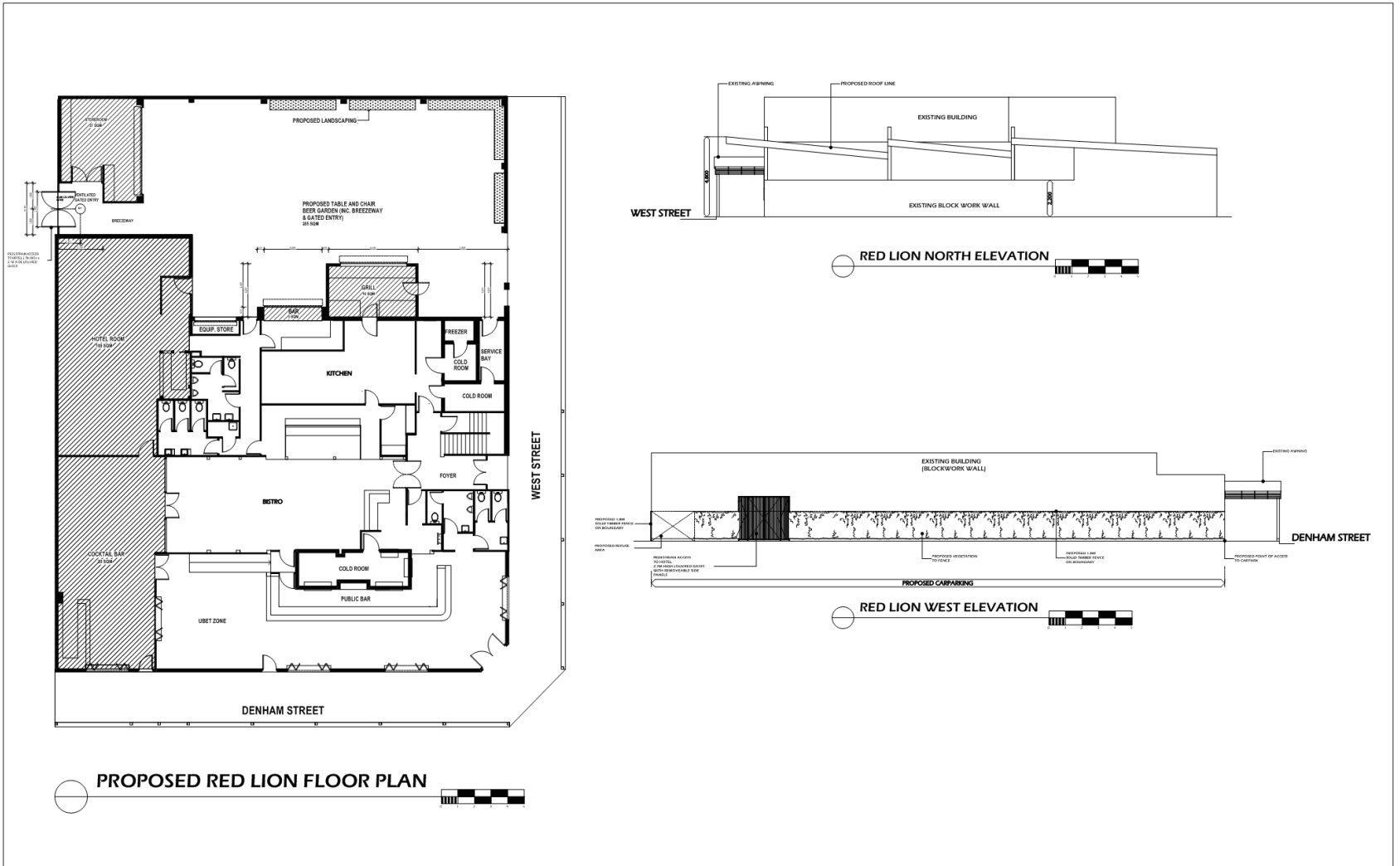


CLIENT:	RED LION HOTEL
TITLE:	PROPOSED SITE PLAN
ADDRESS:	138 & 140 DENHAM STREET ALLENTOWN
	23/01/18
	REV: E

**D/125-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A HOTEL**

Floor Plan

Meeting Date: 13 February 2018


Attachment No: 3

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FLOOR PLAN & ELEVATIONS

138 & 140 DENHAM STREET
 ALLENTOWN
 LOTS 1 & 2: RP600326



CLIENT:	RED LION HOTEL	
TITLE:	EXISTING FLOOR PLAN & PROPOSED ELEVATIONS	
ADDRESS:	138 & 140 DENHAM STREET ALLENTOWN	
		23/01/18
		REV: E

8.5 D/135-2016/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/135-2016 FOR A MATERIAL CHANGE OF USE FOR COMMERCIAL PREMISES, SHOP AND INDOOR SPORT AND RECREATION AND OPERATIONAL WORKS FOR ADVERTISING DEVICES, EARTHWORKS, STORMWATER, ACCESS AND PARKING WORKS AND ROAD WORKS

File No: D/135-2016/A

Attachments: 1. Site Plan
2. Locality Plan

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

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/135-2016/A

Applicant: Kele Property Group (Qld) Pty Ltd

Real Property Address: Lot 1 on RP604994, Lot 2 on RP604994 and Lot 3 on RP604994, Parish of Rockhampton

Common Property Address: 49 Archer Street, Rockhampton City QLD 4700

Planning Scheme Zone: Low-Medium Density Residential

Type of Approval: Development Permit for a Material Change of Use for Commercial Premises, Shop and Indoor Sport and Recreation and Operational Works for Advertising Devices, Earthworks, Stormwater, Access and Parking Works and Road Works

Date of Decision: 17 October 2016

Application Lodgement Fee: \$5,006.00

Infrastructure Charges: \$81,198.45

Infrastructure charges incentive: All other areas – 50%
Amount of discount - \$40,599.22

Incentives sought: Development facilitation
Refund of Development Application Fees

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for Commercial Premises, Shop and Indoor Sport and Recreation and Operational Works for Advertising Devices, Earthworks, Stormwater, Access and Parking Works and Road Works, on land located at 49 Archer Street, Rockhampton City QLD 4700 described as Lot 1 on RP604994, Lot 2 on RP604994 and Lot 3 on RP604994, Parish of Rockhampton, Council resolves to Approve the following incentives if the use commences prior to 23 February 2021:

- a) A fifty (50) percent reduction of infrastructure charges to the amount of \$40,599.22;
- b) A refund of the development application fee of \$5,006.00; and
- c) That Council enter into an agreement with the applicant in relation to (a) and (b)

BACKGROUND

Project outcomes anticipated by applicant:

The applicant is constructing a commercial premise which will be leased to a variety of lessees at 49 Archer Street, Rockhampton, which is within Council Priority Infrastructure Area.

New jobs and investment:

The applicant will spend \$2 million in constructing the commercial building which will include fees paid to Central Queensland builders, suppliers and consultants.

The applicant will lease parts of the building to:

- Spinal Life Australia, a national not-for-profit organisation which is opening an office in the Rockhampton Region;
- One Life Wellness Centre, a new business to the Rockhampton Region;
- Archer Street Boxing, a new business to the Rockhampton Region;
- Green Eat Café which is relocating within the Rockhampton Region and expanding; and
- Cross Fit CQ, which is relocating within the Rockhampton Region and expanding.

Three of the businesses are new to the Rockhampton Region, while the other two are relocating, but expanding.

The applicant expects the five businesses to employ more than twenty (20) people once construction is finished.

The construction workforce would also involve more than twenty (20) people.

Benefits of project for applicant's business:

The building will provide space for five businesses, three of which are new to the Rockhampton Region, while the remaining two are expanding when they are relocating.

Council is keen to expand the Region's business base and welcome the three new businesses.

Construction provides useful business, while the ongoing employment is a particularly welcome addition.

Benefits of project to Rockhampton Regional economy:

The applicant has provided a substantial boost to the Rockhampton Region economy through the introduction of three new businesses and the expansion of two others.

Construction will provide a welcome addition for the general economy, while the operational employment will be particularly welcome.

PLANNING ASSESSMENT

COMMENTS FROM RELEVANT UNITS

Economic Development Unit's Comments – 23 November 2017

Support, subject to comments.

Other Staff Technical Comments -

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

CONCLUSION

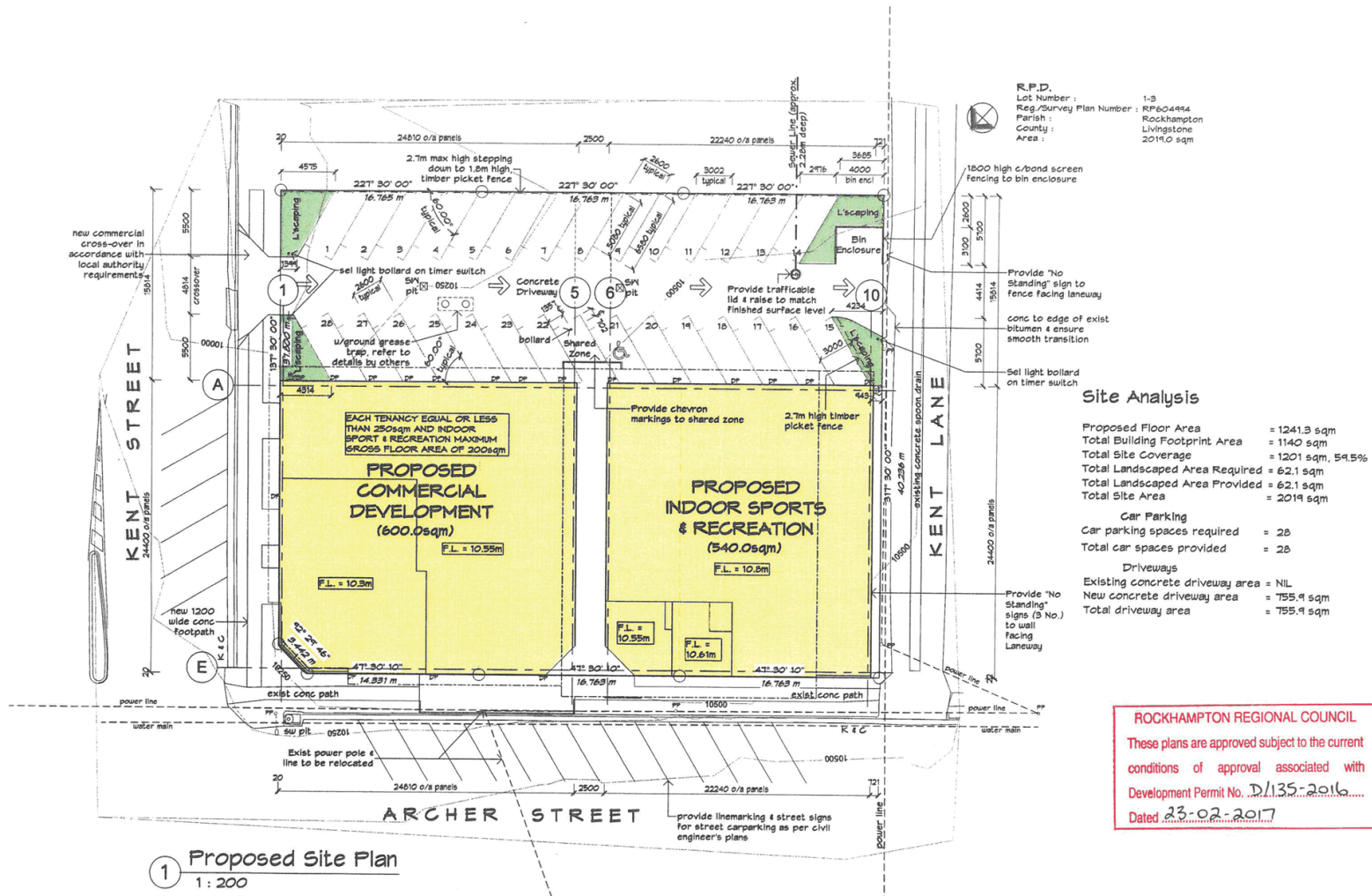
The development meets the eligibility criteria under the Development Incentives Policy and the applicant has demonstrated some economic benefits arising from the development.

**D/135-2016/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/135-2016 FOR A MATERIAL CHANGE
OF USE FOR COMMERCIAL
PREMISES, SHOP AND INDOOR
SPORT AND RECREATION AND
OPERATIONAL WORKS FOR
ADVERTISING DEVICES,
EARTHWORKS, STORMWATER,
ACCESS AND PARKING WORKS AND
ROAD WORKS**

Site Plan

Meeting Date: 13 February 2018

Attachment No: 1



1 Proposed Site Plan
1:200

NO.	REVISIONS	DESCRIPTION	DATE
C	PENINGS CALL UP MODIFIED		19/02/17
B	CHANGED TO MATCH CONSULTANTS		01/02/17
A	DEVELOPMENT APPLICATION		14/01/17

PROPOSED COMM. DEVELOPMENT FOR KELE PROPERTY GROUP (QLD) Pty Ltd AT 49 ARCHER STREET, ROCKHAMPTON

Site drawing Proposed Site Plan

Rufus RES-A-Group
MEMBER ASSOC. OF Q.L.D. INC.
Lic No: 118208
Telephone: 61 7 45288011
Facsimile: 61 7 45266573
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DRAWN: J.M.
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PROJECT NUMBER: 161008-04
SHEET 04 OF 16 SHEETS
REV. A B C

PRINT DATE: 19/02/2017 12:42:56 PM

ROCKHAMPTON REGIONAL COUNCIL
These plans are approved subject to the current conditions of approval associated with Development Permit No. D/135-2016.....
Dated 23-02-2017

**D/135-2016/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/135-2016 FOR A MATERIAL CHANGE
OF USE FOR COMMERCIAL
PREMISES, SHOP AND INDOOR
SPORT AND RECREATION AND
OPERATIONAL WORKS FOR
ADVERTISING DEVICES,
EARTHWORKS, STORMWATER,
ACCESS AND PARKING WORKS AND
ROAD WORKS**

Locality Plan

Meeting Date: 13 February 2018

Attachment No: 2

D/135-2016/A - Locality Plan



A4 Page scale at 1: 1,500.00
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8.6 D/188-2014 - CHANGE APPLICATION TO DEVELOPMENT PERMIT D/188-2014 FOR A MATERIAL CHANGE OF USE FOR EDUCATIONAL ESTABLISHMENT

File No: D/188-2014

Attachments:

1. Locality Plan
2. Site Plan (Acoustic Fence)

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

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/188-2014

Applicant: Roman Catholic Trust Corp. For The Diocese of Rockhampton

Real Property Address: Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945, Parish of Murchison

Common Property Address: 390 Feez Street, Norman Gardens

Area of Site: 6.8311 hectares

Planning Scheme: Rockhampton City Plan 2005 (superseded)

Planning Scheme Zone: Richardson Road Residential Area

Planning Scheme Overlays: Nil

Existing Development: Church and Primary School

Existing Approvals: Town Planning Consent 912 for a School, Primary School and Administration Block: granted 3 December 1980;
Town Planning Consent 42 for Rezoning land from Residential A to Special Purpose: granted 21 November 1988; and
Various associated building and plumbing approvals

Approval Sought: Change Application to Development Permit D/188-2014 for a Material Change of Use for Educational Establishment

Infrastructure Charges Area: Charge Area 1

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for an Educational Establishment, made by the Roman Catholic Trust Corporation for the Diocese of Rockhampton, on Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945, Parish of Murchison, located at 390 Feez Street, Norman Gardens, Council resolves that:

1. Conditions 2.1 and 8.5 be amended by replacing:

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
<i>Proposed Overall Site Plan</i>	<i>1988 SK-02</i>	<i>November 2013</i>
<i>Existing Main Carpark</i>	<i>1988 SK-03</i>	<i>November 2013</i>
<i>Proposed Main Carpark</i>	<i>1988 SK-04</i>	<i>November 2013</i>
<i>Existing Staff Carpark and Kindy</i>	<i>1988 SK-05</i>	<i>November 2013</i>
<i>Proposed Staff Carpark and Kindy</i>	<i>1988 SK-06</i>	<i>November 2013</i>
<i>Existing Prep and Carpark</i>	<i>1988 SK-07</i>	<i>November 2013</i>
<i>Proposed Prep and Carpark</i>	<i>1988 SK-08</i>	<i>November 2013</i>
<i>Proposed Floor Plan</i>	<i>1988 SK-09</i>	<i>December 2013</i>
<i>Proposed Floor Plan</i>	<i>1988 SK-11</i>	<i>December 2013</i>
<i>Elevations – Kindergarten</i>	<i>1988 SK-10</i>	<i>December 2013</i>
<i>Elevations – New Prep</i>	<i>1988 SK-12</i>	<i>December 2013</i>
<i>Noise Impact Assessment St Anthony’s School 390 Feez Street, Norman Gardens</i>	<i>SP0578-0, Revision 0</i>	<i>9 April 2015</i>
<i>St Anthony’s Catholic Primary School – Transport Impact Assessment</i>	<i>14B1125000, Issue A</i>	<i>13 October 2014</i>

- 8.5 *Provide a 2.1 metre high acoustic screen fence along the common boundary of the subject site and any adjoining residential properties.*

With

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
<i>Proposed Overall Site Plan</i>	<i>1988 SK-02</i>	<i>November 2013</i>
<i>Existing Main Carpark</i>	<i>1988 SK-03</i>	<i>November 2013</i>
<i>Proposed Main Carpark</i>	<i>1988 SK-04</i>	<i>November 2013</i>
<i>Existing Staff Carpark and</i>	<i>1988 SK-05</i>	<i>November 2013</i>

Kindy		
Proposed Staff Carpark and Kindy	1988 SK-06	November 2013
Existing Prep and Carpark	1988 SK-07	November 2013
Proposed Prep and Carpark	1988 SK-08	November 2013
Proposed Floor Plan	1988 SK-09	December 2013
Proposed Floor Plan	1988 SK-11	December 2013
Elevations – Kindergarten	1988 SK-10	December 2013
Elevations – New Prep	1988 SK-12	December 2013
Noise Impact Assessment St Anthony's School 390 Feez Street, Norman Gardens	SP0578-0, Revision 0	9 April 2015
St Anthony's Catholic Primary School – Transport Impact Assessment	14B1125000, Issue A	13 October 2014
Acoustic Fence	1988 SP-20 Rev B	September 2017

- 8.5 Provide a five (5) metre wide landscape buffer along the common boundary of the subject site and adjoining residential properties situated on Thomas Street in accordance with the approved plans (refer to condition 2.1).

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for an Educational Establishment, made by the Roman Catholic Trust Corporation for the Diocese of Rockhampton, on Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945, Parish of Murchison, located at 390 Feez Street, Norman Gardens, Council resolves to Approve the application subject to the following conditions:

1.0 **ADMINISTRATION**

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

- 1.6.1 Operational Works:
 - (i) Access and Parking Works;
 - (ii) Stormwater Works; and
 - (iii) Roof and Allotment Drainage Works
- 1.6.2 Plumbing and Drainage Works; and
- 1.6.3 Building Works.
- 1.7 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.10 Lot 45 on RP615945, Lot 7 on RP618703 and Lot 6 on SP123558 must be amalgamated and registered as one lot prior to the commencement of the use.
- 2.0 **APPROVED PLANS AND DOCUMENTS**
- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Proposed Overall Site Plan	1988 SK-02	November 2013
Existing Main Carpark	1988 SK-03	November 2013
Proposed Main Carpark	1988 SK-04	November 2013
Existing Staff Carpark and Kindy	1988 SK-05	November 2013
Proposed Staff Carpark and Kindy	1988 SK-06	November 2013
Existing Prep and Carpark	1988 SK-07	November 2013
Proposed Prep and Carpark	1988 SK-08	November 2013
Proposed Floor Plan	1988 SK-09	December 2013
Proposed Floor Plan	1988 SK-11	December 2013
Elevations – Kindergarten	1988 SK-10	December 2013
Elevations – New Prep	1988 SK-12	December 2013
Noise Impact Assessment St Anthony’s School 390 Feez Street, Norman Gardens	SP0578-0, Revision 0	9 April 2015
St Anthony’s Catholic Primary School – Transport	14B1125000, Issue A	13 October 2014

Impact Assessment		
Acoustic Fence	1988 SP-20 Rev B	September 2017

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

2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Operational Works.

3.0 ACCESS AND PARKING WORKS

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

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

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

3.4 The car parking areas must include traffic calming measures to reduce the noise level and speed of vehicles within the car park.

3.5 The existing access from Bruigom Street to the development must be widened to allow unimpeded two-way access / egress to and from the site without any queuing occurring in Bruigom Street.

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

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

3.8 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"* and *Australian Standard AS2890.1 "Parking Facilities – Off-street Car Parking"*.

3.9 Road signage and pavement markings must be installed in accordance with the *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"*.

3.10 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*.

4.0 PLUMBING AND DRAINAGE WORKS

4.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, the *Plumbing and Drainage Act*.

4.2 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.

4.3 The development must be connected to Council's reticulated water network and sewerage network.

4.4 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.

4.5 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.

- 4.6 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.
- 4.7 Alteration or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.
- 5.0 STORMWATER WORKS
- 5.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 5.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 5.3 Any application for a Development Permit for Operational Works (stormwater works) must include a revised stormwater strategy that incorporates some form of detention such that there is no increase in peak runoff to Bruigom Street.
- 5.4 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.
- 5.5 Any application for a Development Permit for Operational Works (stormwater works) must include an assessment of how the development meets the water quality objectives of the *State Planning Policy*.
- 5.6 The proposed development must achieve no increase in peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 6.0 ROOF AND ALLOTMENT DRAINAGE WORKS
- 6.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 6.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 6.3 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.
- 7.0 SITE WORKS
- 7.1 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 7.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 8.0 BUILDING WORKS
- 8.1 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view to Council's satisfaction.
- 8.2 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
-

- 8.3 External privacy screening must be applied to the windows of the proposed classrooms which face to the south-east boundary to prevent overlooking into the private open space of the adjoining residential dwellings.
- 8.4 All windows facing onto the adjoining residential properties must be properly glazed or screened to not intrude on the privacy of residents.
- 8.5 Provide a five (5) metre wide landscape buffer along the common boundary of the subject site and adjoining residential properties situated on Thomas Street in accordance with the approved plans (refer to condition 2.1).
- 8.6 All waste storage areas must be aesthetically screened from any frontage or adjoining property.
- 8.7 Impervious paved and drained washdown areas to accommodate all refuse containers must be provided. The areas must be aesthetically screened from any road frontage or adjoining property.

9.0 LANDSCAPING WORKS

- 9.1 Landscaping must be provided between and around the buildings and new car parking areas, particularly toward the south east boundary. The planting must be designed to specifically reduce the perceived scale of the buildings and must include advanced plant stock, to create an immediate effect.
- 9.2 All landscaping must be constructed and or established prior to the commencement of the use.
- 9.3 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

10.0 ELECTRICITY AND TELECOMMUNICATIONS

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

11.0 ASSET MANAGEMENT

- 11.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 11.2 Any damage to existing water supply or sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

12.0 ENVIRONMENTAL

- 12.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:
- (i) objectives;
 - (ii) site location / topography;
 - (iii) vegetation;
 - (iv) site drainage;

- (v) soils;
 - (vi) erosion susceptibility;
 - (vii) erosion risk;
 - (viii) concept;
 - (ix) design; and
 - (x) implementation, for the construction and post construction phases of work.
- 12.2 Implement and maintain the Erosion Control and Stormwater Control Management Plan on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.
- 13.0 OPERATING PROCEDURES
- 13.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Bruigom Street, Feez Street, Langford Street or Agnew Avenue.
- 13.2 Noise from the activity must not cause an environmental nuisance.
- 13.3 Noise mitigation measures must be implemented in accordance with the recommendations in the Noise Impact Assessment (refer to condition 2.1). Should the development be found to be creating a noise nuisance, then the report must be revised by the owner/operator within three (3) months and submitted to Council for approval with additional mitigation measures. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes.
- 13.4 When requested by the administering authority, noise monitoring must be undertaken and recorded to investigate any complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to the administering authority within fourteen days of the completion of the investigation.
- Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the Environmental Protection (Noise) Policy and noise monitoring conducted in accordance with the most recent edition of *Department of Environment and Heritage Protection Noise Measurement Manual*.
- 13.5 The air-conditioning plant for the proposed Preparatory and Kindergarten buildings must be selected and installed to meet a combined noise level of 47dBA at the nearby residential dwellings at point R1 as shown on *Appendix A- Figures within the Noise Impact Assessment (Figure 1: Aerial photograph of site, Revision 0 – 9 April 2015, by Savery and Associates Pty Ltd)*. Noise testing is recommended to ascertain the noise emissions from the air-conditioning plants after installation. Acoustic enclosures or barriers may be required in case the noise exceeds the limit.
- 13.6 All waste storage areas must be kept in a clean, tidy condition in accordance with *Environmental Protection (Waste Management) Regulations*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation.

The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website: www.datsima.qld.gov.au

NOTE 2. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Property Notes

All vehicular access to and from the development must be via the Bruigom Street and Feez Street only. Direct vehicular access to Langford Street and Agnew Avenue is prohibited.

NOTE 6. Infrastructure Charges Notice

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

BACKGROUND

PROPOSAL IN DETAIL

The proposal is for an extension to an existing Educational Establishment. The extension involves the construction of a new prep building comprising four (4) classrooms and covering 522 square metres and a kindergarten building comprising two (2) classrooms and covering 443 square metres. The additional buildings will result in an additional eighty-eight (88) students that are able to be accommodated and four (4) additional full-time staff. The proposed buildings will be approximately twenty (20) metres off the southern boundary.

There is an existing prep building, toilet block and playground on site which is proposed to be demolished as part of this application.

The access and parking area off Bruigom Street will be upgraded to be sealed and line-marked. The two parking areas which are accessed from Feez Street will also be upgraded to be sealed and line-marked. The formalisation of these parking areas will result in a total of 134 car parking spaces on site.

Condition 8.5

The applicant has requested to amend condition 8.5 of the development approval which relates to providing a 2.1 metre high acoustic screen fence along the common boundary of the subject site and any adjoining residential boundaries. Specifically, the applicant has proposed a five (5) metre wide landscape buffer in place of the 2.1 metre high acoustic fence approved as part of the original application.

It is noted that the proposed change has received support in writing from all residents along Thomas Street that are impacted by this condition of approval.

In addition, it is important to note that the submissions received as part of the original application were by residents located in an area away from Thomas Street, that will not be impacted by the proposed change.

SITE AND LOCALITY

The subject site accommodates a primary school, church and presbytery; however the surrounding area is typically residential in nature. The site is an irregular shape and slopes from Feez Street down to Bruigom Street. The church is located on the top of the hill, the school located mid-way down the slope, and the sporting fields are situated at the bottom of the slope towards Bruigom Street.

Access is gained from Feez Street and Bruigom Street at either end of the subject site. Residential dwellings are the dominant land use adjoining the entire boundary with the exception of a park which is located over a small portion of the northern boundary.

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 – (14 December 2017)

Support, subject to conditions / comments.

CONCLUSION

The proposed change is considered appropriate and will not result in any impacts which could adversely affect the amenity of the surrounding residents. The proposal is therefore recommended for approval subject to conditions.

**D/188-2014 - CHANGE APPLICATION
TO DEVELOPMENT PERMIT
D/188-2014 FOR A MATERIAL CHANGE
OF USE FOR EDUCATIONAL
ESTABLISHMENT**

Locality Plan

Meeting Date: 13 February 2018

Attachment No: 1



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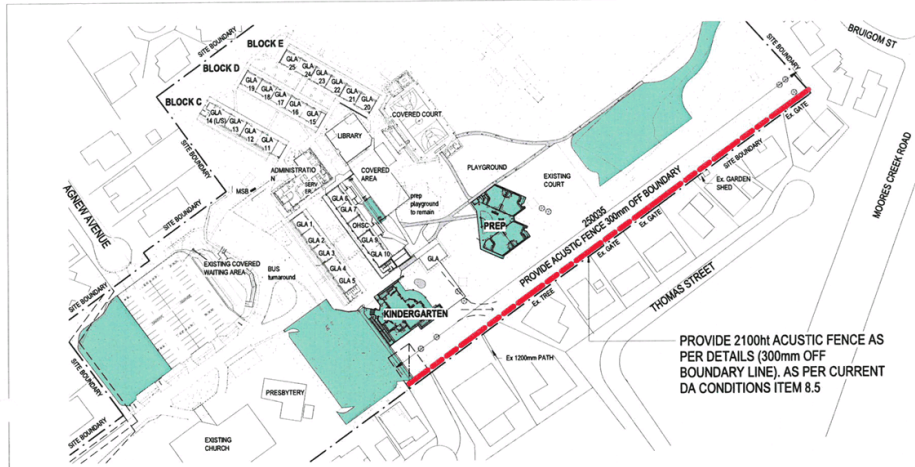


**D/188-2014 - CHANGE APPLICATION
TO DEVELOPMENT PERMIT
D/188-2014 FOR A MATERIAL CHANGE
OF USE FOR EDUCATIONAL
ESTABLISHMENT**

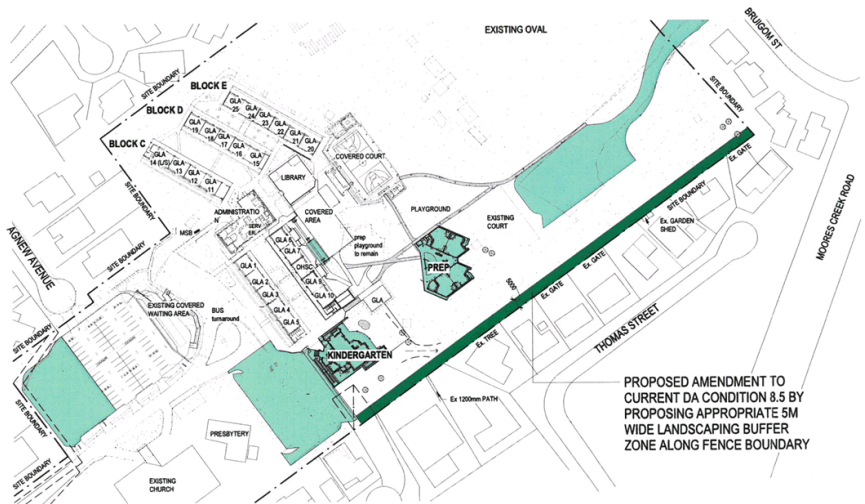
Site Plan (Acoustic Fence)

Meeting Date: 13 February 2018

Attachment No: 2



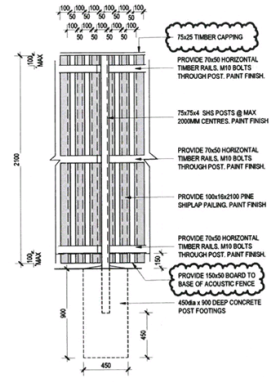
3 PROPOSED ACOUSTIC FENCE LOCATION PLAN
1:100 @ A1



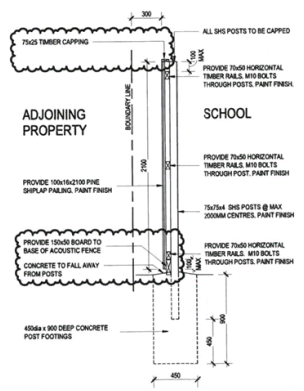
4 PROPOSED ACOUSTIC FENCE LOCATION PLAN - PROPOSED AMENDMENT
1:100 @ A1

PROVIDE 2100Ht ACOUSTIC FENCE AS PER DETAILS (300mm OFF BOUNDARY LINE). AS PER CURRENT DA CONDITIONS ITEM 8.5

PROPOSED AMENDMENT TO CURRENT DA CONDITION 8.5 BY PROPOSING APPROPRIATE 5M WIDE LANDSCAPING BUFFER ZONE ALONG FENCE BOUNDARY



2 TYPICAL ACOUSTIC PALING FENCE ELEVATION
1:20 @ A1



1 ACOUSTIC PALING FENCE SECTION
1:20 @ A1

GENERAL NOTES
CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK.
ALL WORKS TO BE CARRIED OUT TO LOCAL ACTIVITY ROAD REQUIREMENTS.
THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ANY OTHER NOTES.
DO NOT SCALE THIS DRAWING. IF IN DOUBT, ASK.

ALL DRAWING
NOTED SCALES RELATE TO ALL DRAWINGS

ISSUED FOR CONSTRUCTION

REVISIONS		
REVISION	DESCRIPTION	DATE
A	REVISION ISSUE	23-09-2017
B	ADDENDUM 1	03-10-2017

PROJECT: PROPOSED 4TH STREAM - BGA APPLICATION 2016

CLIENT: THE ROMAN CATHOLIC TRUST CORP FOR THE DIOCESE OF RTON T A CATHOLIC EDUCATION DIOCESE OF RTON

DRAWING TITLE: ACOUSTIC FENCE

LOCATION: ST ANTHONY'S SCHOOL, FEEZ STREET, NORTH ROCKHAMPTON

JOB NO: 1988

DRAWING NO: SP-20

DATE: SEP 17



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8.7 D/114-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR SERVICE STATION

File No: D/114-2017

Attachments:

1. Locality Plan
2. Site Plan, DA-102A
3. Floor Plan, DA-201A
4. Elevation Plan, DA-301A

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

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/114-2017

Applicant: Gondor Investments Pty Ltd C/- Adams + Sparkes Town Planning

Real Property Address: Lot 1 on RP606047 and Lot 2 on SP195031, Parish of Rockhampton

Common Property Address: 40 Alma Street and 23 Albert Street, Rockhampton City

Area of Site: 2,018 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-medium density residential zone

Planning Scheme Overlays: Acid Sulfate Soils – Above 5m and below 20m AHD
Transport Noise Corridor – Main Roads Cat 2 and 3

Existing Development: Commercial office and dwelling house

Existing Approvals: D/495-1996 New office
D-R/2-1996 Residential B to Special Facilities (Kit Garage Display)
D-R/218-2007 Carparking and Caretaker's Residence

Approval Sought: Development Permit for a Material Change of Use for Service Station

Level of Assessment: Impact Assessable

Submissions: Nil

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

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	<i>27 September 2017</i>
<i>Confirmation Notice issued:</i>	<i>12 October 2017</i>
<i>Submission period commenced:</i>	<i>6 November 2017</i>
<i>Submission period end:</i>	<i>27 November 2017</i>
<i>Council request for additional time:</i>	<i>16 January 2018</i>
<i>Government Agency Response:</i>	<i>30 October 2017</i>
<i>Last receipt of information from applicant:</i>	<i>28 November 2017</i>
<i>Statutory due determination date:</i>	<i>22 February 2018</i>

OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for Service Station, made by Gondor Investments Pty Ltd C/- Adams + Sparkes Town Planning, on land located at 40 Alma Street and 23 Albert Street, Rockhampton City, formally described as Lot 1 on RP606047 and Lot 2 on SP195031, Parish of Rockhampton, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The site's locational characteristics provide an appropriate opportunity to accommodate a service related land use that is designed and sited to complement and not adversely impact on nearby sensitive land uses;
- b) The proposal takes advantage of the site's high exposure and accessibility to the Bruce Highway and the Rockhampton CBD servicing the needs of local residents and travellers passing through Rockhampton;
- c) The proposed development will provide a localised convenience function and will not result in an 'out of centre' development;
- d) The proposed use does not compromise the Strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Service Station, made by Gondor Investments Pty Ltd C/- Adams + Sparkes Town Planning, on land located at 40 Alma Street and 23 Albert Street, Rockhampton City, formally described as Lot 1 on RP606047 and Lot 2 on SP195031, Parish of Rockhampton, Council resolves to Approve the application subject to the following conditions:

1.0 **ADMINISTRATION**

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

- 1.3 All conditions, 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) Road Works;
 - (ii) Access and Parking Works;
 - (iii) Stormwater Works;
 - (iv) Roof and Allotment Drainage;
 - (v) Site Works;
 - (vi) Landscaping Works;
 - (vii) Advertising Signage;
 - 1.5.2 Plumbing and Drainage Works; and
 - 1.5.3 Building Works:
 - (i) Demolition Works; and
 - (ii) 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.
- 1.9 Lot 1 on RP606047 and Lot 2 on SP195031 must be amalgamated and registered as one lot prior to the commencement of the use.
- 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>
Cover Sheet & Artist Impression	DA-000, Issue A	13 September 2017
Existing Conditions & Demolition Plan	DA-101, Issue A	13 September 2017

Site Plan	DA-102, Issue A	13 September 2017
Ground Floor Plan	DA-201, Issue A	13 September 2017
Elevations	DA-301, Issue A	13 September 2017
Section	DA-302, Issue P3	12 September 2017
Signage Details	DA-801, Issue A	13 September 2017
Engineering Services Report	Revision B	16 September 2017
Technical Design Note	17750	20 September 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 ROAD WORKS

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*, relevant *Australian Standards* and *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).

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

3.4 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

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

3.6 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*.

4.0 ACCESS AND PARKING WORKS

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

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

4.3 All 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).

4.4 The two (2) existing access points to the site from Alma Lane must be closed.

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

- 4.6 All vehicles must ingress and egress the development in a forward gear.
- 4.7 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
- 4.8 A minimum of nine (9) parking spaces must be provided on-site.
- 4.9 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"*.
- 4.10 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).
- 4.11 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.
- 4.12 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
- 4.13 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
- 4.14 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.
- 4.15 Bicycle parking facilities must be provided in accordance with *AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles*. The bicycle parking facilities must be located at basement or ground floor level and encourage casual surveillance.

5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 A Development Permit for Plumbing and Drainage Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 5.2 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 5.3 The development must be connected to Council's reticulated sewerage and water networks.
- 5.4 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 5.5 The redundant water connection point(s) must be disconnected. A new water connection point must be provided to the development. An hydraulic engineer or other suitably qualified person must determine the size of connection required.
- 5.6 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.
- 5.7 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

- 5.8 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*.
- 5.9 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.
- 5.10 The development must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.

6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 6.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect 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.
- 6.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 6.5 The installation of gross pollutant traps must be in accordance with relevant *Australian Standards* and all maintenance of the proposed gross pollutant traps must be the responsibility of the property owner or body corporate (if applicable).
- 6.6 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including retention systems, inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.

7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 7.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the development site.
- 7.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 7.3 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.

8.0 SITE WORKS

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

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- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 8.2.1 the location of cut and/or fill;
 - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 8.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 8.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 8.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 8.4 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 9.0 **BUILDING WORKS**
- 9.1 A Development Permit for Building Works must be obtained for the removal and/or demolition of any existing structure on the development site.
- 9.2 All building works for Class 2 to Class 9 buildings must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*
- 9.3 All building works must be undertaken in accordance with Council's *Building Over/Adjacent to Local Government Sewerage Infrastructure Policy* and any permit obtained in respect of this policy.
- 9.4 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2008* and must be:
- 9.4.1 designed and located so as not to cause a nuisance to neighbouring properties;
 - 9.4.2 screened so as not to be visible from a public space;
 - 9.4.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;
 - 9.4.4 setback a minimum of two (2) metres from any road frontage; and
 - 9.4.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2002*.
As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.
- 9.5 All external elements, such as air conditioners, pool and spa pumps and associated equipment, must be located in accordance with DA-102A, Site Plan Rev A.
- 9.6 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.
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Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.

- 9.7 Any Advertising device associated with or attached to the development must be carried out in accordance with the applicable Advertising Devices Code in the Council Planning Scheme and a development permit for Operational Works (Advertising Device).

10.0 LANDSCAPING WORKS

- 10.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works required by this development approval.
- 10.2 A Landscaping Plan must be submitted with the first application for a Development Permit for Operational Works. The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 10.3 All landscaping must be constructed and/or established, in accordance with the requirements of the Development Permit for Operational Works (landscaping works), prior to the commencement of the use.
- 10.4 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and must include, but is not limited to, the following:
- 10.4.1 A plan documenting the "Extent of Works" and supporting documentation that includes:
- (i) location and name of existing trees, including those to be retained (the location of the trees must be overlaid or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be retained must be provided in relation to the finished levels of the proposed buildings and works;
 - (iv) underground and overhead services;
 - (v) typical details of critical design elements (stabilisation of batters, retaining walls, trees in car park areas, fences);
 - (vi) details of landscape structures including areas of deep planting; and
 - (vii) specification notes on mulching and soil preparation.
- 10.4.2 A "Planting Plan" and supporting documentation that includes:
- (i) landscape areas predominantly containing plant species that are locally native to the Central Queensland region due to their low water dependency;
 - (ii) trees, shrubs and groundcovers to all areas to be landscaped;
 - (iii) position and canopy spread of all trees and shrubs;
 - (iv) the extent and type of works (including but not limited to paving, fences and garden bed edging). Edging must be provided for all garden beds;
 - (v) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting; and

- (vi) mature screen planting to the rear and side boundaries.
- 10.5 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.
- 10.6 Landscaping, or any part thereof, upon reaching full maturity, must not:
- (i) obstruct sight visibility zones as defined in the *Austrroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.
- 10.7 The landscaped areas must be subject to:
- (i) a watering and maintenance plan during the establishment moment; and
 - (ii) an ongoing maintenance and replanting programme.
- 11.0 ELECTRICITY
- 11.1 Evidence that the development is provided with electricity services from the relevant service provider must be provided to Council, prior to the commencement of the use.
- 12.0 TELECOMMUNICATIONS
- 12.1 Evidence that the development is provided with telecommunications services from the relevant service provider must be provided to Council, prior to the commencement of the use.
- Note: The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.
- Note: For telecommunications services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra or a "Notice of Practical Completion" where such services are provided by the NBN.
- 13.0 ASSET MANAGEMENT
- 13.1 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.
- 13.2 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.
- 13.3 'As Constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the *Asset Design and As Constructed Manual (ADAC)*.
- 14.0 ENVIRONMENTAL
- 14.1 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:
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- (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.

- 14.2 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 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.

15.0 ENVIRONMENTAL HEALTH

- 15.1 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"*.
- 15.2 Noise emitted from the activity must not cause an environmental nuisance.
- 15.3 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.
- 15.4 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy*.
- 15.5 Noise mitigation methods recommended in the Town Planning Report – Development Application for Material Change of Use to establish a Service Station, 23 Albert Street & 40 Alma Street, Rockhampton City prepared for Gondor Investment Pty Ltd, September 2017 R170501 and as incorporated in Report Noise Assessment Report Proposed Service Station, Albert Street, Rockhampton, Report 1097R1-RO dated 8th September 2017 by ROADPRO acoustics, are to be implemented prior to commencement of operations.
- 15.6 Plant, equipment and air-conditioning units must be located so as not to cause a noise nuisance and maintained in proper working order at all times. Installation is to be as per manufacturers' directions to ensure the efficiency of the equipment.
- 15.7 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by 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.

- 15.8 Stormwater must be prevented from entering contaminated work areas. Any stormwater which may enter into a contaminated area must not be drained to the stormwater drainage system.
- 15.9 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be appropriately bunded and drained to the sewer network in accordance with a trade waste permit.
- 15.10 All chemicals and/or environmentally hazardous liquids must be contained within a covered, bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five percent (25%) of the total storage capacity.
- 15.11 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:
- 15.11.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
 - 15.11.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and
 - 15.11.3 waste bags and ties.
- 15.12 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:
- 15.12.1 the date, quantity and type of waste removed;
 - 15.12.2 a copy of any licensed waste transport vehicle docket;
 - 15.12.3 the name of the licensed regulated waste removalist and/or disposal operator; and
 - 15.12.4 the intended treatment and/or disposal destination of the waste.

These records must be available for inspection by Council when requested.

16.0 OPERATING PROCEDURES

- 16.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Albert Street, Alma Lane or Alma Street.
- 16.2 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, noise or dust.
- 16.3 Access to the site for loading/unloading including refuelling of the Service Station must be between 0800 and 1700 hours, Monday to Saturday (inclusive) only. Access to the site for loading/unloading including refuelling of the Service Station must not occur on Sunday or any public holiday.
- 16.4 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera). The owner of the land must ensure that:
- 16.4.1 the area is kept in a clean and tidy condition;
 - 16.4.2 fences and screens are maintained;
 - 16.4.3 no waste material is stored external to the waste storage area/s;

- 16.4.4 all wash down of refuse containers takes place in the existing washdown facility;
- 16.4.5 the area is maintained in accordance with *Environmental Protection Regulation 2008*.

17.0 CHEMICAL STORAGE (ERA 8)

- 17.1 Adequate procedures and measures (including an inventory control system) must be in place to monitor the storage volumes within chemical tanks to prevent overflow and to detect leaks and for the inspection and maintenance of environmental control measures, for example, bunding, wastewater containment devices, interceptors and acoustic enclosures.
- 17.2 All fuel dispensing areas must be drained to a holding tank or the sewer through a trade waste approved oil interceptor/separation system.

ADVISORY NOTES

NOTE 1. Asbestos Removal

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

NOTE 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. 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.

NOTE 4. General Safety Of Public During Construction

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

NOTE 5. Property Note (Audit of conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the use commences. If the works are completed prior to this time please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

NOTE 6. 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 7. Duty to Notify of Environmental Harm

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Rockhampton Regional Council.

RECOMMENDATION C

THAT in relation to the application for a Development Permit for a Material Change of Use for Service Station, made by Gondor Investments Pty Ltd C/- Adams + Sparkes Town Planning, on land located at 40 Alma Street and 23 Albert Street, Rockhampton City, formally described as Lot 1 on RP606047 and Lot 2 on SP195031, Parish of Rockhampton, Council resolves not to issue an Infrastructure Charges Notice.

BACKGROUND**PROPOSAL IN DETAIL**

The proposal is for a Development Permit for a Material Change of Use for a Service Station, including an ancillary Shop comprising a Gross Floor Area of 185 square metres. The proposed Service Station operator is United Petroleum, who proposes to operate on a 24/7 basis. The proposed Service Station will contain a total of four (4) bowsers, which are capable of servicing a total of eight (8) vehicles at a time. All proposed structures are single storey, with the refuelling canopy (320 square metres) being the highest structure, with a maximum height of 6.5 metres. The proposed ancillary Shop will have a total height of 4.45 metres, and will be set back from the 2.4 metre acoustic screening by 0.25 metres. The proposal incorporates nine (9) parking spaces.

SITE AND LOCALITY

The subject site is located at 23 Albert Street and 40 Alma Street, Rockhampton formally described as Lot 2 on SP195031 and Lot 1 RP606047. The proposed development site contains an area of approximately 2,018 square metres, is located approximately 260 metres north of the Rockhampton CBD and is located on Albert Street, which forms part of the Bruce Highway. It is noted that Lot 2 on SP195031 has previously been utilised for commercial (garage world) and residential purposes.

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 – 3 October 2017

Support, subject to conditions / comments.

Public and Environmental Health Comments – 5 October 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

The current State Planning Policy (SPP) came into effect on 3 July 2017 and replaces the previous SPP (April 2016).

The new policy expresses the state's 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.

1. Planning for liveable communities and housing

Housing supply and diversity

Not Applicable.

Liveable communities

Not Applicable.

2. Planning for economic growth

Agriculture

Not Applicable.

Development and construction

Not Applicable.

Mining and extractive resources

Not Applicable.

Tourism

Not Applicable.

3. Planning for environment and heritage

Biodiversity

Not Applicable.

Coastal environment

Not Applicable.

Cultural heritage

Not Applicable.

Water quality

Not Applicable.

4. Planning for safety and resilience to hazards

Emissions and hazardous activities

Not Applicable.

Natural hazard, risk and resilience

Not Applicable.

5. Infrastructure

Energy and water supply

Not Applicable.

Infrastructure integration

Not Applicable.

Transport infrastructure

Not Applicable.

Strategic airports and aviation facilities

Not Applicable.

Strategic ports

Not Applicable.

Rockhampton Region Planning Scheme 2015**Strategic framework**

This application is situated within the Urban Infill and Intensification designation under the planning 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:

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. Despite the subject site being located within the Low-medium density residential zone, the site's locational characteristics provide an appropriate opportunity to accommodate a service related land use that is designed and sited to complement and not adversely affect the amenity of nearby sensitive land uses. Locating the proposed use on the subject site also takes advantage of the site's high exposure and accessibility to the Bruce Highway (Albert Street), as well as Alma Street, which directly connects to the Rockhampton Central Business District (CBD). The proposed development has been designed to provide visual interest and orientation to Albert Street, whilst ensuring appropriate noise attenuation is achieved to neighbouring properties. The proposed development will provide a fuel option for traffic heading westbound along Albert Street, as well as providing a convenience function for surrounding residential areas and traffic heading in and out of the CBD.

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 does not impact the natural environment and landscape.

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.

Not applicable. The proposal does not incorporate a community facility.

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.

Complies. The proposed location has been strategically selected to take advantage of the higher order road adjacent to the site in order to capture passing traffic. The proposal will not compromise the safety and efficiency of transport infrastructure.

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 does not incorporate any significant changes to infrastructure and services.

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 improve Rockhampton's economic position given the proposals ability to capture a large volume of existing traffic and travellers passing through 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: -

- 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***
- 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.*

This application is not considered to be consistent with the purpose of the Zone as it is not consistent with the surrounding urban form; however, the proposal's primary function is to service the needs of the immediate local residential community and will not compromise the residential character and existing amenity of the surrounding area.

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application: -

- Low-medium density residential zone code;
- Acid sulfate soils overlay code;
- Airport environs overlay code;
- Access, parking and transport code;
- Landscape code
- Stormwater management code;
- Waste management code;
- Water and sewer code;
- Works code; and
- Filling and excavation 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>Whilst the proposal does not comply with the setback provisions, it has been designed to take into account the surrounding character and amenity.</p> <p>The proposed ancillary Shop building has been setback towards the rear corner of the site to allow for the provision of car parking and vehicle manoeuvring areas along the main road frontages (Albert and Alma Streets), whilst also ensuring that privacy and noise offsets for nearby residents on Alma Lane are maximised.</p> <p>In addition, the proposed design incorporates a 2.4 metre high acoustic wall along the side boundary and a building setback of 0.25 metres. Given the nature of the proposed development and its proximity to residential properties, the height of the acoustic wall and setback of the shop building, acting as a further barrier, is considered appropriate. The architectural design and built form will ensure minimal impacts to the affected dwelling adjacent to the proposed development.</p>
PO9	<p>Vehicle parking facilities are located and concealed to ensure an attractive streetscape and built form.</p>	<p>Given the nature of the proposed development, as a service station, parking to the front of the site is considered appropriate. The parking arrangement also contributes to ease of vehicle manoeuvring, noise attenuation and privacy screening for residential properties to the rear and side of the site.</p>
PO19	<p>The development minimises adverse impacts on the amenity of adjoining land use and the surrounding area.</p>	<p>Due to the nature of the proposed development providing an essential service to highway users, the proposed development seeks to operate 24 hours a day. The architectural design and built form have taken into account the surrounding character and amenity ensuring minimal impacts to nearby residents, specifically through the incorporation of acoustically treated walls to mitigate noise and light emissions.</p>

		In addition, a noise assessment report states that the site is currently impacted by noise associated with the Bruce Highway, as well as the existing commercial use on site and the development will unlikely result in measurably different noise impacts on surrounding uses.
Access, parking and transport code		
PO2	Access driveways do not disrupt existing road or footpath infrastructure.	The proposal does not comply with Performance Outcome 2 given that it will result in the removal of six (6) on-street parking spaces, with four (4) removed from the western side of Alma Street and two (2) removed from the eastern side of Alma Street. Despite this, when considering the reduced parking, a total of twenty-seven (27) parking spaces remain on the western side of Alma Street and thirty-one (31) parking spaces remain on the eastern side of Alma Street. Given the predominate residential nature of Alma Street, it is evident that there is an oversupply of car parking and the loss of six (6) spaces will not disrupt the existing road infrastructure and parking availability.
PO5	Provision is made for on-site vehicle parking: a) To meet the demand likely to be generated by the development; and b) To avoid on-street parking that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.	The proposal includes a total of nine (9) on-site parking spaces which falls short of the required twenty-four (24) parking spaces. Given the 'quick stop' nature of the Service Station, it is not envisaged that there will be a demand for more than nine (9) on-site parking spaces. Where demand exceeds the number of parking spaces provided on-site, there is an oversupply of parking spaces available along Alma Street which will not compromise the amenity or character of the surrounding area.

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.

Reasons for decision

The proposed development cannot be considered to be consistent with the *Rockhampton Region Planning Scheme 2015*. Council should note, however, that pursuant to the *Planning Act 2016* a development can be approved on its merits. The merits to support the development are as follows:

- a) The site’s locational characteristics provide an appropriate opportunity to accommodate a service related land use that is designed and sited to complement and not adversely impact on nearby sensitive land uses;
- b) The proposal takes advantage of the site’s high exposure and accessibility to the Bruce Highway and the Rockhampton CBD servicing the needs of local residents and travellers passing through Rockhampton;
- c) The proposed development will provide a localised convenience function and will not result in an ‘out of centre’ development;

- d) The proposed use does not compromise the Strategic Framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

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

INFRASTRUCTURE CHARGES

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

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	
Commercial (Retail)	Service Station (all other areas)	Areas 1 and 2	153	per m ² of GFA			\$28,305.00
						\$8.50	per m ² of impervio us area
			Total				\$41,199.50
			Less credit				\$76,425.00
			TOTAL CHARGE				\$0.00

This is based on the following calculations:

- (a) A charge of \$28,305.00 for Gross Floor Area being 185 square metres (Shop);
- (b) A charge of \$12,894.50 for Impervious Area being 1,517 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) An Infrastructure Credit of \$76,425.00, made up as follows:
 - (i) \$42,000.00 applicable for the existing 2 x 3 bedroom dwellings;
 - (i) \$31,475.50 applicable for the existing Commercial (office) structures (264.5 square metres); and
 - (ii) \$2,949.50 applicable for the existing impervious hardstand areas (347 square metres).

Therefore, the proposed development will not require the payment of infrastructure charges.

CONSULTATION

The proposal was the subject of public notification between 6 November 2017 and 27 November 2017, as per the requirements of the *Planning Act 2016* and the Development Assessment Rules, and no properly made submissions were received.

REFERRALS

The application was referred to the Department of Infrastructure, Local Government and Planning due to the site being located within twenty-five (25) metres of a State Controlled Road. The Department of Local Government, Infrastructure and Planning have reviewed the application and have not objected to the proposal subject to relevant conditions. A copy of the referral agency conditions have been attached to this report.

STATEMENT OF REASONS

Description of the development	The proposed development is for a Material Change of Use - Service Station
Reasons for decision	<p>a) The site’s locational characteristics provide an appropriate opportunity to accommodate a service related land use that is designed and sited to complement and not adversely impact on nearby sensitive land uses;</p> <p>b) The proposal takes advantage of the site’s high exposure and accessibility to the Bruce Highway and the Rockhampton CBD servicing the needs of local residents and travellers passing through Rockhampton;</p> <p>c) The proposed development will provide a localised convenience function and will not result in an ‘out of centre’ development;</p> <p>d) The proposed use does not compromise the Strategic Framework in the <i>Rockhampton Region Planning Scheme 2015</i>;</p> <p>e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and</p> <p>f) The proposed development does not compromise the relevant State Planning Policy.</p>
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; • Acid sulfate soils overlay code; • Airport environs overlay code; • Access, parking and transport code; • Landscape code • Stormwater management code; • Waste management code; • Water and sewer code; • Works code; and • Filling and excavation code.
Compliance with benchmarks	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.

	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	Low-medium density residential zone code	The architectural design and built form have taken into account the surrounding character and amenity ensuring minimal impacts to nearby residents, specifically through the incorporation of acoustically treated walls to mitigate noise and light emissions.
	Access, parking and transport code	Given the proposed nature of the development, it is not envisaged that there will be demand for more than nine (9) car parking spaces, and where the demand exceeds the number of parks provided, there is an oversupply of parking available within Alma Street.
Matters prescribed by regulation	(i) The <i>State Planning Policy – Part E</i> ; (ii) The <i>Central Queensland Regional Plan</i> ; (iii) The <i>Rockhampton Region Planning Scheme 2015</i> . (iv) The common material, being the material submitted with the application.	

CONCLUSION

The proposal for establishing a Service Station 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 Service Station at 40 Alma and 23 Albert Streets, Rockhampton City, generally complies with the requirements of the planning scheme and is recommended for approval subject to conditions.

**D/114-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR SERVICE
STATION**

Locality Plan

Meeting Date: 13 February 2018

Attachment No: 1

D/114-2017 - Locality Plan



A4 Page scale at 1: 1,206.57
Printed from GeoCortex on 30/01/2018



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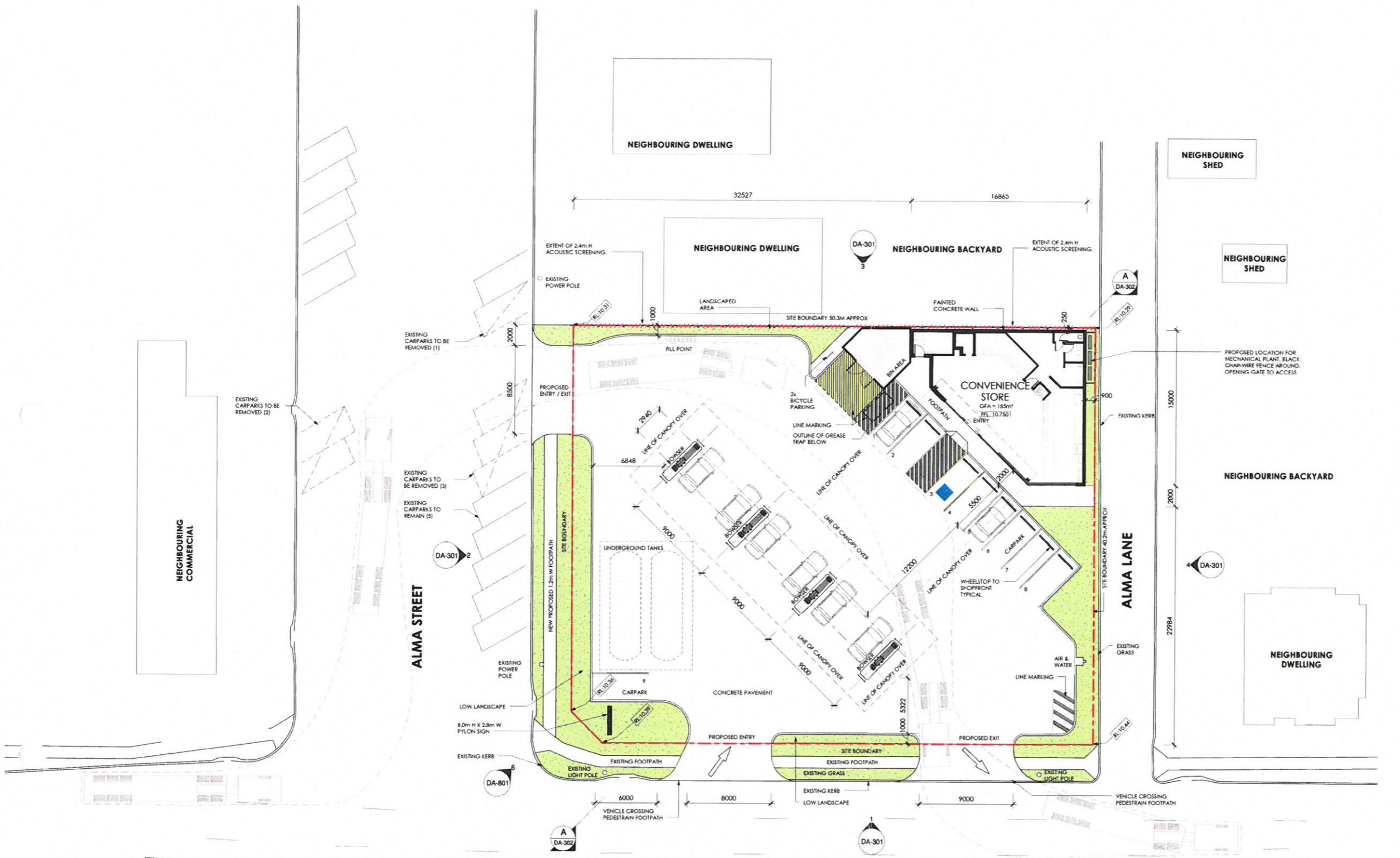


**D/114-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR SERVICE
STATION**

Site Plan, DA-102A

Meeting Date: 13 February 2018

Attachment No: 2



NOTE:
 ALL ROADS, CARPARKING, PAVEMENTS & LINEMARKING TO COMPLY WITH TRAFFIC ENGINEER'S SPECIFICATIONS AND AUSTRALIAN STANDARDS.
 ENTRIES, EXITS & CARPARKING LAYOUTS ARE SUBJECT TO TRAFFIC ENGINEER'S DESIGN.
 SITE BOUNDARIES & SITE AREAS ARE INDICATIVE ONLY & SUBJECT TO CONFIRMATION BY LICENSED SURVEYOR.
 ALL SETBACKS, PLOT RATIOS, LANDSCAPE AREAS, CARPARKING NUMBERS & THE LIKE ARE SUBJECT TO LOCAL AUTHORITY APPROVAL.
 ALL SERVICES, LIGHTING, ETC ARE PRELIMINARY ONLY & SUBJECT TO ENGINEER'S DESIGN.
 ALL DOOR LOCATIONS ARE PRELIMINARY AND SUBJECT TO SURVEYOR'S ASSESSMENT.
 ALL TRAFFIC CONSIDERATIONS INCLUDING TRUCK TURNING AND ACCESS/EGRESS ARE TO BE AS PER TRAFFIC ENGINEER'S REPORT.
 SURROUNDING ROAD DESIGN AND SITE ACCESS/EGRESSES IS TO BE AS PER TRAFFIC ENGINEER'S DRAWINGS.
 ALL REDUNDANT VEHICLE CROSSINGS SHALL BE REMOVED AND REPLACED WITH KERB & CHANNEL.

SITE AREA & CARPARK	
SUBJECT SITE AREA:	2018 m ²
TOTAL BUILDING AREA:	183 m ²
TOTAL PAVEMENT:	1517 m ²
CAR SPACES:	9 CS
CAR PARK RATIO:	1 CS / 20.3m ²
BICYCLE SPACES:	2

NOTE:
 TOTAL OF 6 CAR SPACES REMOVED OUTSIDE OF SUBJECT SITE'S BOUNDARY.

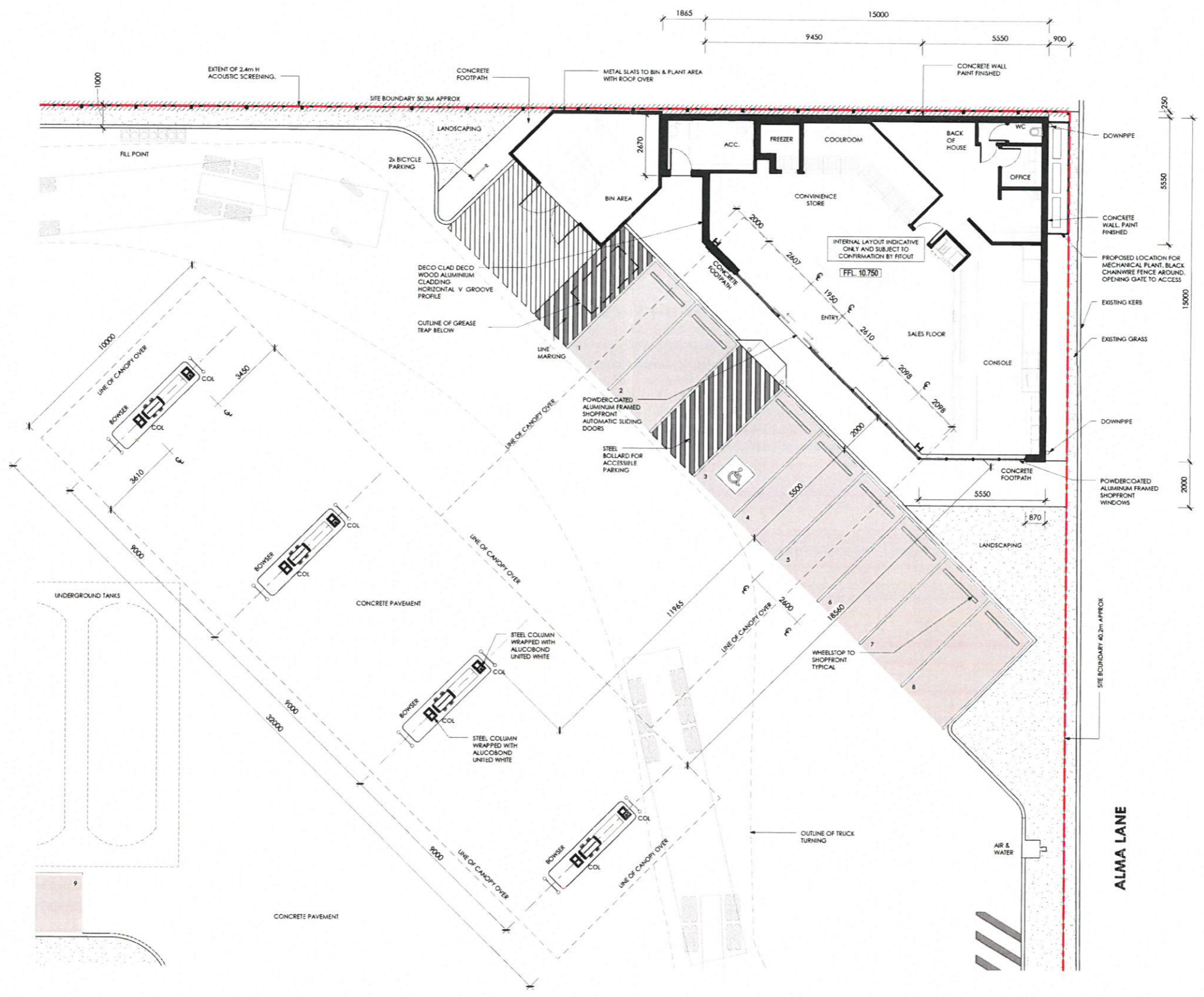
1 PROPOSED SITE PLAN
 Scale: 1:200

**D/114-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR SERVICE
STATION**

Floor Plan, DA-201A

Meeting Date: 13 February 2018

Attachment No: 3



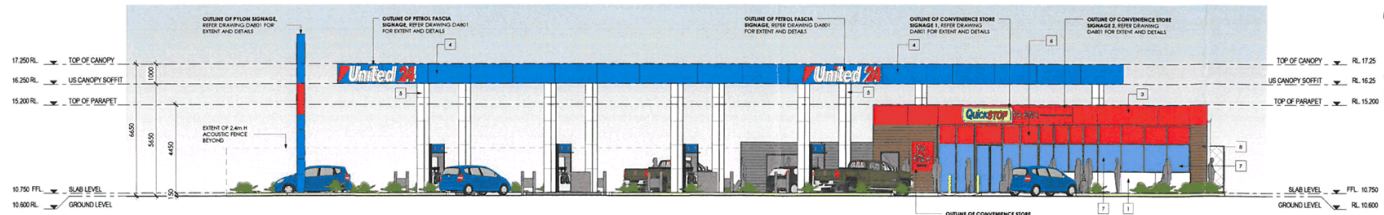
1 PROPOSED FLOOR PLAN
Scale: 1:100

**D/114-2017 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR SERVICE
STATION**

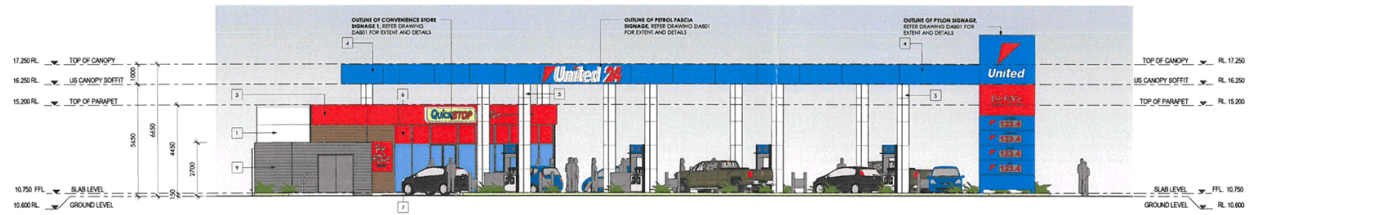
Elevation Plan, DA-301A

Meeting Date: 13 February 2018

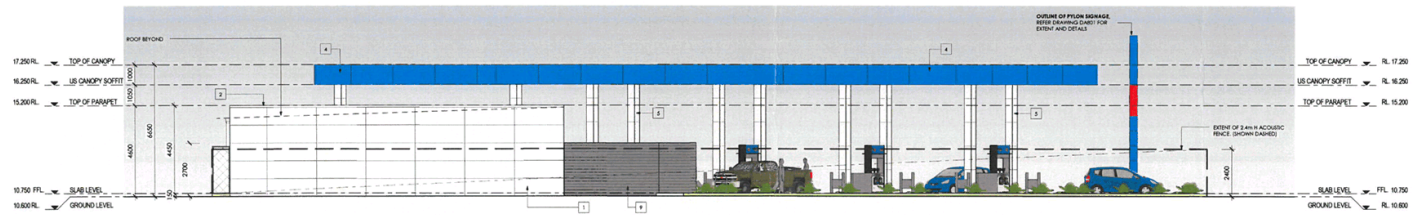
Attachment No: 4



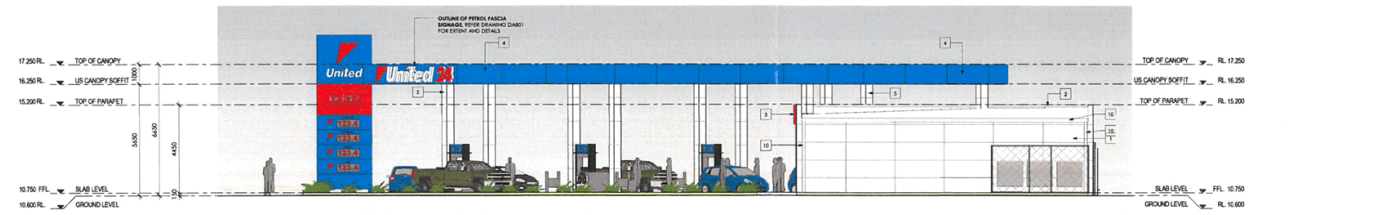
1 NORTH WEST ELEVATION - ALBERT STREET
Scale: 1:100



2 NORTH EAST ELEVATION - ALMA STREET
Scale: 1:100



3 SOUTH EAST ELEVATION
Scale: 1:100



4 SOUTH WEST ELEVATION- ALMA LANE
Scale: 1:100

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green building council australia member
ISSUE AMENDMENT A ISSUE FOR DA DATE 13.09.17 SJE

CODE	DESCRIPTION
1	CONCRETE PANEL WITH GROOVES FINISH COLOUR (DARK) (SEE SHEET)
2	POLYMER COATED METAL CLADDING COLOUR (WHITE TO MATCH PANEL)
3	COMPONENT METAL PANEL COLOUR (ALUCOLOUR UNITED RED)
4	COMPONENT METAL PANEL COLOUR (ALUCOLOUR UNITED BLUE)
5	COMPONENT METAL PANEL COLOUR (ALUCOLOUR UNITED WHITE CLADDING)
6	COLORMATCH GLAZING FINISH (RED TO MATCH METAL PANEL)
7	POLYMER COATED ALUMINIUM WITH CLEAR ANODISE BLACK
8	POLYMER COATED ALUMINIUM CLADDING (INDUSTRIAL TEAL)
9	METAL SLAT
10	POLYMER COATED METAL GUTTER & DOWNPIPE COLOUR (WHITE TO MATCH WALL)

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 2, 3 & OLIVER LANE, VIC 3000

1:100
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 1:100

PROPOSED SERVICE STATION
 23 ALBERT STREET, ROCKHAMPTON CITY, QLD

DA-301 A

ELEVATIONS
 LEFFLER SIMES ARCHITECTS

8.8 D/270-2013 - REQUEST TO EXTEND THE CURRENCY PERIOD TO DEVELOPMENT PERMIT D/270-2013 FOR A SHOWROOM

File No: D/270-2013

Attachments: 1. Locality Plan
2. Site Plan

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

Author: Jonathon Trevett-Lyall - Planning Officer

SUMMARY

Development Application Number: D/270-2013

Applicant: Bingford Pty Ltd

Real Property Address: Lot 1 on RP605479 and Lot 1 on SP125027, Parish of Rockhampton

Common Property Address: 320 Lower Dawson Road, Allenstown

Area of Site: 2,614 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low Density Residential Zone

Existing Development: Vacant Land

Existing Approvals: Development Permit (D/270-2013) for a Material Change of Use for a Showroom

Approval Sought: Extension to the Currency Period for a Development Permit for a Material Change of Use for a Showroom

Level of Assessment: Impact

Submissions: Nil

Referral Agency: Department of Transport and Main Roads

Infrastructure Charges Area: Charge Area 1

OFFICER'S RECOMMENDATION

THAT in relation to the request to extend the currency period for Development Permit D/270-2013 for a Showroom, made by Bingford Pty Ltd, located at 320 Lower Dawson Road, Allenstown on land described as Lot 1 on RP605479, Lot 1 on SP125027 and Lot 1 on RP608196, Parish of Rockhampton, Council resolves to refuse the request to extend the currency period for the following reasons:

- a) The original application was approved because a Showroom was considered a use that would have a similar or lesser impact than motels, service stations, car washes, and caravan parks. These uses are no longer referred to in the Low Density Residential Zone under the *Rockhampton Region Planning Scheme 2015* and are subsequently not consistent with the intent of this zone.
 - b) Under the Strategic Framework of the *Rockhampton Region Planning Scheme 2015* the site is located in the Urban and New Urban area.
-

A Showroom would conflict with the future intent of the Urban and New Urban area and would lead to fragmented development occurring away from the relevant planning scheme areas.

- c) There is not an overwhelming need for the proposed use in a residential area, and there are other more appropriate locations, starting from approximately 700 metres north of the subject site, in the Specialised Centre Zone where this use would be better established.

BACKGROUND

BACKGROUND/PROPOSAL

At its meeting of 12 November 2013, Council approved a Development Application for a Material Change of Use for a Showroom on land described as Lot 1 on RP605479 and Lot 1 on SP125027, Parish of Rockhampton, located at 320 Lower Dawson Road, Allenstown.

Bingford Pty Ltd has made an application to extend the currency period in accordance with chapter 3 part 5 division 4 of the *Planning Act 2016* to Development Permit D/270-2013. The proposal pertains to extending the currency period by two (2) years until 20 November 2019.

SITE AND LOCALITY

The subject site was located in The Range South Residential Area under the superseded Rockhampton City Plan 2005. Under the current Rockhampton Region Planning Scheme 2015 the site is located in the Low Density Residential Zone. The subject site occupies an overall area of 2,614m² and encompasses two (2) separate lots.

The surrounding properties to the west of Lower Dawson Road are located in the Low Density Residential Zone and are predominately improved by residential uses. A Service Station is positioned to the north located between Wakefield Street and Private Street, while on the opposite side of Lower Dawson Road is O'Shanesy Park and the Southside Holiday Village.

PLANNING ASSESSMENT

MATTERS FOR CONSIDERATION

This request 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 *Planning Act 2016* and 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.

TOWN PLANNING COMMENTS

The applicant has requested an extension to the currency period of two (2) years from 20 November 2017 to 20 November 2019.

Council response:

Council has reviewed the request to extend the currency period for the above permit and does not support the request. The refusal is based on the grounds that the proposed use of the premises for a Showroom is inconsistent with the intent of the Low Density Residential Zone and the Urban and New Urban settlement pattern area identified in the Strategic Framework under the *Rockhampton Region Planning Scheme 2015*.

The request was also referred to Council's Strategic Planning Unit who has outlined grounds for refusing to support the extension. Their concerns are outlined below:

Strategic Planning

Advice provided by the Strategic Planning Unit for the original approval, dated 5 July 2013, recommended a refusal given the land is out of sequence for The Range South Residential Area under the *Rockhampton City Plan 2005*.

“There does not appear to be sufficient justification to approve the proposed vehicle showroom at this location. Approval of the use at this site would result in the introduction of a new commercial use into a residential area and the significant sprawl of a commercial use outside a zone/area or precinct which is intended for such a use. The site and surrounding area should retain its residential character and amenity. There is significant opportunity to establish this type of commercial use in other zones and precincts set aside in the Rockhampton City Plan 2005.”

Since the original application was approved, the *Rockhampton Region Planning Scheme 2015* (the Planning Scheme) has been endorsed. Under the Planning Scheme the subject site was re-zoned to Low Density Residential. The purpose of the Low Density Residential Zone states the following in regards to non-residential uses:

(2) *The purposes of the zone will be achieved through the following overall outcomes:*

(d) non-residential uses only occur within the zone where they:

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

At this site, a Showroom under the Planning Scheme would not meet the purpose of the Low Density Residential Zone Code. A Showroom is not consistent with the residential character and the existing amenity of the surrounding area, would not service the needs of the immediate local community, and would be fragmented development which would result in the expansion of a centre zone.

Furthermore, approximately 700 metres to the north of the subject site, the land is zoned Specialised Centres, which maintains the Gladstone Road and George Street Precinct and the Outdoor Sales and Services Sub-precinct. In the Outdoor Sales and Services Sub-precinct a Showroom or Outdoor Sales land use would be either accepted subject to requirements or code assessable.

The Strategic Framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs in the relevant planning scheme area for the life of the Planning Scheme. According to the Settlement Pattern identified in the Strategic Framework mapping, the subject site is located within the Urban and New Urban area. The specific outcomes for the Urban and New Urban area and the Specialised Centre area are shown below:

3.3.8 Element - Urban and New Urban

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

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

- (a) maintain the viability and sustainability of existing centres and industrial areas;*
- (b) provide certainty to the owners and occupants;*

- (c) **encourage the reinvestment and redevelopment of existing centres and industrial areas; and**
- (d) **prevent the spread of 'ribbon' development along state controlled road and major roads.**

3.3.12 Element - Specialised Centres

Gladstone Road and George Street Precinct

- (7) **The Gladstone Road and George Street precinct provides for highway orientated uses including short-term accommodation, service stations, service industries, food and drink outlets and showrooms when consistent with the specialised centre zone code.**
- (8) *This area is not intended to accommodate large-scale office activities and shopping centres. In addition, large-scale shops such as a full-line a supermarket are not supported (with the exception of Lot 1 SP161848 and Lot 1 SP191827 when involving the reuse of the existing building onsite). This will ensure that this centre does not compromise and undermine the role and function of higher order centres.*
- (9) **The outdoor sales and service sub-precinct provides for showrooms and outdoor sales, while the residential and food services sub-precinct is to transition to primarily residential uses (including short-term accommodation) and small-scale uses supporting travellers such as food and drink outlets, visitor information facilities and service stations.**

The specific outcomes of the Settlement Pattern show that the proposed Showroom will be in conflict with the Low Density Residential Zone and the Urban and New Urban settlement pattern area under the Planning Scheme. A Showroom on the subject site would lead to fragmented development that is out of sequence with the intent of the Planning Scheme. Furthermore, the specific outcomes of the Specialised Centres (Gladstone Road and George Street Precinct), demonstrates that there is land identified for this type of land use, starting from approximately 700 metres to the north of the subject site.

The Strategic Planning Unit does not support intensifying commercial based land uses within this locality of the Low Density Residential Zone, when the appropriate zoning is located approximately 700 metres north of the subject site. Therefore, it is recommended that the request to extend the currency period of this Development Permit be refused and such uses be directed to be consolidated in the Specialised Centre Zone (Gladstone Road and George Street Precinct - Outdoor Sales and Services Sub-precinct) under the *Rockhampton Region Planning Scheme 2015*.

Submission rights

The original approval was the subject of public notification between 28 August 2013 and 19 September 2013, as per the requirements of the *Sustainable Planning Act 2009*, and no submissions were received. As no submissions were received for the original application and it is deemed that the extension application would not be likely to attract a submission objecting to an extension to the currency period, public notification will not be required, as per 26.2 (b) of the *DA Rules 2016*.

Summary

Section 87 of the *Planning Act 2016* outlines matters which Council must give regard to in deciding a request to extend the currency period:

In deciding a request under section 87, the assessment manager may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.

Council, as the assessment manager, considers that the *Rockhampton Region Planning Scheme 2015* is relevant to the extension application and should be given weight in the decision making of this application.

It is considered that the further request to extend the currency period by two (2) years is not supported. Council resolves to refuse the request to extend the currency period for the following reasons.

- a) The original application was approved because a Showroom was considered a use that would have a similar or lessor impact than motels, service stations, car washes, and caravan parks. These uses are no longer referred to in the Low Density Residential Zone under the *Rockhampton Region Planning Scheme 2015* and are subsequently not consistent with the intent of this zone.
- b) Under the Strategic Framework of the *Rockhampton Region Planning Scheme 2015* the site is located in the Urban and New Urban area. A Showroom would conflict with the future intent of the Urban and New Urban area and would lead to fragmented development occurring away from the relevant planning scheme areas.
- c) There is not an overwhelming need for the proposed use in a residential area, and there are other more appropriate locations, starting from approximately 700 metres north of the subject site, in the Specialised Centre Zone where this use would be better established.

REFERRALS

The extension application was not referred to the Department of Transport and Main Roads as under Section 87 of the *Planning Act 2016*, the assessment manager is not required to notify referral agencies when assessing extension applications.

CONCLUSION

The applicant's request to extend the currency period is not considered reasonable and is recommended for refusal as detailed below. Council resolves to refuse the request to extend the currency period for the following reasons.

- a) The original application was approved because a Showroom was considered a use that would have a similar or lessor impact than motels, service stations, car washes, and caravan parks. These uses are no longer referred to in the Low Density Residential Zone under the *Rockhampton Region Planning Scheme 2015* and are subsequently not consistent with the intent of this zone.
- b) Under the Strategic Framework of the *Rockhampton Region Planning Scheme 2015* the site is located in the Urban and New Urban area. A Showroom would conflict with the future intent of the Urban and New Urban area and would lead to fragmented development occurring away from the relevant planning scheme areas.
- c) There is not an overwhelming need for the proposed use in a residential area, and there are other more appropriate locations, starting from approximately 700 metres north of the subject site, in the Specialised Centre Zone where this use would be better established.

**D/270-2013 - REQUEST TO EXTEND
THE CURRENCY PERIOD TO
DEVELOPMENT PERMIT D/270-2013
FOR A SHOWROOM**

Locality Plan

Meeting Date: 13 February 2018

Attachment No: 1



**D/270-2013 - REQUEST TO EXTEND
THE CURRENCY PERIOD TO
DEVELOPMENT PERMIT D/270-2013
FOR A SHOWROOM**

Site Plan

Meeting Date: 13 February 2018

Attachment No: 2

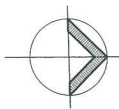
No.	Date	Amendment
1	18.06.13	For MCJ Approval
P2	13.12.12	Preliminary Issue
PT	19.11.12	Preliminary Issue

SITE PLAN NOTES:

1. Earthworks to comply with AS3798 and AS2670.1.
2. Figured dimensions shall be taken in preference to those scaled from the drawing. Builder to verify all dimensions on site prior to construction.
3. Finished surface lines shown on elevations and platform layout shall be confirmed on site prior to commencement of building work.
4. Structure designed for Wind Gust Speed: C1
5. All construction shall be in accordance with the requirements of the Building Code of Australia, the Building Act 1975 and the Local Authorities' requirements.
6. Builder to provide a fall around the building of 1 in 20 for the first 1.0m around building 1 in 50 for the next 1.0m around building.
7. Connect all new downpipes as shown and fall pipes to tarp and channel or in situ siltment drainage system. Stormwater drainage design is indicative only. Plumber to verify on site the suitability of the design and adjust accordingly to suit conditions. All plumbing work to comply with relevant plumbing codes and standards.
8. Install a sleeve joint where wall downpipes meet ground stormwater lines to allow for movement.
9. Confirm location of any underground services prior to commencement of building work.
10. Check position of current mains water connection and provide connecting link to building to the requirements of the Local Authority and current Water & Sewerage Supply Act. Good pressure to be achieved in supply line to building.
11. Extent of principal Builder and relevant Subcontractors to be within the confines of the property boundaries and portion of the footpath immediately adjoining front property alignment. Seek neighbours consent if access or additional construction is required outside the confines of the subject property.

SITE PLAN LEGEND:

- TURNING CIRCLES
- LANDSCAPING (Species as Noted)
- GRASSED AREAS
- BUILDING LINE
- ROOF LINE
- SEWER LINE
- SP INDICATES STORMWATER PIT
- MH INDICATES MANHOLE
- Wp INDICATES LIGHT POLE
- T INDICATES TELECOM
- F INDICATES FIRE HYDRANT
- W INDICATES WATER



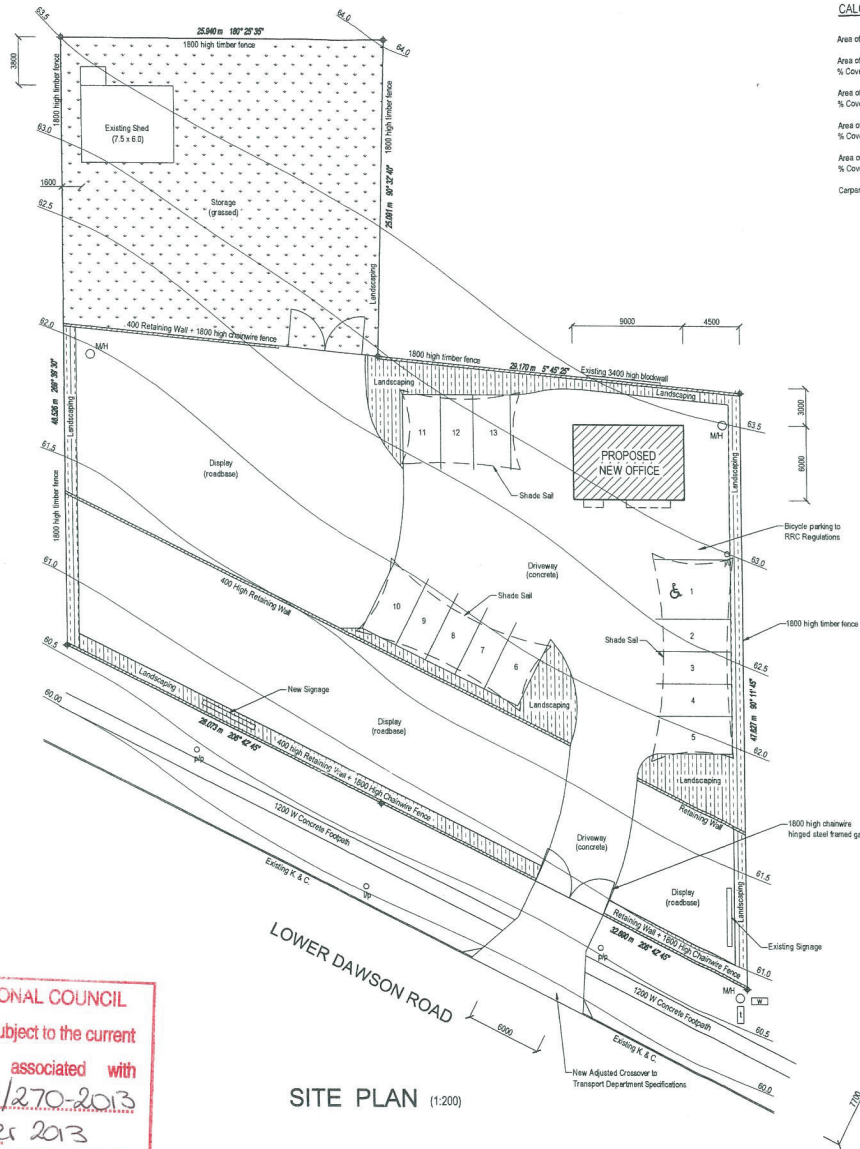
PROPERTY DETAILS:

LOT 1 ON RP605479 & LOT 1 ON SP125027
 PARISH OF ROCKHAMPTON
 COUNTY OF LIVINGSTONE
 AREA: 2618 sq.m

ROCKHAMPTON REGIONAL COUNCIL
 These plans are approved subject to the current
 conditions of approval associated with
 Development Permit No. D/270-2013
 Dated 21 November 2013

CALCULATION SCHEDULE:

Area of Land:	2618.00 sq.m
Area of New Building:	54.00 sq.m
% Coverage:	2.06%
Area of Existing Building:	48.14 sq.m
% Coverage:	1.84%
Area of Landscaping:	748.82 sq.m
% Coverage:	28.63%
Area of Hardstand:	1766.24 sq.m
% Coverage:	67.47%
Carparking Spaces:	13 Provided



SITE PLAN (1:200)

SITE PLAN

SK Drafting
 building designs

P: 07 4927 7444 M: 0419 785 031 F: 07 4927 1574
 E: western@skdrafting.com.au
 www.skdrafting.com.au
 2 River Ross Street, Rockhampton Qld 4700
 BSA Lic No: 049429



PROPOSED SHOWROOM/DISPLAY
 AT 322 & 326 LOWER DAWSON
 ROAD, ROCKHAMPTON,
 FOR BINGFORD PTY. LTD.

Scale	Date	Issue
AS SHOWN AT A1	NOV '12	1
Drawn	TEM	Sheet
Checked		Drawing No.
Approved	1/3	12-055

8.9 COMMITTEE REPORT DELEGATIONS - NOVEMBER 2017

File No:	7028
Attachments:	Nil
Authorising Officer:	Steven Gatt - Manager Planning and Regulatory Services Colleen Worthy - General Manager Community Services
Author:	Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the development applications received in November 2017 and whether they will be decided under delegation or decided by Council.

OFFICER'S RECOMMENDATION

THAT this report into the applications lodged in November 2017 be received.

BACKGROUND

Matters are referred to Committee for decision where:

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

The following applications were received in November 2017. They will be decided in the following manner:

Application type	Address	Decision
D/131-2017 – Operational Works for Access and Parking, Stormwater and Site Works. Primary approval for Multiple Dwelling	102-104 Albert Street and 4 Talbot Street, The Range	Delegation
D/132-2017 – ROL (2 lots into 2 lots)	172-178 East Street and 5B Derby Street, Rockhampton City	Already decided under delegation
D/138-2017 – Operational Works for Road, Stormwater, Water, Drainage and Landscaping Works. Underlying use is Rockhampton Base Hospital (no pprovals required because of State)	2-78 Canning Street, The Range	Delegation
D/139-2017 – Operational Works for Road Works, Drainage, Parking, Earthworks and Site Works. Primary approval is for a Child Care Centre (extension)	2 Glencoe Street, 38 and 40 Upper Dawson Road, Allenstown	Delegation
D/133-2017 – MCU for Multiple Dwelling	36 Church Street, Allenstown	Delegation

D/135-2017 – Operational Works for Earthworks and Retaining Wall. May relate to ROL approval (2 lots into 2 lots) from 2006 or could be for dwelling additions approved with building permit in 2014.	9 Rogar Avenue, Frenchville	Delegation
D/136-2017 – ROL (one lot into two lots)	9 Kelly Road, Gracemere	Impact assessable, so may go to Committee
D/137-2017 – ROL (two lots into two lots)	28 Gough Street, Park Avenue	Delegation
D/140-2017 – Operational Works for Advertising Device (Pylon Sign)	653 Norman Road, Norman Gardens	Delegation

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

CONCLUSION

This report outlines the applications received in November 2017 and the manner in which they will be decided.

8.10 COMMITTEE REPORT DELEGATIONS - DECEMBER 2017

File No: 7028
Attachments: Nil
Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services
 Colleen Worthy - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the development applications received in December 2017 and whether they will be decided under delegation or decided by Council.

OFFICER'S RECOMMENDATION

THAT this report into the applications lodged in December 2017 be received.

BACKGROUND

Matters are referred to Committee for decision where:

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

The following applications were received in December 2017. They will be decided in the following manner:

Application type	Address	Decision
D/142-2017 – ROL for three lots into two lots	58 Victoria Parade, Rockhampton	Already decided under delegation
D/143-2017 – ROL one lot into three lots	44 Govind Court, Gracemere	Delegation
D/133-2017 – Operational Works (Stormwater). The primary approval is for Community Use (Wandal Community Garden)	13 Cavell Street, Wandal	Delegation
D/145-2017 – MCU for Dwelling House	43 Murphy Road, Kabra	Impact assessable so may go to Committee
D/146-2017 – MCU for Service Station and ancillary Food and Drink Outlet	Lot 1 Capricorn Highway, Gracemere (near Wy Wurry Road)	Committee
D/148-2017 – ROL - one lot into nine lots	Lot 172 Foulkes Street, Norman Gardens	Delegation
D/149-2017 – MCU for Residential Care Facility, Community Care Centre, Food and Drink Outlet and Office	75 Ward Street, The Range	Impact Assessable so may go to Committee

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

CONCLUSION

This report outlines the applications received in December 2017 and the manner in which they will be decided.

8.11 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - NOVEMBER 2017

File No: 1464

Attachments:

1. Monthly Operations Report for Planning and Regulatory Services - November 2017
2. Traffic Light Report - November 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 November 2017 is presented for Councillor's information.

OFFICER'S RECOMMENDATION

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

COMMENTARY

The Monthly Operations Report for the Planning and Regulatory Services 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 - NOVEMBER 2017**

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

Meeting Date: 13 February 2018

Attachment No: 1



Monthly Operations Report

Planning and Regulatory Services

November 2017

1. Innovations, Improvements and Variations

Local Laws

- Body-worn camera trial commenced with IT connecting 6 cameras from Axon for user testing in the month of December. From enhanced evidence collection capabilities to reductions in incidents and complaints against officers is the feedback we hear from our counterpart Councils.
- 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.
- The Smart Parking Sensor project continued with onsite testing. Representatives of the section and IT visited Gold Coast City Council (GCCC) to observe the operations of the GCCC parking sensors and receive user feedback.

Health and Environment

Infor conducted a health check of the unit's use of pathway. This also included training for administration staff. A plan is being developed to implement recommendations over the next 12 months and will increase the efficiency, reporting and record keeping of the unit.

A stall was held over 3 days at Stockland Rockhampton to promote Food Safety Week and the theme 'Is it done yet?'. Factsheets were provided to 77 people and over 168 colouring in competitions were taken. The colouring in competition was to help name E&PH's food safety explorer characters. A new food safety activity book was also used for the event. Councillor Smith conducted a media release highlighting Food Safety Week.

Building, Plumbing and Compliance

The unit continued to work through the tasks assigned via the Business Process Improvement project. The project expects to ensure that processes, procedures and reporting are consistent across the section and compliant with Council's Operational Plan.

Development Assessment

Various processes are being reviewed for tasks that will be taken over by the Development Advice Centre including lodgement of development applications, processing of certificates and searches and development enquiries. Training of the Development Support Officers in these tasks has commenced.

Staff Development

The Supervisor Environmental Health attended the Hoarding and Squalor Conference in Brisbane. The event provided networking opportunities and case studies of how other councils work with the local support agencies to achieve the required outcome. It highlighted the requirement for support agencies to be involved in these matters to reduce the chances of reoccurrence in the long term.

2. Customer Service Requests

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

The Planning and Regulatory Services section has received 14,614 customer requests from January 2017 to date. Of these, 14,027 have been completed giving an average completion rate of 95.98% across the spectrum of operations.

Local Laws

Local Laws has received 742 customer requests in the reporting period of November, completing 470 within the period. The unit continues to provide quality customer service whilst experiencing high levels of requests for service.

A snapshot of high profile customer requests received for the month is provided below illustrating the high level of activity within the unit:

- 100 wandering animal customer requests;
- 109 overgrown allotment and 47 unsightly allotment customer requests;
- 40 barking dog stage1 customer requests.

Health and Environment

The Vector Management Unit received 34 misting requests during November, 32 of which have been completed. This is a similar figure to October where 39 requests were received and can be attributed to the wet and warmer weather.

The Pest Management Unit received 26 requests in relation to pest weeds, 10 of which have been completed.

Building, Plumbing and Compliance

The Building Section has received a total of 29 applications for the month of November; the unit continues to complete all of their applications within the regulatory timeframes.

The Plumbing Section has received 31 applications for the month of November; the unit continues to complete all of their applications within the regulatory timeframes.

Development Assessment

The Development Assessment Unit received 216 customer requests during November 2017. As at 1 December 2017 all but four (4) of these customer requests had been completed.

3. Service Delivery

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Local Laws			
Dog registration enquiry customer requests (49) reduced from the previous month	10 days	5.21 days	Operational
Wandering Animals second largest (100) number of customer requests received during the period	10 days	0.80 days	Operational
Barking Dog Stage 1 complaints (10)	30 days	5.63 days	Operational
Health and Environment			
Annual inspection of licensed food businesses undertaken	488 premises	44% 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 SPA and PA	100%	100%	Operational
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under 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

4. 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 April 2018 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
Development Assessment			
C Class Drivers Licence	Various	Yes	All Officers provide licences to HR
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

5. 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	Site preparation commenced in 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	An increase of flea affected animals has been noted upon intake to the pound. This is likely due to the wet and warmer weather. Officers have increased treatment for the animals so to minimise the spread.
		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 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	Comments received from Livingstone Shire Council and Gladstone Regional Council. These comments have been reviewed and accepted. Biosecurity Plan adoption is an agenda item for the 5 December committee meeting.
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, notice, 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. Work Instructions are continuously developed and reviewed. The Environmental Health Unit

Operational Plan Ref	Action	Target	Status
			did not receive any commercial nuisance complaints during November. Environmental Health Unit received 30 food related enquiries and 4 complaints, all have been completed.
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	2018 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. Environmental Health Unit manned a stall at Stockland for 3 days in November as part of food safety week.
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	Current compliance tools as per Councils Enforcement Strategy and legislation. Manual under development with Corrs Chambers. First draft reviewed by Council officers and CIS.
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. These are investigated as required and updated process applied.
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. Current resourcing does not meet business needs but is in accordance with budget allocation.

6. Operational Projects

As at period ended November – 41.66% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Local Laws					
Snip and Chip	Jan 18	Jan 18	Planning	\$17,000	Nil
Issuing of Dog Registration Renewals	Jun 17	Sept 17	Completed	\$20,000	\$14,583.23
Health and Environment					
Biosecurity Plan	Commenced	Dec 17	To be presented to committee on 5 December 2017 for approval.	Operational budget	
Dengue Management Plan	Commenced		Draft finalised, sent to Manager for approval before going to General Manager.	Operational budget	
Enforcement Guideline			Comments provided by Coordinator	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 and pest management proforma continues to be tested and proforma amended as necessary.	Operational budget	

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Building, Plumbing and Compliance					
Backlog of outstanding customer requests	1 Jul 17	1 Jan 18	Monthly meetings with relevant staff to discuss outstanding/problems and closeout issues.	Operational budget	
Business Process Improvement	1 Jul 17	1 Jun 18	Initial meetings held identifying processes and mapping	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	Jun 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	Jul 2017	Jun 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

7. Budget



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

As At End Of November

Report Run: 07-Dec-2017 15:25:45 ; Excluding 2914, 2918, 2919, 2814, 2917, 2924, 1801, 1806, 1807, 1901, 1906

	Adopted Budget FULL YR	Adopted Budget YTD	Revised Budget	YTD Actual	EOM Commitments	Commit + Actual	Variance	On target 41.7% of Year Gone
	\$	\$	\$	\$	\$	\$	%	
Planning and Regulatory Services								
<u>Development Assessment</u>								
Revenues	(807,066)	(336,277)	0	(408,220)	0	(408,220)	121%	✘
Expenses	1,292,143	538,393	0	573,436	44,131	617,567	115%	✘
Transfer / Overhead Allocation	30,630	12,763	0	19,729	0	19,729	155%	✘
Total Unit: Development Assessment	515,707	214,878	0	184,945	44,131	229,076	107%	✘
<u>Building, Plumbing and Compliance</u>								
Revenues	(762,880)	(317,867)	0	(313,552)	0	(313,552)	99%	✓
Expenses	1,130,867	471,194	0	480,525	6,273	486,798	103%	✓
Transfer / Overhead Allocation	(105,696)	(44,040)	0	(44,922)	0	(44,922)	102%	✓
Total Unit: Building, Plumbing and Compliance	262,291	109,288	0	122,052	6,273	128,324	117%	✘
<u>Health & Environment</u>								
Revenues	(189,489)	(78,954)	0	(60,085)	0	(60,085)	76%	✘
Expenses	2,556,478	1,065,199	0	807,044	77,558	884,603	83%	✘
Transfer / Overhead Allocation	353,717	147,382	0	100,447	0	100,447	68%	✘
Total Unit: Health & Environment	2,720,707	1,133,628	0	847,406	77,558	924,964	82%	✘
<u>Local Laws</u>								
Revenues	(1,420,867)	(592,028)	0	(576,842)	0	(576,842)	97%	✓
Expenses	2,853,790	1,189,079	0	928,925	94,455	1,023,380	86%	✘
Transfer / Overhead Allocation	256,157	106,732	0	87,838	0	87,838	82%	✘
Total Unit: Local Laws	1,689,080	703,783	0	439,922	94,455	534,377	76%	✘
<u>Planning and Regulatory Services Management</u>								
Expenses	917,963	382,485	0	140,301	2,333	142,634	37%	✘
Transfer / Overhead Allocation	0	0	0	775	0	775	0%	✘
Total Unit: Planning and Regulatory Services Man	917,963	382,485	0	141,076	2,333	143,409	37%	✘
Total Section: Planning and Regulatory Services	6,105,748	2,544,062	0	1,735,401	224,750	1,960,150	77%	✘

8. Section Statistics

<i>Program Activity</i>	<i>Dates/s Held</i>	<i>Visitor/Participant Numbers</i>	<i>Comments</i>
Health and Environment			
Food Safety Week	13 – 17 November	Factsheets were provided to 77 people and over 168 colouring in competitions were taken.	Information stalls held by Environmental Health.

Applications/Inspections	Nov 17	Comments
Number of Food Business Licence Applications	2	
Number of Short Term Food Business Licence Applications	7	
Number of Mobile Food Business Licence Applications	0	
Total Number of Food Business Licences	485	Does not include short term Food Business Licence
Number of Annual Inspections for Food Business Licences	217	

Local Laws

Registered Dogs

Description	Aug 17	Sept 17	Oct 17	Nov 17	Financial YTD
New Dogs Registered	357	280	204	209	1,343
Dog Registration Renewals	5,706	1,850	284	91	12,380
Total	6,063	2,130	488	300	13,723

Declared Dogs

Description	Aug 17	Sept 17	Oct 17	Nov 17	Total
Dangerous Dogs	2	1	0	5	36
Menacing Dogs	3	0	0	0	48
Restricted Dogs	0	0	0	0	1

Infringements Issued

Description	Aug 17	Sept 17	Oct 17	Nov 17	Financial YTD
Parking Infringements	380	342	330	558	2179
Animal Infringements	55	82	92	57	391
Local Law Infringements	1	6	9	5	31
Total	436	430	431	620	2,601

Development Assessment

Description	Aug 17	Sept 17	Oct 17	Nov 17	Financial YTD
New Applications	13	13	13	11	66
Request to Change Applications	5	2	4	0	14
Development Incentives Applications	1	1	1	4	7
Total Received	19	16	18	15	87
Total Decided	15	18	22	16	96

Building

Description	Aug 17	Sept 17	Oct 17	Nov 17	Financial YTD
Concurrence Applications	10	13	13	17	59
Domestic Building Works	7	9	6	8	39
Commercial Building Works	2	3	5	4	16
Total Received	19	25	24	29	114
Total Decided	29	19	23	22	104

Plumbing

Description	Aug 17	Sept 17	Oct 17	Nov 17	Financial YTD
New Applications	38	25	45	31	167
Total Decided	45	19	31	39	167

MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - NOVEMBER 2017

Traffic Light Report - November 2017

Meeting Date: 13 February 2018

Attachment No: 2



All Monthly Requests (Priority 3) Planning & Regulatory Services 'Traffic Light' report November 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	43	41	102	66	36	2	10	●	5.21	●	3.50	●	7.23	6.57
Animals (more than permitted number)	16	13	5	2	6	0	30	●	10.00	●	23.21	●	21.77	15.77
Building Inspection Booking	0	0	0	0	0	0	1	●	0.00	●	8.25	●	11.60	11.00
Building Enquiry - General Info/Admin etc	16	14	23	18	5	2	5	●	2.33	●	6.90	●	8.98	2.91
Living in Illegal Premises	0	0	1	0	0	1	30	●	0.00	●	19.00	●	46.40	17.75
Other Building Compliant Issue	12	9	4	1	5	1	30	●	0.00	●	1,530.25	●	742.94	0.21
Poor Condition of Building	5	3	2	1	3	0	30	●	1.00	●	18.43	●	31.92	13.94
Pool Fence Issues	8	5	2	1	3	1	30	●	1.00	●	8.82	●	22.60	7.75
Retaining Wall Issues	1	0	0	0	1	0	30	●	0.00	●	13.00	●	43.00	8.25
Storm Water Complaint	3	1	2	1	2	1	30	●	0.00	●	8.58	●	18.62	7.90
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	19	13	20	6	13	7	30	●	2.83	●	12.67	●	24.56	22.64
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	12	10	14	8	7	1	20	●	5.75	●	13.32	●	14.94	9.86
Dog Attack on Animal (Alleged) CSO	15	11	10	3	10	1	20	●	7.00	●	12.45	●	13.95	9.67
Dog Attack on Person (Bite) CSO	6	3	4	1	6	0	20	●	6.00	●	12.03	●	18.68	13.02
Duty Planner (New Enquiry)	7	7	100	97	1	2	1	●	0.94	●	0.76	●	0.86	0.61
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)	0	0	16	15	1	0	1	●	0.60	●	0.76	●	0.82	1.31
GIA Moratorium (Compliance)	0	0	0	0	0	0	45	●	0.00	●	0.00	●	0.00	0.00
Heavy Vehicle Parking	3	1	1	1	2	0	10	●	9.00	●	10.17	●	13.11	10.00
Overgrown Allotments	36	27	109	50	44	24	45	●	5.84	●	12.81	●	18.36	16.85
Regulated Parking	6	6	33	15	17	1	10	●	4.27	●	6.96	●	6.81	4.99
Dust Complaint	0	0	0	0	0	0	10	●	0.00	●	4.33	●	3.60	1.50
Litter/Illegal Dumping	6	5	8	6	3	0	20	●	7.00	●	11.52	●	9.09	5.57
Noise Complaint	0	0	5	3	2	0	10	●	1.33	●	8.48	●	6.45	3.90
Plumbing Inspection Booking	0	0	0	0	0	0	1	●	0.00	●	0.00	●	0.14	0.14
P&D Works without a Plumbing Permit	1	1	3	0	3	0	30	●	0.00	●	12.00	●	8.20	10.00
Requests for Toilet Counts	0	0	0	0	0	0	30	●	0.00	●	16.40	●	12.78	3.00
Onsite (Private) Treatment Plant Odours	1	1	0	0	0	0	30	●	0.00	●	47.00	●	29.86	0.00
P&D Waste Water Leaking to Adjoining Properties	0	0	2	0	2	0	30	●	0.00	●	10.75	●	11.83	7.25
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	2	2	33	32	1	0	30	●	0.31	●	0.42	●	0.61	0.58
Plumbing Issues General	3	2	7	3	3	2	30	●	6.67	●	281.26	●	148.20	2.75
Planning Development Certificates	1	1	29	28	1	0	3	●	0.61	●	1.60	●	1.54	1.36

	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	26	23	40	30	8	5	30	● 5.63	● 6.24	● 6.26	3.26
Barking Dog Complaint - Stage 2 LLEO Use Only	20	11	5	1	11	2	30	● 14.00	● 25.13	● 25.81	15.03
Vector Misting	4	4	34	32	0	2	7	● 1.44	● 1.72	● 4.41	4.45
Nuisance Vehicle	16	14	22	9	12	3	10	● 7.22	● 9.87	● 9.00	5.47
Wandering Animals / Livestock	40	37	100	81	16	6	10	● 0.80	● 5.19	● 78.00	3.52
Wandering Stock	0	0	0	0	0	0	10	● 0.00	● 0.00	● 2.84	1.97

8.12 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - DECEMBER 2017

File No: 1464

Attachments:

1. Monthly Operations Report for Planning and Regulatory Services - December 2017
2. Traffic Light Report - December 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 December 2017 is presented for Councillor's information.

OFFICER'S RECOMMENDATION

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

COMMENTARY

The monthly operations report for the Planning and Regulatory Services 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 - DECEMBER 2017**

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

Meeting Date: 13 February 2018

Attachment No: 1



Monthly Operations Report

Planning and Regulatory Services
December 2017

1. Highlights

Health and Environment – Pest Management

Two Pest Management Officers attended the 14th Queensland Weed Symposium at Port Douglas. A highlight of the conference was the information provided outlining the importance of well planned community engagement; liaising directly with landholders enables education leading to prevention and early intervention as well as better results for landholders to better control already established weeds. A number of new tools, in various stages of development, were announced which may enhance the future operations of the pest team and pastoral community.

A couple of trials mentioned were the use of a biocontrol agent to assist in the control of bellyache bush and prickly acacia. A product called Parra Trooper is also being trialled to see how effective it is at introducing native crown rot into weedy sporobolus grasses.

2. Innovations, Improvements and Variations

Local Laws

The body-worn camera trial continued throughout December. To date, the community's perception on the use of this technology by Local Laws officers has been positive.

Health and Environment

The Pest Management Safety Plan & Procedures and Pest Management Monthly Safety Workbook manuals have been finalised with the Safety Unit. Training for the Pest Management Officers in these documents has been scheduled for January 2018.

Building, Plumbing and Compliance

The unit is continuing the Business Process Improvement project to streamline its operations. The project expects to ensure that processes, procedures and reporting are consistent across the section and compliant with Council's Operational Plan.

Development Assessment

The Development Assessment Unit is continuing with its innovation and improvement focus. At present the team is working closely with the Supervisor Development Advice in training Development Support Officers in the tasks required in the Development Advice Centre. This has led to updating various forms and procedures to streamline the various processes.

3. Customer Service Requests

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

The Planning and Regulatory Services section has received 15,425 customer requests from January 2017 to date. Of these, 14,969 have been completed giving an average completion rate of 97% across the spectrum of operations.

Local Laws

Local Laws has received 451 customer requests in the reporting period of December, completing 293 within the period. The unit continues to provide quality customer service whilst experiencing high levels of requests for service.

A snapshot of high profile customer requests received for the month is provided below illustrating the high level of activity within the unit:

- 40 dog registration enquires;
- 70 wandering animal customer requests;
- 36 barking dog stage1 complaints;
- 67 overgrown allotment customer requests.

Health and Environment

Councils Pest Management Unit received 22 complaints in relation to pest weeds/animals during December 2017 (following 27 in November 2017). This is a significant increase on the 8 received during the corresponding month in 2016 and represents 14% of all pest weeds/animals complaints received in 2017 (31% of complaints for 2017 were received in November/December 2017). Seasonal trends show that many of the pest plants flower in the warmer months and following rain events.

Councils Vector Management team received 37 misting requests during December 2017. This was a significant increase from 4 received in December 2016 and can be contributed to the rainfall received early December. All requests were completed within identified timeframes.

Building, Plumbing and Compliance

The unit received a total of 60 customer requests for the month with 33 customer requests completed. Of those received, 30 related to building matters, 8 pool fencing issues, 19 planning compliance requests and 3 plumbing matters.

Further to the above, 28 customer requests for sanitary and drainage plans were received. All were completed.

Development Assessment

The Development Assessment Unit received 115 customer requests for December. As at 1 January 2018, all but one request had been completed.

4. Service Delivery

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Local Laws			
Dog registration enquiry customer requests (40)	10 days	5.97 days	Operational
Wandering animal customer requests (70)	10 days	0.81 days	Operational
Barking dog stage 1 customer requests (36)	30 days	3.85 days	Operational
Health and Environment			
Annual inspection of licensed food businesses undertaken	488 premises	48% 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 SPA and PA	100%	100%	Operational
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under 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 – decisions are made within a 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 April 2018 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	Purchase order raised for 2018, awaiting invoice.
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 April 2018 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	Site preparation commenced in November and continued throughout December.
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	No incidents to report during the period.
		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	Two trainees appointed within the section with one commencing during the month. 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 adopted at the Council meeting held 12 December 2017.
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, notice, odour and dust protection	Compliance with statutory codes and regulations	Infor has been engaged to ensure Pathway set-up within the section is compliant with relevant legislation. The Environmental Health Unit received 7 commercial nuisance or environmental complaints during December. 13 food related enquiries and 3 complaints were also received.
4.2.1.2	Provide formal and informal education	Education program implemented in	Planning for 2018 events continued.

Operational Plan Ref	Action	Target	Status
	opportunities to the public to ensure the community are aware of their legislative obligations	accordance with program milestones	
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	Current compliance tools as per Councils Enforcement Strategy and legislation. Enforcement manual under development.
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. These are investigated as required and updated process applied.
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. Current resourcing in the Pest and Vector fields does not meet business needs but is in accordance with budget allocation.

7. Operational Projects

As at period ended December – 50% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Local Laws					
Snip and Chip	Jan 18	Jan 18	Planning	\$17,000	Nil
Issuing of Dog Registration Renewals	Jun 17	Sept 17	Completed	\$20,000	\$14,583.23
Health and Environment					
Biosecurity Plan	Commenced	Dec 17	Completed – Plan adopted at the Council meeting held 12 December 2017.	Operational budget	
Dengue Management Plan	Commenced		Draft finalised, sent to General Manager for approval.	Operational budget	
Enforcement Guideline			Awaiting enforcement manual and policy. Comments provided on enforcement manual.	Operational budget	
Story Books (food safety, mosquitos) – education tools	Commenced		Story line developed.	Operational budget	
In field devices to record activity in the field	Commenced		Annual food inspection proforma and pest management proforma continues to be tested and proforma amended as necessary.	Operational budget	
Building, Plumbing and Compliance					
Backlog of outstanding customer requests	1 Jul 17	1 Jan 18	Monthly meetings with relevant staff to discuss outstanding/problems and closeout issues.	Operational budget	
Business Improvement Project	1 Jul 17	1 Jun 18	Initial meetings held identifying processes and	Operational	

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
			mapping. These have been prioritised and draft procedures are being written.	budget	
Work flow alignment	21 Aug 17	1 Jun 18	Infor consultant engaged to align pathway with new legislation.	\$10,000	Nil
Development Assessment					
Outstanding infrastructure charges	Jun 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	Jul 2017	Jun 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) - COMMUNITY SERVICES



As At End Of December

Report Run: 10-Jan-2018 14:42:12 ; Excluding 2914, 2918, 2919, 2814, 2917, 2924, 1801, 1806, 1807, 1901, 1906

	Adopted Budget FULL YR	Revised Budget YTD	Revised Budget	YTD Actual	EOM Commitments	Commit + Actual	Variance %	On target 50% of Year Gone
	\$	\$	\$	\$	\$	\$		
Planning and Regulatory Services								
<u>Development Assessment</u>								
Revenues	(807,066)	(420,453)	(840,906)	(439,493)	0	(439,493)	105%	✓
Expenses	1,292,143	736,610	1,473,219	698,702	43,082	741,784	101%	✓
Transfer / Overhead Allocation	30,630	15,315	30,630	20,414	0	20,414	133%	✗
Total Unit: Development Assessment	515,707	331,472	662,943	279,623	43,082	322,705	97%	✓
<u>Building, Plumbing and Compliance</u>								
Revenues	(762,880)	(364,520)	(729,040)	(358,208)	0	(358,208)	98%	✓
Expenses	1,130,867	565,433	1,130,867	567,970	6,273	574,243	102%	✓
Transfer / Overhead Allocation	(105,696)	(52,848)	(105,696)	(56,609)	0	(56,609)	107%	✗
Total Unit: Building, Plumbing and Compliance	262,291	148,065	296,131	153,153	6,273	159,425	108%	✗
<u>Health & Environment</u>								
Revenues	(189,489)	(94,744)	(189,489)	(66,655)	0	(66,655)	70%	✗
Expenses	2,556,476	1,277,398	2,554,616	953,301	80,190	1,033,490	81%	✗
Transfer / Overhead Allocation	353,717	176,859	353,717	115,924	0	115,924	66%	✗
Total Unit: Health & Environment	2,720,707	1,359,512	2,718,845	1,002,569	80,190	1,082,759	80%	✗
<u>Local Laws</u>								
Revenues	(1,420,867)	(710,434)	(1,420,867)	(644,873)	0	(644,873)	91%	✗
Expenses	2,853,790	1,396,408	2,792,816	1,118,891	84,365	1,203,256	86%	✗
Transfer / Overhead Allocation	256,157	128,078	256,157	103,012	0	103,012	80%	✗
Total Unit: Local Laws	1,689,080	814,053	1,628,106	577,030	84,365	661,395	81%	✗
<u>Planning and Regulatory Services Management</u>								
Expenses	917,963	368,444	736,887	170,033	1,914	171,947	47%	✗
Transfer / Overhead Allocation	0	0	0	775	0	775	0%	✗
Total Unit: Planning and Regulatory Services Manager	917,963	368,444	736,887	170,808	1,914	172,722	47%	✗
Total Section: Planning and Regulatory Services	6,105,748	3,021,546	6,042,912	2,183,183	215,824	2,399,007	79%	✗

9. Section Statistics

<i>Program Activity</i>	<i>Dates/s Held</i>	<i>Visitor/Participant Numbers</i>	<i>Comments</i>
Health and Environment			
Surveillance Program under Biosecurity Act - Monthly	1 Dec 2017	10 property inspections completed. 5 properties were not meeting their General Biosecurity Obligation. 5 properties were meeting their General Biosecurity Obligation as at the time as they were undertaking all reasonable and practicable steps on the property to reduce biosecurity risk.	Wet weather in early December resulted in the program being delayed. All properties to date have had lantana identified. 8 properties have had Harissa Cactus and Rubber Vine. 7 properties have had Parthenium.
Surveillance Program under Biosecurity Act – total program	1 Dec 2017 – 30 Nov 2018	As above.	As above.
Applications/Inspections		Dec 17	Comments
Number of Food Business Licence Applications		1	Application included Food Safety Program.
Number of Short Term Food Business Licence Applications		2	
Number of Mobile Food Business Licence Applications		0	
Total Number of Food Business Licences		486	Does not include short term food business licenses. 3 under assessment.
Number of Annual Inspections for Food Business Licences YTD		232	

Local Laws**Registered Dogs**

Description	Sept 17	Oct 17	Nov 17	Dec 17	Financial YTD
New Dogs Registered	280	204	209	124	1,467
Dog Registration Renewals	1,850	284	91	37	12,417
Total	2,130	488	300	161	13,884

Declared Dogs

Description	Sept 17	Oct 17	Nov 17	Dec 17	Total
Dangerous Dogs	1	0	5	3	40
Menacing Dogs	0	0	0	1	48
Restricted Dogs	0	0	0	0	1

Infringements Issued

Description	Sept 17	Oct 17	Nov 17	Dec 17	Financial YTD
Parking Infringements	342	330	558	304	2,483
Animal Infringements	55	64	77	13	425
Local Law Infringements	6	4	6	1	33
Total	403	398	641	318	2,941

Development Assessment

Description	Sept 17	Oct 17	Nov 17	Dec 17	Financial YTD
New Applications	13	13	11	9	75
Request to Change Applications	2	4	0	2	16
Development Incentives Applications	1	1	4	1	8
Total Received	16	18	15	12	99
Total Decided	18	22	16	8	104

Building

Description	Sept 17	Oct 17	Nov 17	Dec 17	Financial YTD
Concurrence Applications	13	13	17	7	66
Domestic Building Works	9	6	8	6	45
Commercial Building Works	3	5	4	0	16
Total Received	25	24	29	13	127
Total Decided	19	23	22	17	121

Plumbing

Description	Sept 17	Oct 17	Nov 17	Dec 17	Financial YTD
New Applications	25	45	31	20	187
Total Decided	19	31	39	23	190

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

Traffic Light Report - December 2017

Meeting Date: 13 February 2018

Attachment No: 2



All Monthly Requests (Priority 3) Planning & Regulatory Services 'Traffic Light' report December 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) Q2
			Received	Completed								
Dog Registration Enquiry	35	34	40	33	8	0	10	● 5.97	● 3.86	● 7.23	6.65	● 7.20
Animals (more than permitted number)	7	5	6	3	4	1	30	● 5.00	● 18.43	● 21.98	15.71	● 14.26
Building Inspection Booking	0	0	0	0	0	0	1	● 0.00	● 8.25	● 11.60	11.00	● 0.00
Building Enquiry - General Info/Admin etc	7	2	16	12	7	2	5	● 0.83	● 6.15	● 8.14	3.47	● 2.82
Living in Illegal Premises	2	2	1	0	0	1	30	● 0.00	● 3.00	● 39.17	19.50	● 3.00
Other Building Compliant Issue	6	2	4	2	6	0	30	● 4.00	● 291.81	● 704.50	4.14	● 8.40
Poor Condition of Building	3	1	0	0	2	0	30	● 0.00	● 14.43	● 26.25	18.88	● 5.50
Pool Fence Issues	2	0	8	3	5	2	30	● 1.00	● 8.25	● 19.39	10.00	● 10.13
Retaining Wall Issues	1	0	0	0	1	0	30	● 0.00	● 13.00	● 43.00	8.25	● 0.00
Storm Water Complaint	1	1	9	7	0	2	30	● 1.71	● 9.35	● 13.84	8.86	● 7.46
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	13	10	19	7	5	10	30	● 6.14	● 11.43	● 24.67	22.77	● 7.58
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	8	8	7	5	2	0	20	● 5.80	● 13.71	● 14.93	9.71	● 9.19
Dog Attack on Animal (Alleged) CSO	12	11	7	2	6	0	20	● 8.00	● 13.80	● 14.73	9.95	● 12.30
Dog Attack on Person (Bite) CSO	6	6	4	1	2	1	20	● 3.00	● 17.96	● 20.20	12.65	● 21.22
Duty Planner (New Enquiry)	3	3	54	54	0	0	1	● 0.56	● 0.68	● 0.70	0.48	● 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	● 7.00	7.00	● 0.00
Telephone Enquiry (Existing Application/Call Back)	1	1	7	6	1	0	1	● 0.50	● 0.77	● 0.81	1.47	● 0.68
GIA Moratorium (Compliance)	0	0	0	0	0	0	45	● 0.00	● 0.00	● 0.00	0.00	● 0.00
Heavy Vehicle Parking	2	1	1	0	2	0	10	● 0.00	● 11.85	● 15.12	10.90	● 13.75
Overgrown Allotments	60	43	67	40	42	2	45	● 3.93	● 11.04	● 13.50	13.51	● 8.80
Regulated Parking	19	16	19	8	14	0	10	● 2.75	● 7.03	● 6.87	5.21	● 6.21
Dust Complaint	0	0	0	0	0	0	10	● 0.00	● 4.33	● 4.00	1.33	● 0.00
Litter/Illegal Dumping	1	1	5	4	0	1	20	● 5.25	● 11.09	● 9.66	5.78	● 6.78
Noise Complaint	2	2	2	1	1	0	10	● 4.00	● 7.74	● 6.58	4.14	● 2.91
Plumbing Inspection Booking	0	0	0	0	0	0	1	● 0.00	● 0.00	● 0.20	0.20	● 0.00
P&D Works without a Plumbing Permit	2	0	0	0	2	0	30	● 0.00	● 12.00	● 10.00	20.00	● 0.00
Requests for Toilet Counts	0	0	0	0	0	0	30	● 0.00	● 20.00	● 12.78	3.00	● 0.00
Onsite (Private) Treatment Plant Odours	0	0	0	0	0	0	30	● 0.00	● 23.50	● 30.17	0.00	● 0.00
P&D Waste Water Leaking to Adjoining Properties	1	1	0	0	0	0	30	● 0.00	● 12.40	● 13.83	14.25	● 19.00
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	1	1	28	28	0	0	30	● 0.46	● 0.43	● 0.62	0.59	● 0.38
Plumbing Issues General	3	2	3	2	1	1	30	● 3.00	● 301.95	● 156.61	3.59	● 2.83
Planning Development Certificates	1	1	17	17	0	0	3	● 0.59	● 1.53	● 1.48	1.29	● 1.09

	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)	Avg Completion Time (days) Q2	
			Received	Completed				Current Mth	6 Months			
Barking Dog Complaint - Stage 1	12	11	36	26	8	3	30	● 3.85	● 6.42	● 6.51	3.72	● 6.46
Barking Dog Complaint - Stage 2 LLEO Use Only	14	7	3	1	9	0	30	● 11.00	● 50.28	● 40.94	15.15	● 23.11
Vector Misting	3	3	37	37	0	0	7	● 1.08	● 1.64	● 4.07	4.07	● 1.51
Nuisance Vehicle	11	11	10	5	4	1	10	● 3.00	● 9.99	● 8.94	5.64	● 9.09
Wandering Animals / Livestock	19	19	70	53	13	4	10	● 0.81	● 5.58	● 78.11	3.58	● 1.18
Wandering Stock	0	0	0	0	0	0	10	● 0.00	● 0.00	● 2.89	1.92	● 0.00

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 Access Easement Frenchville

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 CONFIDENTIAL REPORTS

12.1 ACCESS EASEMENT FRENCHVILLE

File No: 7028

Attachments:

1. Reconfiguration Plan
2. Aerial Map
3. Zoning Map

Authorising Officer: Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community 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

A property in North Rockhampton has no lawful access due to the inclusion of an Access Restriction Strip condition in a development approval from 1992.

13 CLOSURE OF MEETING