



PLANNING AND REGULATORY COMMITTEE MEETING

AGENDA

21 AUGUST 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 21 August 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
15 August 2018

Next Meeting Date: 04.09.18

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)

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Planning and Regulatory Committee held 7 August 2018

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

File No: 10097

Attachments: 1. [Business Outstanding Table](#)↓

Authorising Officer: Steven Gatt - Acting General Manager Community Services

Author: Steven Gatt - Acting 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

Meeting Date: 21 August 2018

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
1 May 2018	Animal Management - Surrendered and Unclaimed Animals Policy	THAT the Draft Animal Management – Surrendered and Unclaimed Animals Policy be referred to a later meeting.	Nishu Ellawala	15/05/2018	Animal Management - Surrendered and Unclaimed Animals Policy has been approved by the CEO. An information report will be presented at the August Committee.

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 REQUEST FOR EXTENSION TO THE RELEVANT PERIOD FOR DEVELOPMENT INCENTIVES APPLICATION FOR D/75-2015/A FOR A BULK STORE

File No:	D/75-2015/A
Attachments:	1. Locality Plan 2. Applicant's request letter
Authorising Officer:	Tarnya Fitzgibbon - Coordinator Development Assessment Steven Gatt - Acting General Manager Community Services
Author:	Thomas Gardiner - Planning Officer

SUMMARY

<i>Development Application Number:</i>	D/75-2015
<i>Applicant:</i>	J & S Drilling
<i>Real Property Address:</i>	Lot 68 on RP604012, Parish of Gracemere
<i>Common Property Address:</i>	89 Douglas Street, Gracemere
<i>Planning scheme zoning:</i>	Gracemere-Stanwell Zone – Medium Impact Industry Precinct
<i>Type of Approval:</i>	Development Permit for a Material Change of Use for a Bulk Store
<i>Date of Decision:</i>	28 July 2015
<i>Application Lodgement Fee:</i>	\$1,635.00
<i>Infrastructure Charges:</i>	\$11,662.00
<i>Infrastructure charges incentive:</i>	Precinct 2 – 50% discount
<i>Incentives sought:</i>	Development facilitation Refund of Development Application Fees Refund of service and connection fees

OFFICER'S RECOMMENDATION

THAT Council choose Option 2 as outlined in the report.

BACKGROUND

On 10 November 2015, Council approved an application under the Development Incentives Policy for a Material Change of Use for a Bulk Store. The approval was to establish a storage space for equipment associated with a drilling and rigging company located at 89 Douglas Street, Gracemere.

This incorporated hardstand area within the existing Vehicle Depot to store drilling rigs, containers, storage racks, lifting equipment and bollards associated with the company's drilling and rigging activities offsite.

The applicant has requested an extension to the relevant period for the Development Incentives approval by a further three (3) years.

The extension is sought as the applicant suffered personal health issues which prevented the commencement of the use within the appropriate time.

The Development Incentives Policy requires the development to be finished within three (3) years of the date of approval.

CONCLUSION

It is considered that the applicant could have commissioned works on this expansion within the allowable timeframe and therefore recommend council choose option 2 as outlined below.

The three options available:

Option One

Approve the three (3) year extension to 28 July 2021 to the period in which the development must be completed to obtain Development Incentives.

Option Two

Approve a one (1) year extension to 28 July 2019 to the period in which the development must be completed to obtain Development Incentives.

Option Three

Refuse the request.

**REQUEST FOR EXTENSION TO THE
RELEVANT PERIOD FOR
DEVELOPMENT INCENTIVES
APPLICATION FOR D/75-2015/A FOR A
BULK STORE**

Locality Plan

Meeting Date: 21 August 2018

Attachment No: 1

D/75-2015/A - Locality Plan



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**REQUEST FOR EXTENSION TO THE
RELEVANT PERIOD FOR
DEVELOPMENT INCENTIVES
APPLICATION FOR D/75-2015/A FOR A
BULK STORE**

Applicant's request letter

Meeting Date: 21 August 2018

Attachment No: 2



GSPC

(Gracemere Surveying and Planning Consultants Pty Ltd)
ABN: 40124780445

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Email: jagsarwan@smatchat.net.au

Our Ref: 150714
Council Ref: D/75-2015

13th July 2018

Chief Executive Officer
Rockhampton Regional Council
PO Box 1830
Rockhampton, QLD 4700

Attention: Thomas Gardiner

Dear Sir / Madam,

Re: Seeking extension on Development Incentives Approval for D/75-2015 for a MCU for Bulk Store at 89 Douglas Street, Gracemere- on Lot 68 on RP604012, Parish of Gracemere.

We refer to the abovementioned development permit for Development Incentive Approval on Council Reference D/75-2015 and we hereby humbly seek to extend the relevant period in line with Operational Works extension (D/60-2016) application which is currently with the Council on extension request.

We acknowledge and appreciate Council's approval of this development incentive dated 13th November 2015 if use commences prior to 29th July 2018.

The Applicant during this period went through some very serious personal health issues and was hospitalized for number of months during which it involved few major operations and recovery took almost 18 months. The post recovery after released from hospital also took few months to recuperate back to a healthy level to be productive. The applicant resides in Western Australia and was unable to travel to Gracemere within the approval period and all the works were delayed and needed to be remain on hold until the applicant was able visit the site to provide further instructions. This has put an unforeseen circumstance towards having the all works completely within allowable time frame.

As the applicant is now fully recovered in health wise and is back to normal, he has every intention of completing the remaining of all the works of the proposed development, however, we request Council to consider that the completion may take few years to complete to the Council's Standard and suitable work Standard.

Considering all the information and unforeseen circumstances as described above, we humbly request Rockhampton Regional Council to consider our plight on behalf of the client for an extension for further 3 years of this Development Incentive Approval.

We thank Rockhampton Regional Council for their kind consideration on this matter. Should you have any enquires regarding the above, please do not hesitate to contact our Rockhampton office.

G S P C

Ref: 150714

July 2018

Yours Sincerely


Jagdish Narayan C Dec. JP (qual)

Director, Finance & Administration

BACA, CPA, MBA, FIML

GSPC (Gracemere Surveying And Planning Consultants Pty. Ltd.)

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List of Attachment

1. Landowners Consent Form

8.2 D/117-2017 - INFRASTRUCTURE CHARGES FOR DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (ONE LOT INTO 126 LOTS) (121 RESIDENTIAL LOTS, 2 MANAGEMENT LOTS, 1 ACTIVE OPEN SPACE LOT, 1 LINEAR OPEN SPACE LOT, AND 1 BALANCE LOT)

File No: D/117-2017

Attachments:

1. [Locality Plan](#)
2. [Site Plan](#)

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Acting General Manager Community Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/117-2017

Applicant: Stockland Development Pty Ltd C/O RPS

Real Property Address: 23-27 William Palfrey Road, 923-947 Yaamba Road and 985-1005 Yaamba Road, Parkhurst

Common Property Address: Lot 5 on SP238731, Lot 22 and Lot 23 on SP134380, Lot 49 on SP129857 and Lot 41 on SP226571, Parish of Murchison

Area of Site: 77.36 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Low-Medium Density Residential Zone

Planning Scheme Overlays: Bushfire Hazard Overlay (Medium, High and Very High Hazard)
Creek Catchment Flood Overlay (Planning Area 1 and 2)
Steep Land Overlay (15-20%, 20-25% and 25%+ slope)
Biodiversity Waterways Overlay

Existing Development: Nil

Existing Approvals: D/89-2014 – Earthworks and Landscaping (Ellida Estate – Stages 1, 2 and 3)
D/171-2014 – Road Works, Drainage Works, Stormwater Works, Water Infrastructure and Sewer Infrastructure
Development Application for Reconfiguring a Lot (one lot into 126 lots) (121 residential lots, 2 management lots, 1 active open space lot, 1 linear open space lot, and 1 balance lot)

Level of Assessment: Code Assessable

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

Infrastructure Charges Area: Charge Area 1

OFFICER'S RECOMMENDATION

THAT in relation to the infrastructure charges associated with a Development Permit (D/117-2017) for Reconfiguring a Lot (one lot into 126 lots) (121 residential lots, 2 management lots, 1 active open space lot, 1 linear open space lot and 1 balance lot) made by Stockland Development Pty Ltd C/o RPS, located at 23-27 William Palfrey Road, Parkhurst, described as Lot 5 on SP238731, Lot 22 and Lot 23 on SP134380, Lot 49 on SP129857 and Lot 41 on SP226571, Parish of Murchison, Council resolves to issue an Infrastructure Charges Notice containing the following:

- (a) A total charge of \$2,646,000.00 applicable for the creation of 126 allotments;
- (b) An infrastructure credit of \$4,951,340.31 applicable for the construction of the trunk infrastructure networks conditioned as part of the approval;
- (c) An infrastructure credit of \$21,000.00 applicable for the existing allotment; and
- (d) A refund of \$2,326,340.31 to be paid after five (5) years following the issue of the Survey Plan Approval Certificate for the first stage of the proposed development.

BACKGROUND

On 3 July 2018, Council, under delegated authority approved a Development Permit for a Reconfiguring a Lot (one lot into 126 lots) located at 23-27 William Palfrey Road, Parkhurst. As part of the approval, Council conditioned that the applicant construct several trunk infrastructure networks identified on the Local Government Infrastructure Plan (LGIP). These included the following networks:

- SEW-100 – Ramsay Creek Sewerage Pump Station A
- SEW-101 – 200mm Rising Main (Ramsay Creek Sewerage Pump Station A to Mason Avenue) – 950m
- WAT-45 – 450mm Supply (Yaamba Road to Western Boundary of Lot 5 on SP238731) – 800m
- T-99 – Deviation of William Palfrey Road to join at Olive Street. Build as a Major Urban Collector, with a 40m wide corridor (to cater for future Urban Arterial)
- PCL513 – District Park
- PCL514 – Regional Community Facility.

The applicant has requested that Council apply an offset or refund for the value of trunk infrastructure which is planned for the subject site. The applicant has stated that the proposal is considered to meet the desired standards of service for these networks to be classified as trunk infrastructure and has subsequently sought any applicable credits for the cost of these works. Under section 121 of the *Planning Act 2016*, an Infrastructure Charges Notice must outline any information about an offset or refund, including when the refund will be given. The cost of trunk infrastructure, which has been conditioned as part of the approval, must be offset against any infrastructure charge levied.

Where the relevant infrastructure and its associated establishment costs have been identified in the LGIP, this is the default establishment cost of the infrastructure. This is outlined in the Schedule of Works in the *Rockhampton Region Planning Scheme 2015*. Subsequently, where Council has conditioned the applicant to provide trunk infrastructure, an offset or refund for the establishment cost, consistent with the establishment cost in the LGIP must be included in the corresponding ICN.

PLANNING ASSESSMENT**INFRASTRUCTURE CHARGES**

Adopted Infrastructure Charges Resolution (No. 5) 2015 for Reconfiguring a Lot applies to the application and it falls within Charge Area 1. The Infrastructure Charges are as follows:

Column 1 Charge Area	Column 2 Infrastructure Charge (\$/lot)	Column 3 Unit	Calculated Charge
Charge Area 1	21,000	per lot	\$2,646,000.00
Total			\$2,646,000.00
Less credit			\$4,972,340.31
TOTAL CHARGE			\$-2,326,340.31

This is based on the following calculations:

- (a) A charge of \$2,646,000.00 for 126 lots (\$21,000 x 126 lots);
- (b) An infrastructure credit of \$4,951,340.31 comprising the following:
- (i) SEW-100 - \$463,561.00 for the construction of the Ramsay Creek Sewerage Pump Station A;
 - (ii) SEW-101 - \$522,278.00 for the construction of a 200mm Rising Main, 950 metres in length;
 - (iii) WAT-45 - \$238,991.00 for the construction of a 450mm supply, 400 metres in length;
 - (iv) T- 99 - \$1,855,214.00 for the deviation of William Palfrey Road to join at Olive Street, 284 metres in length;
 - (v) PCL513 - \$1,604,437.12 for the construction of the District Park which is based on the following:
 - i. \$616,000.00 for the land value which is considered useable (5,600m²) and calculated at a rate of \$110 / m²; and
 - ii. \$876,000.00 for the embellishments associated with a District Park.

Note: Tennis courts and Basketball Courts are not included in this calculation.
 - (vi) PCL514 - \$266,859.19 for the land value as outlined in the current Schedule of Works; and
- (c) An infrastructure credit of \$21,000.00 applicable for the existing allotment.

The refund will be payable after five (5) years following the issue of the Survey Plan Approval Certificate for the first stage of the proposed development.

Table 1: Value of trunk infrastructure for sewerage, water and transport networks

Item	Description	Cost identified in the LGIP SOW (2012)	Length identified in the LGIP SOW	Length for Stages 1 to 3	Cost for Stages 1 to 3	PPI of costs to 2018
SEW-100	Ramsay Creek Sewerage Pump Station A	\$431,075.00	Not applicable	Not applicable	\$431,075.00	\$463,561.00
SEW-101	200mm Rising Main (Ramsay Creek Sewerage Pump Station A to Mason Avenue) – 950m	\$485,677.00	950m	950m	\$485,677.00	\$522,278.00
WAT-45	450mm Supply (Yaamba Road to Western Boundary of Lot 5 on SP238731) – 800m	\$444,486.00	800m	400m	\$222,243.00	\$238,991.00
T-99	Deviation of William Palfrey Road to join at Olive Street. Build as Major Urban Collector, with a 40m wide corridor (to cater for future Urban Arterial).	\$3,292,465.00	542m	284m	\$1,725,203.00	\$1,855,214.00

Table 2: Value of trunk infrastructure networks for open space networks

Item	Description	Cost identified in the LGIP SOW (2012)	Land value	Embellishments	Cost for Stages 1 to 3	PPI of costs to 2018
PCL513	District Park (Land and Embellishments)	\$3,143,006.00	\$616,000.00	\$876,000.00	\$1,492,000.00	\$1,604,437.12
PCL514	Regional Community Facility (Land)	\$248,158.00	\$248,158.00	Not applicable	\$248,158.00	\$266,859.19

CONCLUSION

The applicant has requested that Council apply an offset or refund for the value of trunk infrastructure which is planned for the subject site. The applicant has stated that the proposal is considered to meet the desired standards of service for these networks to be classified as trunk infrastructure and has subsequently sought any applicable credits for the cost of these works. Under section 121 of the *Planning Act 2016*, an Infrastructure Charges Notice must outline any information about an offset or refund, including when the refund will be given. The cost of trunk infrastructure, which has been conditioned as part of the approval, must be offset against any infrastructure charge levied.

**D/117-2017 - INFRASTRUCTURE
CHARGES FOR DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(ONE LOT INTO 126 LOTS) (121
RESIDENTIAL LOTS, 2 MANAGEMENT
LOTS, 1 ACTIVE OPEN SPACE LOT, 1
LINEAR OPEN SPACE LOT, AND 1
BALANCE LOT)**

Locality Plan

Meeting Date: 21 August 2018

Attachment No: 1

D/117-2017 - Locality Plan



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**D/117-2017 - INFRASTRUCTURE
CHARGES FOR DEVELOPMENT
PERMIT FOR RECONFIGURING A LOT
(ONE LOT INTO 126 LOTS) (121
RESIDENTIAL LOTS, 2 MANAGEMENT
LOTS, 1 ACTIVE OPEN SPACE LOT, 1
LINEAR OPEN SPACE LOT, AND 1
BALANCE LOT)**

Site Plan

Meeting Date: 21 August 2018

Attachment No: 2

8.3 D/90-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HOUSE

File No: D/90-2015

Attachments:

1. [Locality Plan](#)
2. [Proposed Site Plan](#)

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Acting General Manager Community Services

Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/90-2015

Applicant: St Luke's Healing Foundation

Real Property Address: Lot 153 on RP866052, Parish of Archer

Common Property Address: 342-350 Holt Street, Frenchville

Area of Site: 12.11 Hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Berserker Foothills Residential Area and Berserker Range Environmental Protection Area

Planning Scheme Overlays: Airport Height Limitations; Remnant Vegetation; Steep Land; and Bushfire Hazard

Existing Development: Vacant Land

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a House (assessed under the superseded planning scheme)

Level of Assessment: Impact Assessable

Submissions: Thirty-nine (39) submissions received

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area 3

OFFICER'S RECOMMENDATION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a House, made by Beal Building Design on behalf of St Luke's Healing Foundation, on land described as Lot 153 on RP866052, Parish of Archer, located at 342-350 Holt Street, Frenchville, 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 issue of the Certificate of Classification for the Building Works, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the issue of the Certificate of Classification for the Building Works, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.5.1 Operational Works:
- (i) Access Works;
- (ii) Stormwater Works;
- (iii) Roof and Allotment Drainage; and
- (iv) Site Works.
- 1.5.2 Plumbing and Drainage Works
- 1.5.3 Building Works
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Bushfire Assessment and Management Plan	QEJ16019 Rev 1	18 June 2018
Layout & Details	0731415-01 Rev F	26 June 2018
Longsection	0731415-02 Rev F	26 June 2018
Cross Sections 1	0731415-03 Rev F	26 June 2018
Cross Sections 2	0731415-04 Rev F	26 June 2018
Proposed Site Plan	1402-01 DA1.1	3 July 2018
Slope Stability Assessment	16064-001-Rev 0	1 April 2016
Stormwater Management Plan	Revision B	2 September 2016

- 2.2 Where there is any conflict between the conditions of this development approval and the

details shown on the approved plans and documents, the conditions of this development approval must prevail.

- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works/Building Works.

3.0 ACCESS WORKS

- 3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the development site.
- 3.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access works).
- 3.3 Suitable guardrails must be installed along the downslope side of the proposed access as per the requirements of Austroads. Details of the guardrails must be submitted with the Operational Works application.
- 3.4 The access must be privately owned and maintained by the owner of Lot 153 on RP866052.
- 3.5 All 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 works).
- 3.6 All vehicles must ingress and egress the development in a forward gear.

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.2 The development must be connected to Council's reticulated sewerage and water networks. The owner must enter into a special water supply and sewerage arrangement for the provision of these services.
- 4.3 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. This may include on-site storage tanks and associated pumping equipment.
- 4.4 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.
- 4.5 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.

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 required by this development approval.
- 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 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.

5.4 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by an amended Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland. The amended Stormwater Management Plan must clearly demonstrate that:

5.4.1 all content of the stormwater management plan is in accordance with the *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, stormwater management design objectives in *State Planning Policy 2014* and sound engineering practice;

5.4.2 the Stormwater discharge is to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual*;

5.4.3 it includes detailed engineering plans with details of any new drainage systems, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.

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 development site.

6.2 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).

6.3 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.

7.0 SITE WORKS

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

7.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:

7.2.1 the location of cut and/or fill;

7.2.2 the type of fill to be used and the manner in which it is to be compacted;

7.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;

7.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and

7.2.5 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.

7.3 Cut and fill of the subject allotment must only be undertaken in areas where site-specific slope stability assessments have been carried out by a *Registered Professional Engineer of Queensland* experienced in Geotechnical investigations. In this regard, any works must comply with the recommendations of the site-specific assessments as approved by Council.

7.4 Cut and fill of the subject allotment must be undertaken in accordance with the recommendations of the *Slope Stability Report* (refer to condition 2.1).

7.5 Slope stability must be managed as follows:

7.5.1 all engineering drawings/specifications and designs must be in accordance with the requirements of the relevant *Australian Standard AS3798 "Guidelines on*

- earthworks for commercial and residential developments*” and must be approved by a Registered Professional Engineer of Queensland;
- 7.5.2 site inspections must be undertaken by a Registered Professional Engineer of Queensland to confirm the design; and
- 7.5.3 full engineering certification must be undertaken by a Registered Professional Engineer of Queensland.
- 7.6 All earthworks must be undertaken in accordance with *Australian Standard AS3798 “Guidelines on earthworks for commercial and residential developments”*.
- 7.7 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 7.8 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works that are the subject of the Development Permit.
- 7.9 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes to Council’s satisfaction, or in accordance with the approved landscaping plan; or
 - (ii) removed for disposal at a location approved by Council, within sixty (60) days of clearing. Any vegetation removed must not be burnt.
- 8.0 **BUILDING WORKS**
- 8.1 The House must be constructed in accordance with *Australian Standard AS3959 “Construction of buildings in bushfire-prone areas”* and the approved Bushfire Assessment and Management Plan (refer to condition 2.1).
- 9.0 **GEOTECHNICAL**
- 9.1 All construction works must be designed and completed in accordance with the recommendations in the Slope Stability Assessment report (refer to condition 2.1).
- 9.2 Slope stability must be managed as follows:
- 9.2.1 all engineering drawings/specifications and designs must be in accordance with the requirements of relevant *Australian Standards* and must be approved by a Registered Professional Engineer of Queensland;
 - 9.2.2 site inspections must be undertaken by a Registered Professional Engineer of Queensland to confirm the design; and
 - 9.2.3 full engineering certification must be undertaken by a Registered Professional Engineer of Queensland.
- 10.0 **ELECTRICITY**
- 10.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 11.0 **TELECOMMUNICATIONS**
- 11.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.
- 12.0 **ASSET MANAGEMENT**
- 12.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the

development, must be undertaken and completed at no cost to Council.

12.2 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.

12.3 '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)*.

13.0 ENVIRONMENTAL

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

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

for the construction and post-construction phases of work.

13.2 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.

13.3 The development must be undertaken in accordance with the recommendations in the approved Bushfire Hazard Assessment and Management Plan (refer to condition 2.1).

13.4 An Environmental Management Plan must be prepared and submitted with the submission of the first application for a Development Permit for Operational Works / prior to the commencement of any works on the development site. The Environmental Management Plan must be supported by an Ecological Report, identifying all ecologically attributes and values of the site in addition to the potential impacts (with the necessary mitigation and rehabilitation measures) as set out in *Planning Scheme Policy No. 1 Preparation of Ecological Assessment Report and Environmental Management Plans* in the *Rockhampton City Plan 2005*.

14.0 OPERATING PROCEDURES

14.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Woodland Drive.

- 14.2 The owner or occupier must place Council's standard 240 litre wheelie bins at the end of Woodland Drive for collection.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Infrastructure Charges Notice

Council has resolved not to issue an Infrastructure Charges Notice for this development because the new infrastructure charges arising from the development are less than the credits applicable for the new development.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a House, made by Beal Building Design on behalf of St Luke's Healing Foundation, on land described as Lot 153 on RP866052, Parish of Archer, located at 342-350 Holt Street, Frenchville, Council resolves not to issue an Infrastructure Charges Notice.

BACKGROUND

On 18 October 2016, the Development Application D/90-2015 for a Material Change of Use for a House over land located at 342-350 Holt Street, Frenchville, formally described as Lot 153 on RP866052 was presented at the Planning and Regulatory Committee meeting with a recommendation for refusal. The Applicant requested that an extension be provided to allow them additional time to address outstanding issues. Council approved this request on 25 October 2016 at the Ordinary Council meeting. A further Bushfire Hazard Assessment and Stormwater Management Report were provided on 28 October 2016. The outstanding issues in relation to the Bushfire Hazard Assessment and access were not addressed and another report was provided to Council on 8 May 2018. The application had still not addressed the access issues and was presented to Planning and Regulatory Committee with a recommendation for refusal. The Applicant requested another extension be provided to allow them additional time to address the access issues. Council approved this request on 10 July 2018 at the Ordinary Council meeting. A revised access design and updated plans were provided on 12 July 2018.

PROPOSAL IN DETAIL

The proposed development is for the construction of a new four-bedroom, two-bathroom house, including an ancillary shed, located on the northwestern portion of a vacant 12 hectare property at 342-350 Holt Street, Frenchville. Access to the site will be obtained from

Woodland Drive via a new access road, to be constructed along the unconstructed Holt Street road reserve.

SITE AND LOCALITY

The subject site is located on the hillside of the Berserker Ranges within Frenchville, east of the existing urban footprint and contains a double zoning namely Berserker Foothills Residential Area and Berserker Range Environmental Protection Area. The site is undeveloped and contains steep slopes, with majority of the site sloping towards the southwest and west. The site contains densely vegetated native trees and shrubs.

Legal access to the site is obtained from Holt Street, which is currently an unconstructed road reserve, connecting onto Woodland Drive. Although the site is located outside of the Priority Infrastructure Area, the site can connect to Council's reticulated water and sewer via an existing easement within a neighbouring property on Neil Street.

PLANNING ASSESSMENT

MATTERS FOR CONSIDERATION

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the Integrated Development Assessment System provisions of the *Sustainable Planning Act 2009*, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Development Engineering Comments – 30 July 2018

Support, subject to conditions.

Public and Environmental Health Comments – 28 October 2015

Support, subject to conditions.

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 2014

This policy came into effect on 2 December 2013 (amended in July 2014) and replaced all former State Planning Policies. This policy requires development applications to be assessed against its requirements until the identified state interests have been appropriately reflected in the local planning scheme.

Liveable communities

Not Applicable. The development complies with the requirements in the State Planning Policy.

Mining and extractive resources

Not Applicable. The development is not near or affected by mining or extractive resources.

Biodiversity

Complies. The subject site is covered by remnant vegetation (Category B) as per Department of Natural Resources and Mines mapping. The potential impact onto the biodiversity is adequately reflected within the Biodiversity / Nature Conservation Code of the *Rockhampton City Plan 2005*.

Coastal environment

Not Applicable. The development does not relate to a coastal management area.

Water quality

Not Applicable. The application does not affect receiving waters or the water supply in South East Queensland.

Natural hazard, risk and resilience

Complies. The subject site is constrained by steep land and high bushfire hazard. The potential impact of developing land constrained by natural hazards (like steep land and bushfire) is adequately reflected within the Steep or Unstable Land Code and Bushfire Risk Minimisation Code of the *Rockhampton City Plan 2005*.

Emissions and hazardous activities

Not Applicable. The development is not affected by a hazardous activity as it is within a residential and environmental protection area.

State transport infrastructure

Not Applicable. The development does not have any impacts on State transport infrastructure.

Strategic airports and aviation facilities

Not Applicable. The single storey development does not affect a strategic airport.

Rockhampton City Plan 2005**Berserker Foothills Residential Area Intent**

The subject site is situated within the Berserker Foothills Residential Area and Berserker Range Environmental Protection Area under the *Rockhampton City Plan 2005*. The intent of the Berserker Foothills Residential Area and Berserker Range Environmental Protection Area identifies that:

“It is intended that the Area continue to develop as a Residential Area with primarily houses and compatible community uses. ...All development in the Area will be effected by the following constraints:

- The visual impact of development on the Berserker Ranges;*
- The steepness of the land;*
- The retention of native vegetation which is important to the landscape character of the Area;*
- Localised flooding associated with Moores and Frenchmans Creek, and the ecological values associated with the Creeks and their banks;*
- The bushfire risk in the adjoining Berserker Range Environmental Protection Planning Area and therefore, the ability to manage wildfire hazard to dwellings and other key infrastructure; and*
- Feral and native animals in the Area and in the adjoining Berserker Range Environmental Protection Area.*

It is intended to preserve the visual, ecological, and landscape character values in this Area and in the adjoining Berserker Range Environmental Protection Area, consequently, additional allotments will only be consistent with the intent for the Area where they contain slopes less than 25%.”

Berserker Range Environmental Protection Area Intent

“It is intended to preserve the visual, ecological, and landscape character values associated with this Area. To this end, it is intended that only a

limited range of new development will occur in this Area. As its title suggests, this Area is of significance to the City and also the region, consequently, new development will be restricted to ensure the preservation of:

- The landform as a visually prominent and sparsely settled part of the City;*
- The ecological values of the Area and the City;*
- Mount Archer and the Berserker Ranges as a landscape backdrop to Rockhampton;*
- The Area as an attraction and resource for residents and visitors for its natural values;*
- The land's slopes and the stability of those slopes; and*
- The water quality of many of Rockhampton's Creeks;*

Additional houses across the whole of the Area, excluding Precinct 1, to what existed on the Commencement Day are also inconsistent with the intent for this Area. Where an allotment is partly located in this Area and partly in any other Area (except the Yeppoon Road Corridor Environmental Protection Area) it is intended that any house be located in the part of the allotment, where reasonably and practicably possible, not in the Environmental Protection Area. The only exceptions to this, where a new house can occur on land located in an Environmental Protection Area, are;

- (a) where there was an existing house and it is to be replaced by a new house in the same location as, or immediately adjacent to, the original house location; or*
- (b) where the site is wholly located in this Area and;*
 - (i) has an area of at least 5 hectares; and*
 - (ii) there is no existing house on the site; and*
 - (iii) the house is located in a part of the site that is reasonably and practicably accessible by a standard 2WD motor vehicle; and*
 - (iv) the house is located where it will have no measurable impact on the environmental and visual values of the Area sought to be protected and avoiding constraints such as bushfire risk, slope instability and the like.*
- (c) where the site is partly located in this Area and another Area (excluding the Yeppoon Road Corridor Environmental Protection Area) and the site has never been used to accommodate a house and the house cannot be reasonably and practicably located on a part of the site outside of this Area; it is located on the site in accordance with clause (b)(iii) and (iv) immediately above.*

All new development in the Area will, therefore, need to demonstrate that:

- The important City wide visual qualities associated with the foothills of the Berserker Ranges and Mount Archer are not compromised;*
- Ecological values, including those associated with the Creeks and their banks, and landscape character in the Area is not adversely compromised;*
- Properties will not be subject to flooding from the Creeks;*
- Slope stability is not adversely impacted;*
- Bushfire risk in the Area can be managed;*
- Allotments can be adequately serviced with water and sewerage services;*
- Safe and accessible access can be provided to allotments; and*
- Fauna friendly fencing is provided along property boundaries.*

Development intensity will, therefore, be determined by:

- *The visual impact of the proposed building/s, including colour and building design, on the view shed towards the Berserker Ranges and Mount Archer;*
- *The retention of significant and remnant vegetation, particularly native vegetation;*
- *The stability of the slopes and the potential exposure to instability;*
- *The retention and protection of the creeks and their banks;*
- *The measures proposed to protect properties from localised flooding;*
- *The measures proposed to manage bushfire risk and feral and native animals;*
and
- *The location and proposed treatments to minimise the visual impact of access points.”*

The application is generally consistent with the intent of the Area. The site is over five (5) hectares and the House will be sited to have the least impact upon environmental and visual values of the Area. A practical driveway accessible by two wheel drive vehicles has been engineered to a Building Location Envelope that is able to accommodate a house and will also be in accordance with the recommendations in the Bushfire Assessment and Management Plan that accompanied the application.

Rockhampton City Plan Codes

The following codes are applicable to this application:

- House Code;
- Biodiversity and Nature Conservation Code;
- Bushfire Risk Minimisation Code;
- Crime Prevention Through Environmental Design Code;
- Landscape Code;
- Parking and Access Code;
- Restricted Premises Code;
- Steep or Unstable Land Code; and
- Water Quality and Quantity Code.

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

Biodiversity / Nature Conservation Code	
Performance Criteria	Officer’s Response
P1 Development maintains, enhances or contributes to the existence of viable and functional; (a) networks of ecological corridors; and (b) significant habitats.	The proposed building location envelope will be located on the north-western corner of the site, which will require clearing of native vegetation. Although it was claimed that the building location envelope does not contain any endangered or vulnerable plant species, additional approvals for clearing might be required in accordance with the <i>Nature Conservation Act 1992</i> . An Environmental Management Plan in accordance with <i>Planning Scheme Policy No. 1 – Preparation of Ecological Assessment Reports and Environmental Management Plans</i> will be required,

		demonstrating potential impacts and measures to be implemented.
Bushfire Risk Minimisation Code		
Performance Criteria		Officer's Response
P11	Development that materially intensifies the use of high bushfire hazard areas incorporates effective siting, design and management measures to minimise bushfire hazard.	A site-specific Bushfire Hazard Assessment and Management Plan has been provided. The management and mitigation measures within the Bushfire Hazard Assessment and Management Plan will ensure that the risk of Bushfire is reduced to an acceptable level.

Planning Scheme Policies

Policy	Officer's Response
PSP 12 Assessment of Bushfire Hazard and Preparation of Bushfire Management Plans	The application was supported by a Bushfire Hazard Assessment and Management Plan, which addressed the bushfire risks and recommended appropriate means to minimise risk and prevent loss of life and property.

INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 5) 2015 for residential development applies to the application and it falls within Charge Area 3. The Infrastructure Charges are as follows:

Column 1 Use Schedule	Column 2 Charge Area	Column 3 Adopted Infrastructure Charge for residential development (\$/dwelling unit)		Column 4 Unit	Calculated Charge
		1 or 2 bedroom dwelling	3 or more bedroom dwelling		
Residential	Area 3	5,000	7,000	per dwelling	\$7,000.00
Total					\$7,000.00
Less credit					\$7,000.00
TOTAL CHARGE					\$0.00

This is based on the following calculations:

- (a) A charge of \$7,000.00 for a house consisting of more than three-bedrooms; and
- (b) An Infrastructure Credit of \$7,000.00 is applicable for the existing vacant allotment.

Therefore, no charge will be applicable and an Infrastructure Charges Notice will not be required.

CONSULTATION

The proposal was the subject of public notification between 22 April 2016 and 18 May 2016, as per the requirements of the *Sustainable Planning Act 2009*, and thirty-seven (37) properly made submissions and two (2) not properly made submissions were received.

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

Issue	Officer's Response
The proposal is inconsistent to the zoning and intent.	The proposal for a house will be located over both zonings, being the Berserker Foothills Residential Area and the Berserker Range Environmental Protection Area, and is affected by multiple constraints. A house within both zones can be considered to be consistent subject to demonstrating that there will be no measurable impacts on the environmental and visual values of the area, including avoiding constraints like bushfire risk, slope instability and the like.
The site is constrained by extreme bushfire hazard.	A site-specific Bushfire Hazard Assessment and Management Plan was provided. The application has demonstrated compliance with the Bushfire Risk Minimisation Code. In addition, the development has been conditioned to be undertaken in accordance with the recommendations in the Bushfire Hazard Assessment and Management Plan.
The subject site does not have adequate access, specifically for a two-wheel-drive (2WD) vehicle.	Access to the proposed dwelling will be provided via a private driveway to be constructed within the Holt Street road reserve from the end of Woodland Drive. The driveway will be sealed with longitudinal grades not exceeding 16 per cent in accordance with the <i>Capricorn Municipal Development Guidelines</i> .
Stormwater drainage will impact the natural flow and impact on the houses below.	A 'Stormwater Management Report' has been submitted in response to council's information request which gives design of two cross drainage structures at two natural gullies. It was demonstrated that there will be no worsening to the downstream properties.
The proposed development will negatively impact onto the natural environment and loss of valuable native flora and fauna.	The proposed building location envelope will require clearing of native vegetation. In this instance, clearing of remnant vegetation can still be allowed subject to approvals in accordance with the <i>Nature Conservation Act 1992</i> .

Issue	Officer's Response
<p>There is a concern that the new house will be used for assisting troubled youths by providing relief and caring facilities for the under privileged. This in turn could have security and safety impacts and concerns to the neighbourhood.</p>	<p>The proposed development applied for a House only. No other use has been considered or formed part of this assessment. Please note, the definition for a House in the <i>Rockhampton City Plan 2005</i> is:</p> <p><i>“A single dwelling unit on a site that is not a small lot used principally for residential occupation by a family or individuals in a domestic manner, including outbuildings ancillary to the occupation of the dwelling unit, and includes:</i></p> <ul style="list-style-type: none"> <i>(a) the keeping of domestic pets;</i> <i>(b) domestic horticulture;</i> <i>(c) the caring of children in accordance with Family Day Care or Independent Home-Based Care as defined in the Child Care Act 2002; and</i> <i>(d) a Relatives Apartment as defined in the House Code but excludes any premises, which, by the characteristics of the use is another form of residential use.”</i> <p>Therefore, from a Planning perspective, Council will have no control on how a family operates / is structured, in the sense of containing any adopted / fostered children etc. It will only become a Planning concern / issue should the use be defined as something other than a House, for example, a Special Needs Accommodation or a Community Facility (which is separately defined within the planning scheme).</p>

REFERRALS

There were no Referral Agencies applicable for this application.

CONCLUSION

The proposed use is consistent with the intent of the Berserker Foothills Residential Area and the Berserker Range Environmental Protection Area and generally complies with the provisions included in the applicable codes. The proposal is, therefore, recommended for approval in accordance with the approved plans and subject to the specific conditions outlined in the Recommendation.

**D/90-2015 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A HOUSE**

Locality Plan

Meeting Date: 21 August 2018

Attachment No: 1

D/90-2015 - Locality Plan



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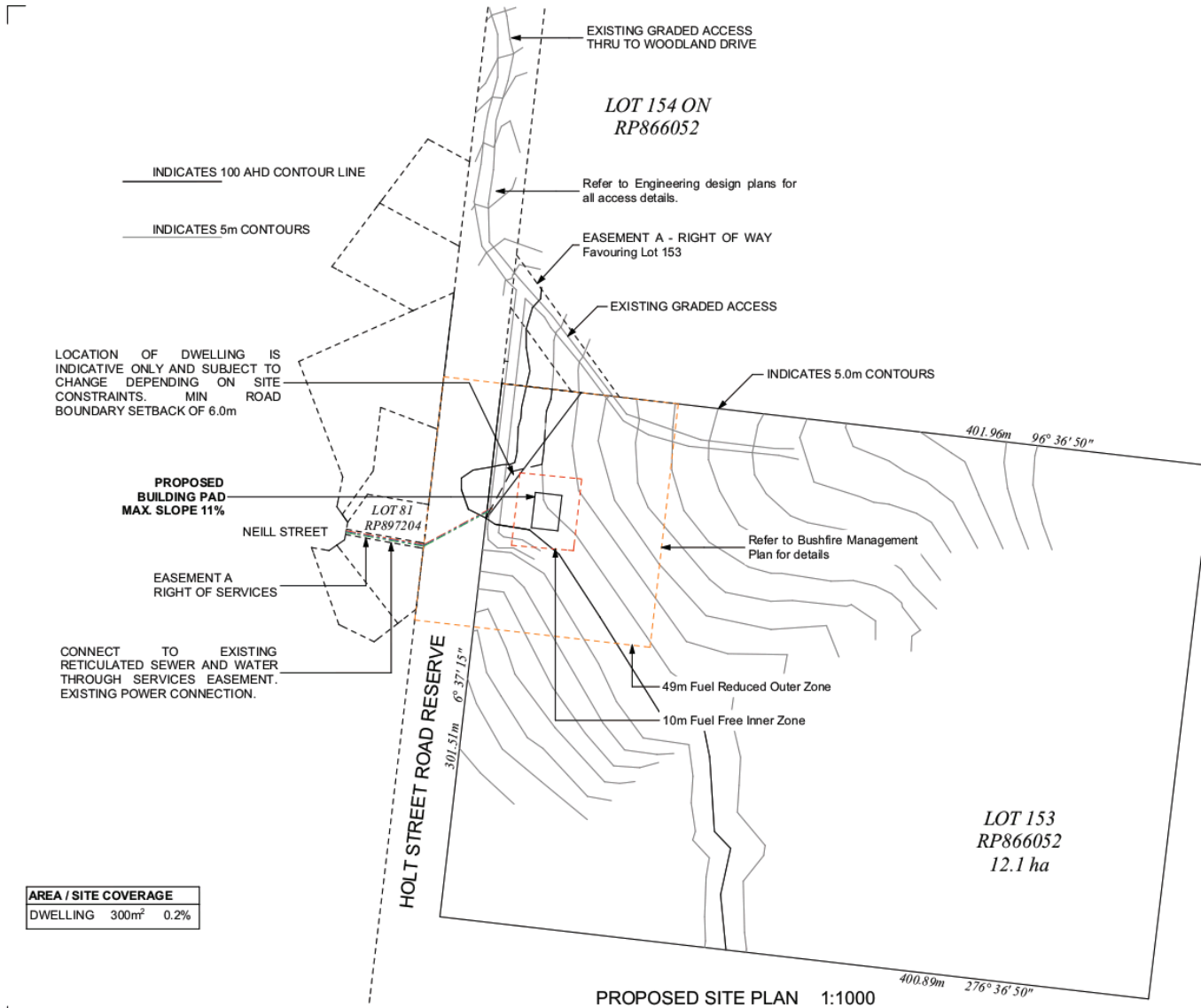


**D/90-2015 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A HOUSE**

Proposed Site Plan

Meeting Date: 21 August 2018

Attachment No: 2



AREA / SITE COVERAGE	
DWELLING	300m ² 0.2%

A1 DRAWING
NOTED SCALES RELATE TO A1 DRAWINGS

RPD DETAILS
LOT 153 ON RP866052
- SITE AREA: 12.1 ha (121,000m²)



BAEL
BUILDING DESIGN

PO BOX 6267
RED HILL ROCKHAMPTON Q 4701
M: 0438 166 530
E: baebuildingdesign@bigpond.com
BSA Licence: #1190384
BDAG Member: #0001235

The Builder shall check and verify all dimensions. All errors and omissions must be verified with the Designer. Do not scale from the drawings. Drawings shall not be used for construction purposes unless issued by the Designer For Construction.

Client:
ST. LUKE'S HEALING FOUNDATION

Project Name:
NEW DWELLING

Project Address:
342-350 HOLT STREET, FRENCHVILLE

Drawing Title:
PROPOSED SITE PLAN

State: DA/ISSUE	Project No: 1402-01
Scale: as shown at A1	Issue No.:
Date:	DA1.1
Sheet Number: 1 of 1	
Drawn: RJD	

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8.4 D/91-2017/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/91-2017 FOR A MATERIAL CHANGE OF USE FOR AN OFFICE

File No: D/91-2017/A

Attachments: 1. [Locality Plan](#)
2. [Site Plan](#)

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Acting General Manager Community Services

Author: Amy Johnson - Acting Planning Officer

SUMMARY

Development Application Number: D/91-2017/A

Applicant: DR Moore Construction Pty Ltd

Real Property Address: Lot 1 on RP602561, Parish of Rockhampton

Common Property Address: 248 George Street, Rockhampton City

Planning Scheme Zone: Low Density Residential Zone

Type of Approval: Development Permit for a Material Change of Use for an Office

Date of Decision: 22 November 2017

Application Lodgement Fee: \$2,561.00

Infrastructure Charges: \$3,193.12

Infrastructure charges incentive: All other areas - 50%
Eg. Precinct 2 unchanged GFA – 50%
Amount of discount - \$1,596.56

Incentives sought: Refund of Development Application Fees
50% discount on Infrastructure Charges

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for Development Permit for a Material Change of Use for an Office, situated at 248 George Street, Rockhampton City, described as Lot 1 on RP602561, Parish of Rockhampton. Council resolves to Approve the following incentives if the use commences prior to 22 November 2020:

- a) A 50% percent reduction of infrastructure charges to the amount of \$1,596.56;
- b) A refund of the development application fee of \$2,561.00; 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 converting a former industrial building at 248 George Street, Rockhampton into an office. The applicant will use the office as a place from which to carry on their existing construction business.

New jobs and investment:

The applicant projects the new premises will result in an additional turnover of \$1 million with two (2) extra employees in Year 1, \$2 million and three (3) extra employees in Year 2 and \$4 million and five (5) extra employees in Year 3. The building conversion is expected to cost \$300,000.

Benefits of project for applicant's business:

This project will enable the applicant to progress from being a home-based business to a new commercial premise.

Benefits of project to Rockhampton Regional economy:

The cost of the building conversion is expected to cost \$300,000. Many of the goods and services will be supplied by local suppliers and sub-contractors.

PLANNING ASSESSMENT**COMMENTS FROM RELEVANT UNITS****Economic Development Unit's Comments – 6 August 2018**

Support, subject to conditions / 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/91-2017/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/91-2017 FOR A MATERIAL CHANGE
OF USE FOR AN OFFICE**

Locality Plan

Meeting Date: 21 August 2018

Attachment No: 1

D/91-2017 - Locality Plan



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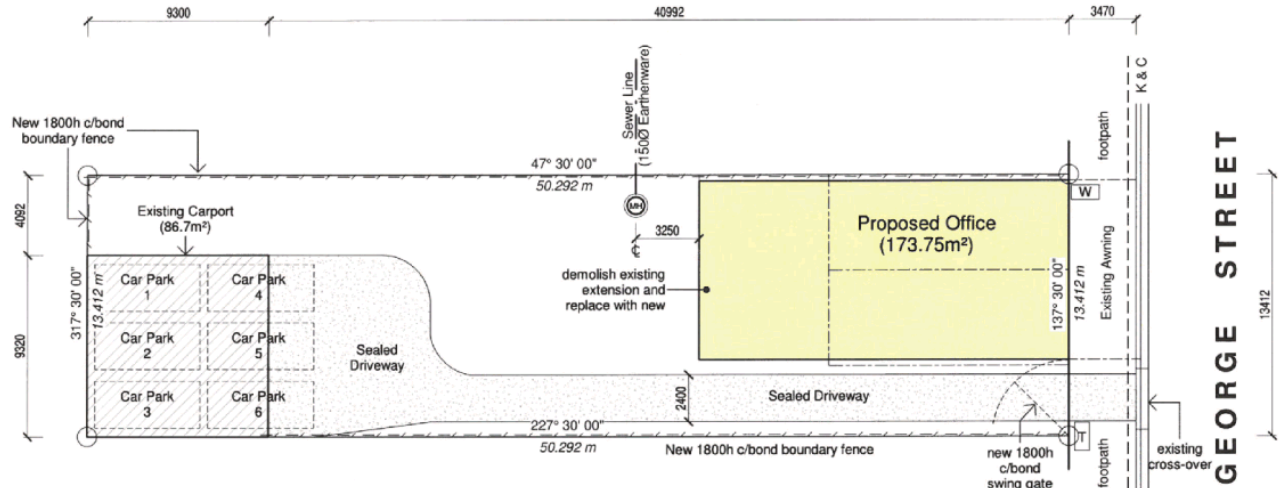


**D/91-2017/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/91-2017 FOR A MATERIAL CHANGE
OF USE FOR AN OFFICE**

Site Plan

Meeting Date: 21 August 2018

Attachment No: 2



1 Proposed Office
1 : 200

ROCKHAMPTON REGIONAL COUNCIL
 These plans are approved subject to the current conditions of approval associated with Development Permit No. D/91-2017
 Dated 22-11-2017

R.P.D.
 Lot Number : 1
 Reg./Survey Plan Number : RP602561
 Parish : Rockhampton
 County : Livingstone
 Area : 675.0m²

No.	REVISION Description	Date
01	Preliminary Plan	28.07.17

Ian Vaughan
Building Designer
 QBCC Licence No. - 15007590
 Email - vaughanbuildingdesign@gmail.com
 Phone - 0407 132 964

Proposed Office
 For DR Moore Constructions Pty Ltd
 At 248 George Street,
 Rockhampton

Drawn By: ILV	Project Number: 17025
Checked By:	SHEET 02 OF 02 SHEETS
A3 Wind Speed C1	

PRINT DATE : 30/07/2017 6:04:04 PM

8.5 D/41-2018 - DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS FOR AN ADVERTISING DEVICE (BILLBOARD SIGN)

File No: D/41-2018

Attachments:

1. [Locality Plan](#)
2. [Site Plan](#)
3. [3D Images](#)

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Acting General Manager Community Services

Author: Amy Johnson - Acting Planning Officer

SUMMARY

Development Application Number: D/41-2018

Applicant: Matzin Capital Pty Ltd C/- Jensen Bowers Group Consultants Pty Ltd

Real Property Address: Lots 0, 1 and 2 on BUP100002, Parish of Rockhampton

Common Property Address: 102, 1/102 and 2/102 Denham Street, Rockhampton City

Area of Site: 696 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Specialised Centre Zone

Planning Scheme Overlays: None Applicable

Existing Development: Two (2) office units

Existing Approvals: Various building approvals

Approval Sought: Development Permit for Operational Works for an Advertising Device (billboard sign)

Level of Assessment: Code Assessable

Referral Agency(s): None Applicable

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	4 May 2018
<i>Request for Further Information sent:</i>	21 May 2018
<i>Request for Further Information responded to:</i>	24 July 2018
<i>Last receipt of information from applicant:</i>	24 July 2018
<i>Statutory due determination date:</i>	7 September 2018

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for Operational Works for an Advertising Device (Billboard Sign), made by Matzin Capital Pty Ltd C/- Jensen Bowers Group Consultants Pty Ltd, on land located at 102, 1/102 and 2/102 Denham Street, Rockhampton

City, described as Lots 0-2 on BUP100002, 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 of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.4.1 Building Works.
- 1.5 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.

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>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/Issue</u>
Site Plan	Espin Capital Pty Ltd	2 July 2018	S1 of 2	Rev 3
Site and Plan View	Espin Capital Pty Ltd	2 July 2018	S2 of 2	Rev 3
Traffic Engineering Assessment	Pekol Traffic & Transport	19 July 2018	18-403	Version 2
Material Selection	Maarch*	13 July 2018	18021	-

- 2.2 A set of the above approved plans are returned to you as the Consultant. The Consultant is to supply one (1) Approved set to the contractor to be retained on site at all times during construction.
- 2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.4 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 Building Works.
- 2.5 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

3.0 OPERATING PROCEDURES

- 3.1 All text and images displayed on the billboard must be static, not imitate a traffic control device or include traffic instructions (for example 'stop'), and not involve moving parts or flashing lights.
- 3.2 Any lighting devices associated with the signage, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents or motorists. Night lighting must be designed, constructed and operated in

accordance with 'Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting'.

4.0 DIGITAL SCREEN DISPLAY FEATURES

- 4.1 The digital display screen of the Advertising Device must incorporate an automatic error detection system which will turn off the screen display or display a blank screen should the Advertising Device malfunction.
- 4.2 The Advertising Device display screen must incorporate a minimum of two (2) automated ambient light sensors capable of supporting a minimum of five (5) levels of stepped dimming to ensure display screen luminance can adjust automatically in response to surrounding ambient light conditions from dark of night to fully sunlit conditions.
- 4.3 The Advertising Device display screen must provide for on-site, operation, configuration and diagnosis of the screen display.
- 4.4 Messages must remain static for a minimum dwell time of 10 seconds and are not to scroll across the screen or incorporate flashing, blinking, revolving, pulsating, high contrast or rotating effects animation.
- 4.5 Each change of advertisement is to be completed instantaneously (i.e. within 0.1 of a second).

5.0 DIGITAL SCREEN ADVERTISEMENTS AND MOVEMENT

- 5.1 The Advertising Device display screen must not be split to display multiple advertisements on the one display screen.
- 5.2 Advertisements must not display text, photographs or symbols depicting, mimicking or that could be reasonably interpreted as a traffic control device.
- 5.3 Advertisements must not invite traffic to move contrary to any traffic control device, or turn where there is fast moving traffic.
- 5.4 Advertisements must only promote a single, self-contained advertising message that is clear, succinct, legible and easily understood at a glance. The use of text components in a sequential manner, whereby text refers to or is reliant on previous or successive screen displays in order to convey an advertising message is not permitted.

Note: An advertising message refers to the main point the advertisement is attempting to convey to its target audience. This condition seeks to ensure that drivers in particular are not required to spend an excessive amount of time reading and interpreting advertisements.

- 5.5 Changeover animation effects such as 'fade', 'zoom', or 'fly-in' between advertisements must not be used.
- 5.6 A blank black, white, or any coloured screen must not be displayed between advertisements.
- 5.7 Advertisement that comprise of, or incorporate moving visual images, such as videos or animations must not be displayed.

Note: Video refers to a recording or the streaming of moving visual images captured by or using a video camera. Animation refers to a simulation of movement created by displaying a series of pictures or frames either digitally or otherwise.

- 5.8 The Advertising Device must not be capable of playing audio nor synchronised with any outdoor sound system utilised for advertising purposes.

6.0 ASSET MANAGEMENT

- 6.1 Any damage to, or alterations necessary, to electricity, telephone, water mains, sewerage mains, stormwater drains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken immediately at full cost to the Developer.

7.0 ADVERTISING DEVICE CONSTRUCTION AND MAINTENANCE

- 7.1 Council reserves the right for uninterrupted access to the site at all times during construction.
- 7.2 All Construction work and other associated activities are permitted only between 0630 hours and 1800 hours Monday to Saturday. No work is permitted on Sundays or public holidays. All requirements of the Environmental Protection Act 1994 and Environmental Protection Regulations 2008 must be observed at all times.
- 7.3 Construction materials, waste, waste skips, machinery and contractors' vehicles must not be located and stored or parked in George Street.
- 7.4 Any proposed works within the vicinity (or zone of influence) of existing Council infrastructure will not adversely affect the integrity of the infrastructure. Any restoration works required on existing Council infrastructure as a result of proposed works will be at developer's expense.
- 7.5 The Advertising Device (Digital Billboard Sign) must be designed and certified by a Registered Professional Engineer of Queensland and constructed in accordance with the requirements of the Queensland Development Code and the Building Code of Australia.
- 7.6 All conduits, wiring, switches or other control apparatus installed on an Advertising Device must be concealed from general view, with control apparatus secured in a manner to prevent unauthorised entry and display setting tampering.
- 7.7 All electrical services and systems must comply with 'Australian and New Zealand Standard AS/NZS 3000:2007 - Electrical Installations'.
- 7.8 The Advertising Device (Digital Billboard Sign) must be maintained in a safe, clean, tidy and sightly condition at all times.

ADVISORY NOTESNOTE 1. Aboriginal Cultural Heritage Act, 2003

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 *Workplace Health and Safety* legislation and *Public Health Act 2005*.

NOTE 3. General Environmental Duty- *Environmental Protection Act 1994, sec.319*

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

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

- (a) the nature of the harm or potential harm; and
- (b) the sensitivity of the receiving environment; and
- (c) the current state of technical knowledge for the activity; and
- (d) the likelihood of successful application of the different measures that might be taken; and
- (e) the financial implications of the different measures as they would relate to the

type of activity.

NOTE 4. General Safety Of Public During Construction

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

RECOMMENDATION B

That in relation to the application for a Development Permit for Operational Works for an Advertising Device (Billboard Sign), made by Matzin Capital Pty Ltd C/- Jensen Bowers Group Consultants Pty Ltd, on land located at 102, 1/102 and 2/102 Denham Street, Rockhampton City, described as Lots 0-2 on BUP100002, Parish of Rockhampton, Council resolves not to issue an Infrastructure Charges Notice.

BACKGROUND

PROPOSAL IN DETAIL

The proposal is to establish an electronic and illuminated, third-party billboard with two (2) sign faces located at 102 Denham Street, Rockhampton City. The proposed billboard will be affixed to the roof of the site's existing building. Both of the sign faces will have an area of 27 square metres. The billboard will be 9 metres above ground level and will co-exist with the site's existing building which including its existing brick façade which is a maximum height of 5.2 metres above ground level. The first sign face will be located on top of the building's façade and will be a curved LED screen directed at traffic travelling northbound along George Street as well as traffic travelling eastbound along Denham Street. The second sign face will be located on top of the building's façade toward traffic travelling southbound along George Street.

SITE AND LOCALITY

The subject site, inclusive of 102, 1/102 and 2/102 Denham Street, Rockhampton City is designated in the Specialised Centre Zone. The site is located on the corner of George and Denham Streets and has an area of approximately 696 square metres. The existing building on site is single storey and is utilised as professional offices by Suncare Community Services located at 2/102 Denham Street and Healthy Sleep Solutions located at 1/102 Denham Street.

The site is predominantly surrounded by commercial businesses in the Specialised Centre Zone. Opposite the site in a south-western direction is a park reserve dedicated to Council namely Central Park Rockhampton. The site's main access and carpark is located on George Street however access via a small driveway is also available on Denham Street.

PLANNING ASSESSMENT

MATTERS FOR CONSIDERATION

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the 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 – 6 August 2018

Support, subject to conditions / comments.

Public and Environmental Health Comments – (10 May 2018)

Support, subject to conditions and comments.

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

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

State Planning Policy 2017

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

Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application: -

- Advertising devices code.

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

Advertising Devices Code	
Performance Outcome/s	Officer's Response
<p>PO1 The advertising device is designed and sited in a manner that:</p> <p>(a) results in a size that does not adversely impact on:</p> <p>(i) the visual amenity and character of a building, streetscape, locality or natural landscape setting;</p> <p>(ii) the safety of a road or footpath;</p> <p>(iii) the operations of an airport; and</p> <p>(iv) the visual amenity of a main transport entrance into an urban area or township;</p> <p>(b) is integrated with the design of other development on the premises;</p> <p>(c) does not visually dominate the premises, streetscape, locality or natural landscape setting;</p> <p>(d) is constructed of durable</p>	<p>The Advertising devices planning scheme policy, provides a method for calculating the maximum recommended total sign face area for advertising devices at any given site by either using the boundary length calculation method or the building elevation calculation method, whichever is the greater.</p> <p>In this instance, the boundary length method allows for a sign up to 37.875 square metres on George Street and 29.25 square metres on Denham Street for a site with more than one (1) tenancy.</p> <p>The proposal consists of a double sided billboard with both sign faces having a sign face area of 27 square metres each therefore complying with the boundary length calculation method.</p> <p>Furthermore, the sign has been designed to integrate with the existing building through the use of appropriate screening materials and as such does not impact on the visual amenity and character of the building, streetscape, locality and natural landscape</p>

	<p>materials;</p> <p>(e) does not impede vehicle or pedestrian movements or reduce safety levels;</p> <p>(f) does not resemble traffic or road signs; and</p> <p>(g) does not result in the proliferation of unnecessary advertising.</p>	<p>setting.</p> <p>The proposed Billboard Sign will be constructed of durable materials and does not resemble traffic or road signs and will not impede vehicle or pedestrian movements or safety.</p> <p>There are some concerns that the proposed advertising sign could potentially distract motorists within this major intersection and therefore contribute to a higher accident rate. There is however no conclusive evidence linking advertising devices with accident rates and most studies stipulate that further research is required. <i>“In Australia, digital billboards are beginning to be permitted at roadside. There are concerns from a road safety perspective that these signs may have more potential to distract drivers than static billboards. Since the existing international research on digital billboards and driver distance is inconclusive, an on-road study was conducted to compare drivers’ eye fixations and driving performance when advertising signs (static billboards, digital billboards and on-premises signs) were present.”</i>¹</p> <p>The level / quality of technology and content will therefore be conditioned, ensuring the visual impact will not impede upon traffic and safety. The advertising material will be limited to still images only. No animation, movements or flashing lights will be allowed and transition periods will be restricted to 0.1 seconds.</p>
<p>PO2</p>	<p>The illumination of an advertising device does not detract from the character and amenity of an area and does not cause a visual nuisance to any adjoining premises or roads.</p>	<p>The Advertising Devices Code specifies a maximum luminance of 300 candelas per square metre. The proposed advertising device will have a luminance level of 350 candelas per square metre. Despite this, the applicant’s lighting assessment and proposed luminance has been prepared in accordance with established guidelines and as a function is able to adjust its luminance levels for different lighting conditions, without the light produced from the device spilling beyond the boundary of the premises.</p> <p>Furthermore, it will be conditioned in the approval that the proposed advertising device follows the advertising device requirements for road safety and maximum luminance levels.</p>

¹ Samsa, C. 2015, *Digital Billboards ‘Down Under’. Are they distracting to drivers and can industry and regulators work together for a successful road safety outcome?*, 4th International Driver Distraction and Inattention Conference, Sydney, New South Wales.

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

INFRASTRUCTURE CHARGES

As per the Adopted Infrastructure Charges Resolution (No. 5) 2015, as the development is for an Advertising Device there is no infrastructure charges payable for this application.

REFERRALS

The application did not trigger any formal referral under the *Planning Regulation 2017*. However, in accordance with section 34 of the Development Assessment Rules, Council requested third party advice about the application from the Department of Transport and Main Roads. Advice was sought from the department as the advertising device is adjacent to and oriented toward a State-controlled road being George Street.

The department provided their comments and guidelines as to conditions to be imposed. Where possible, these recommendations have been integrated into the application’s recommended conditions for approval.

STATEMENT OF REASONS

Description of the development	The proposed development is for Operational Works for an Advertising Device (Billboard Sign)
Reasons for Decision	<p>a) The proposed advertising device (billboard sign) has been designed to integrate with the existing building through the use of appropriate screening materials to ensure impacts on the surrounding amenity are minimised.</p> <p>b) The proposed advertising device is considered to be in keeping with the intent of the Principal centre zone. Furthermore, the proposal generally complies with the provisions included in the applicable codes and where there is deviation from the codes, appropriate conditions can be implemented.</p> <p>c) The proposed use does not compromise the strategic framework in the <i>Rockhampton Region Planning Scheme 2015</i>;</p> <p>d) 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;</p> <p>e) 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"> • Advertising devices code
Compliance with assessment benchmarks	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exception listed below.

	Assessment Benchmark	Reasons for the approval despite non-compliance with benchmark
	Advertising devices code	The proposed advertising device (billboard sign) has been strategically designed to ensure impacts on the surrounding amenity are minimised. While the proposal exceeds the maximum sign face area, it meets the requirements established in the boundary length calculation method listed within the advertising devices planning scheme policy. In addition, the level and quality of technology and content can be conditioned, ensuring the visual impacts (illumination, animation) will not impede upon traffic and safety.

CONCLUSION

The proposed advertising device is considered to be in keeping with the intent of the Specialised Centre Zone. Furthermore, the proposal generally complies with the provisions included in the applicable codes and where there is deviation from the codes, sufficient justification has been provided. The proposal is, therefore, recommended for approval in accordance with the approved plans subject to the conditions outlined in the recommendations.

**D/41-2018 - DEVELOPMENT
APPLICATION FOR OPERATIONAL
WORKS FOR AN ADVERTISING
DEVICE (BILLBOARD SIGN)**

Locality Plan

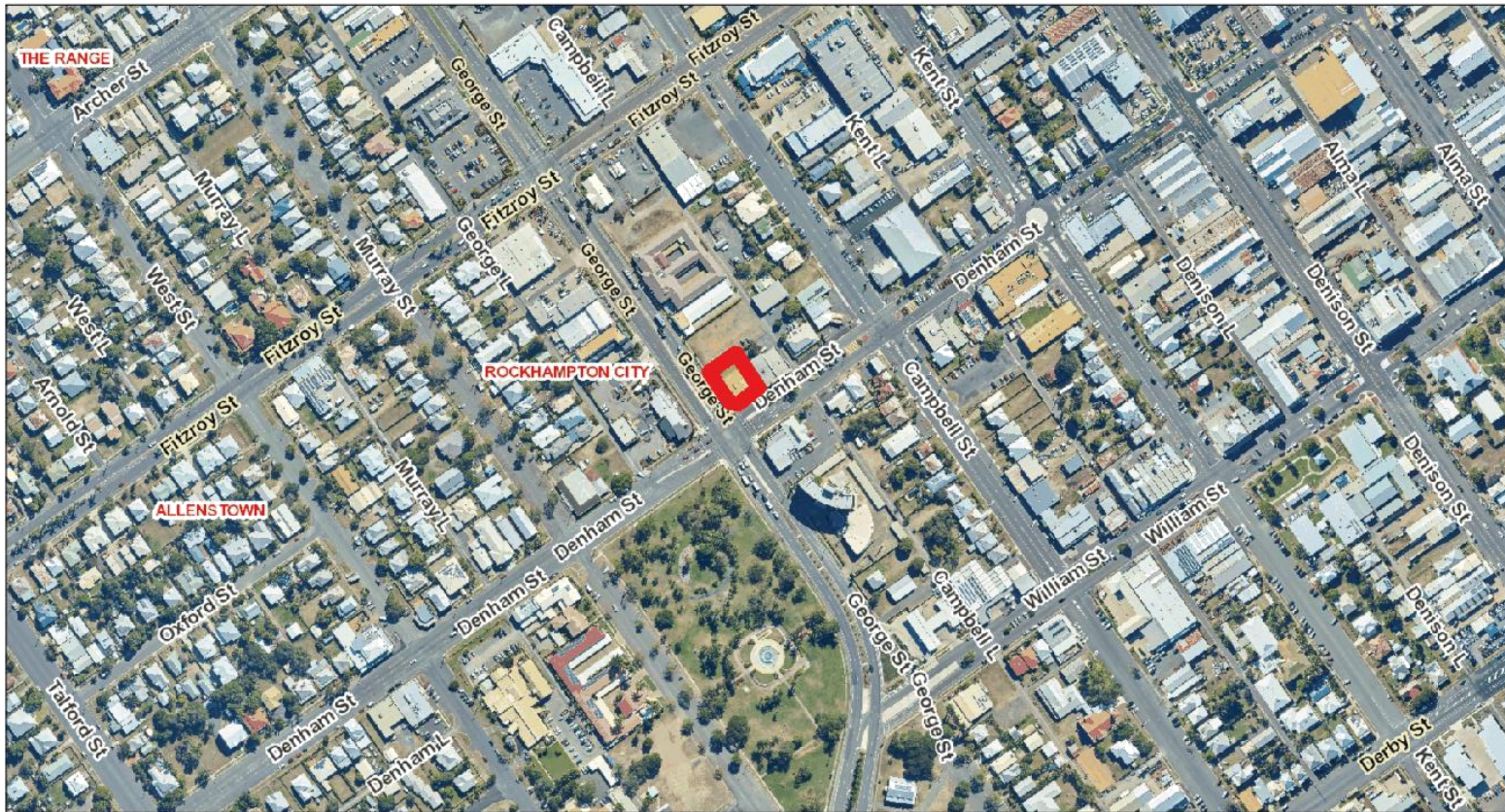
Meeting Date: 21 August 2018

Attachment No: 1

D/41-2018 - Locality Plan



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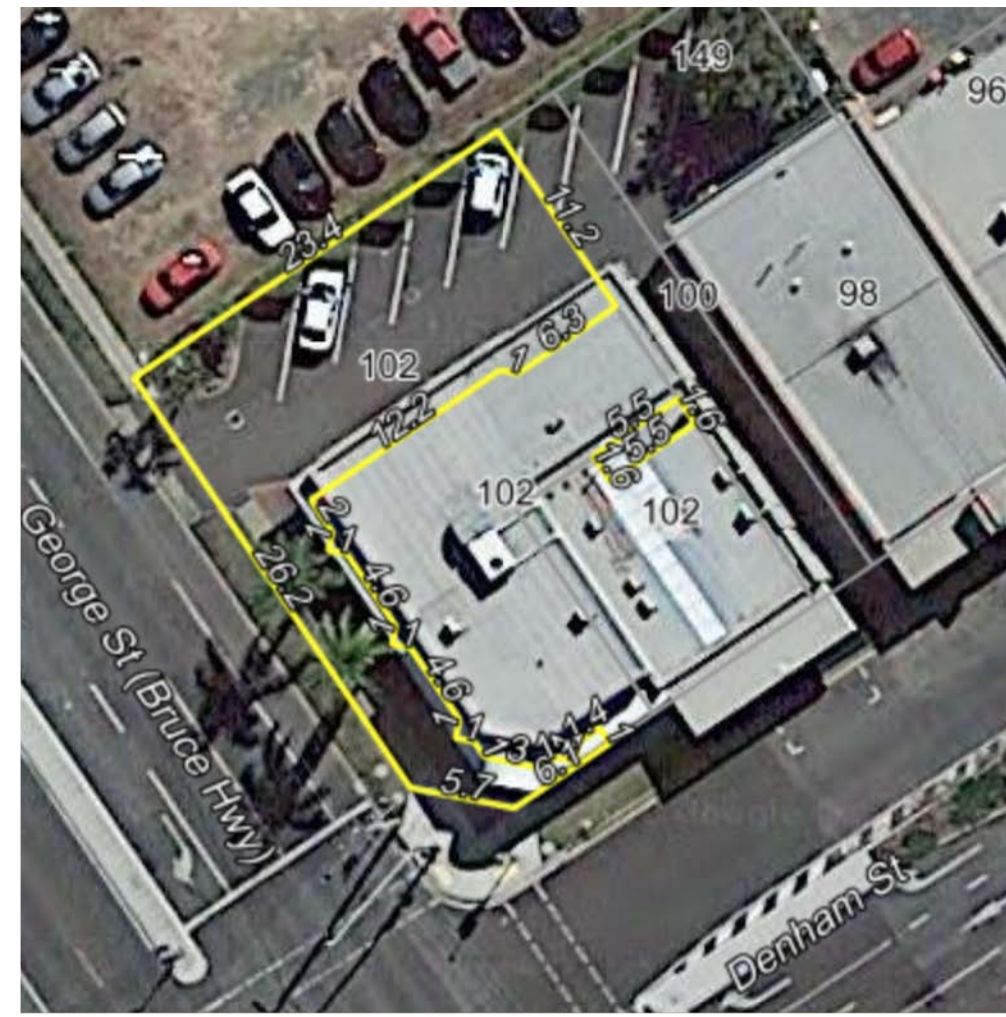


**D/41-2018 - DEVELOPMENT
APPLICATION FOR OPERATIONAL
WORKS FOR AN ADVERTISING
DEVICE (BILLBOARD SIGN)**

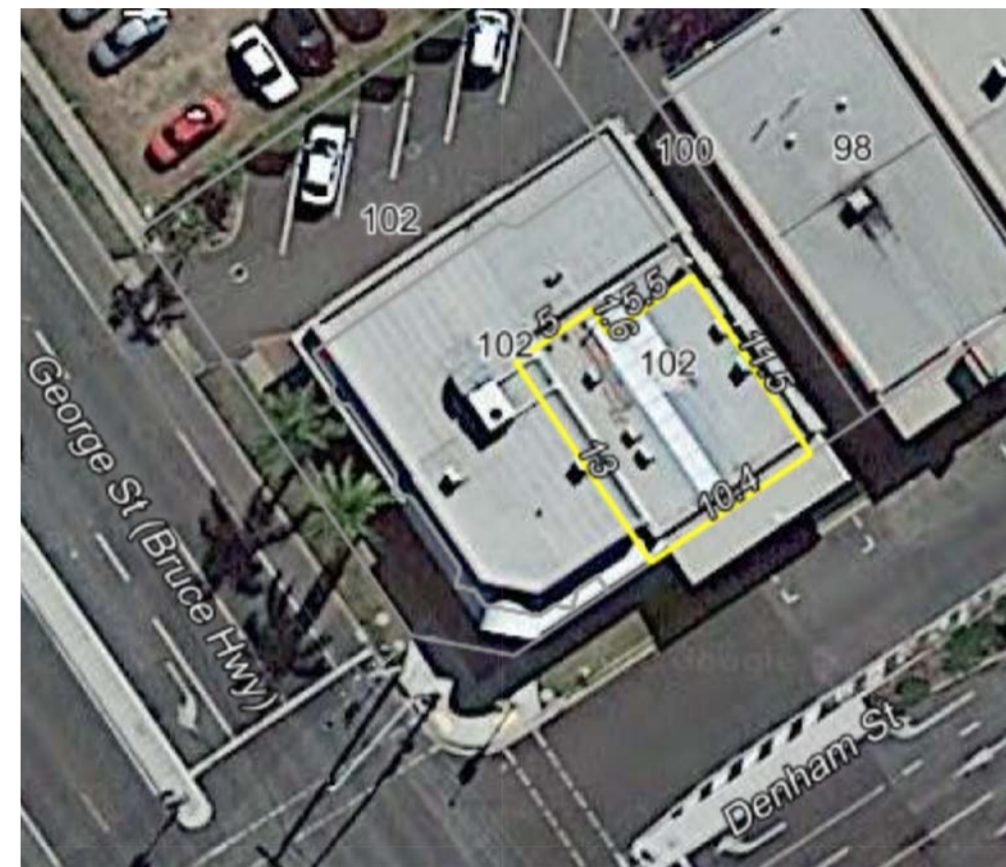
Site Plan

Meeting Date: 21 August 2018

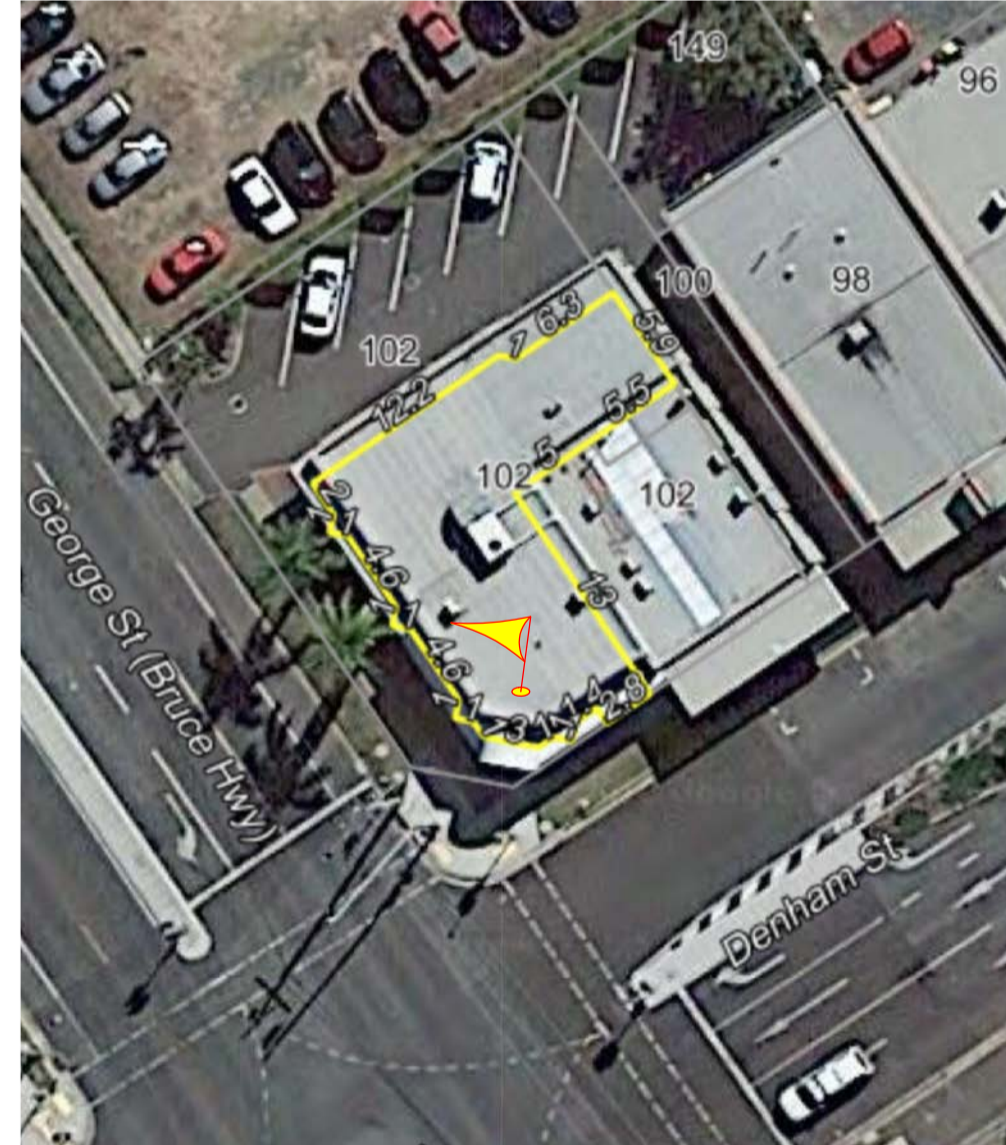
Attachment No: 2



COMMON AREA



L 1 / BUP 100002

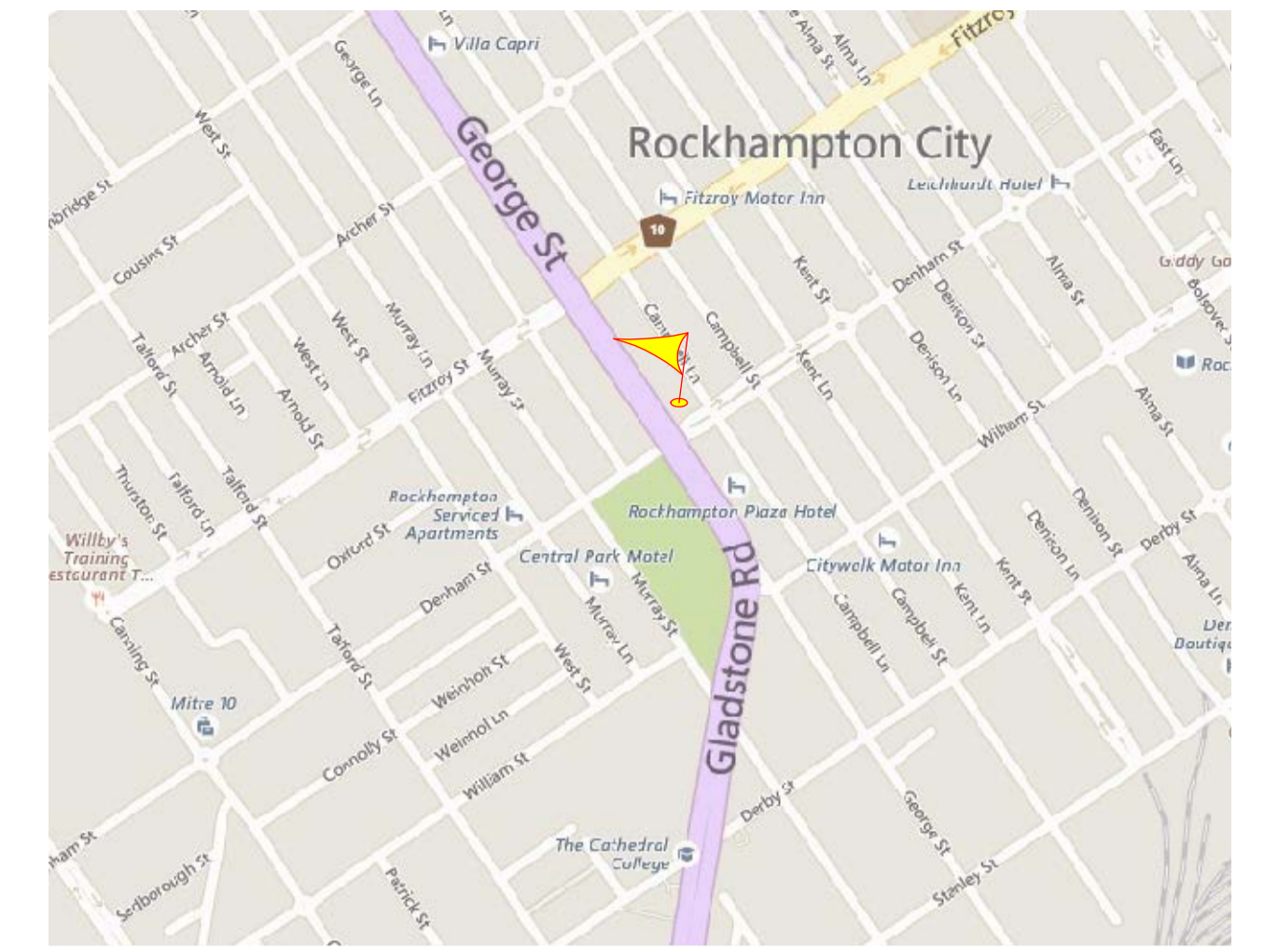


L 2 / BUP 100002

PROPERTY SURVEY
(no scale)



EXIST: BUILDING
CNR GEORGE ST & DENHAM ST



LOCALITY



SITE PLAN

Scale 1:200



NOTE:
ALL CONSTRUCTION TO BE CONFINED TO PERIMETERS OF BUILDING PLOT AREA OF L 2
NO APPLICATION FOR CONSTRUCTION OVER BUILDING L 1



GEORGE ST



ARTIST IMPRESSION

CNR GEORGE & DENHAM ST

Espin Capital Pty Ltd
PO Box 749, Subiaco, WA, 6904
M: 08 93909318
P: 08 93649955

Project:
LED Screen Panels
9 x 3m Flat screen
9 x 3m Curved screen

Location:
**102 DENHAM ST
ROCKHAMPTON QLD**

Revision: 3 SHEET SIZE: A1

Date: 02/07/2018 S1 of 2

**D/41-2018 - DEVELOPMENT
APPLICATION FOR OPERATIONAL
WORKS FOR AN ADVERTISING
DEVICE (BILLBOARD SIGN)**

3D Images

Meeting Date: 21 August 2018

Attachment No: 3



One coat render system with integral 'Dune' colour



Colorbond Flashing 'Jasper' colour



Curved Aluminium Sheet to Fascia
Light Grey



Metal Cladding Type-
Lysaght Longline 305 or similar approved

Metal Cladding Colour-
Monument Matt Finish



Colorbond Flashing 'Jasper' colour



Curved Aluminium Sheet to Fascia
Light Grey

maarch*

*Mark Anderson Architecture
RESIDENTIAL COMMERCIAL SPECIAL PROJECTS

Client:
Espin Capital

Project:
102 Denham Street, Rockhampton

Project Number:
18021

Drawing:
Material Selection

Date:
13/07/2018



8.6 DECISIONS UNDER DELEGATION - JULY 2018

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

SUMMARY

This report outlines the properly made development applications received in July 2018 and whether they will be decided under delegation or decided by Council.

OFFICER'S RECOMMENDATION

THAT this report into the applications lodged in July 2018 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 properly made applications were received in July 2018. They will be decided in the following manner:

Application type	Address	Decision
D/73-2018 – Operational Works for Roadworks, Stormwater, Water Infrastructure, Drainage Works and Sewerage Infrastructure (Edenbrook Stages 5A and 5B). The primary approval is an ROL (two lots into 23 lots) for Stage 5A and B.	Lot 253 and 255 Edenbrook Drive, Parkhurst	Delegation
D/74-2018 – Operational Works for Roadworks, Stormwater, Water Infrastructure, Earthworks and Sewerage Infrastructure (Paracrest Stage 10). The primary approval is an ROL (one into ten lots).	1 Bantry Street, Parkhurst	Delegation
D/75-2018 – MCU for Food and Drink Outlet. This is a drive through style outlet, although no tenant has been specified.	812-818 Yaamba Road, Parkhurst	Delegation
D/76-2018 – MCU for House	187 Caroline Street, The Range	Delegation
D/78-2018 – MCU for High Impact Industry. This is for metal fabrication. The applicant will apply separately to the Department of Environment and Science for an ERA for metal foundry.	227 Somerset Road, Gracemere	Impact assessable so may go to Committee if submissions received.
D/80-2018 – ROL (one into two lots)	Lot 320 Pandora Road, Alton Downs	Delegation

D/79-2018 – Building Works Assessable Against the Planning Scheme (Animal Keeping – 3 bay stable shed)	103 Port Curtis Road, Port Curtis	Delegation
D/81-2018 – Operational Works for Clearing Vegetation and Bank Protection Works. The Bank Protection Works are bank stabilization works.	1 Wharf Street and 256 Murray Street, Depot Hill	Delegation
D/83-2018 – ROL (two lots into two lots)	40 Ann Street and 74 Eton Street, West Rockhampton	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 July 2018 and the manner in which they will be decided.

8.7 ANIMAL MANAGEMENT - SURRENDERED AND UNCLAIMED ANIMALS POLICY

File No: 1464

Attachments: 1. **Animal Management - Surrendered and Unclaimed Animals Policy** [↓](#)

Authorising Officer: **Steven Gatt - Acting General Manager Community Services**

Author: **Nishu Ellawala - Coordinator Local Laws**

SUMMARY

Manager Planning and Regulatory Services presenting the report on the draft Animal Management – Surrendered and Unclaimed Animals Policy which has been approved

OFFICER'S RECOMMENDATION

That the report for Animal Management – Surrendered and Unclaimed Animals Policy noted and 'received'.

COMMENTARY

Council promotes responsible pet ownership throughout the community and works closely with a number of animal rescue groups across the Region and interstate to rehome surrendered and lost animals in order to maximise positive animal welfare outcomes.

In May 2018, report was tabled proposing the adoption of a Memorandum of Understanding (MOU) between Council and welfare agencies in Councils Surrendered and Unclaimed Animals Policy. Council at its meeting of 1 May 2018 requested a further review of the proposal and a report be referred to a later meeting.

Subsequently, as a red tape reduction initiative and to work together in the spirit of cooperation and goodwill for the benefit of the community, the draft Memorandum of Understanding (MOU) provisions between Council and welfare agencies has been removed from the policy confirming no changes to the intent of the existing policy.

The provision of a cash donation of \$100 every dog or \$50 every cat given to any charity animal welfare agency who do not get other government funding subject to evidence that the animal was de-sexed and rehomed continues to be supported. Since the introduction of the cash donation in June 2015, Council has expended **\$44,050** to date in cash donations to charity animal welfare agencies as tabled below.

Year	Number of Cats	Total	Number of Dogs	Total
2015/2016	11	\$550	39	\$3,900
2016/2017	50	\$2,500	56	\$5,600
2017/2018	160	\$8,000	235	\$23,500
TOTAL	\$11,050		\$33,000	

Table 1 – Cash donations Charity Animal Welfare agencies

Our greatest hope is to see any unwanted animal that comes to the Animal Management Centre to find a second chance at life with responsible owners.

As best practice this community policy will be reviewed every two years to ensure it continues to provide best animal welfare outcomes.

BUDGET IMPLICATIONS

Nil

LEGISLATIVE CONTEXT

Nil

LEGAL IMPLICATIONS

Nil

CONCLUSION

That the report for Animal Management – Surrendered and Unclaimed Animals Policy noted and 'received'.

**ANIMAL MANAGEMENT -
SURRENDERED AND UNCLAIMED
ANIMALS POLICY**

**Animal Management - Surrendered and
Unclaimed Animals Policy**

Meeting Date: 21 August 2018

Attachment No: 1

ANIMAL MANAGEMENT – SURRENDERED AND UNCLAIMED ANIMALS POLICY

COMMUNITY POLICY



1 Scope

This policy applies to surrendered and impounded animals which have not been reclaimed by their owners within the statutory prescribed periods.

2 Purpose

The purpose of this policy is to establish guidelines for the auction, transfer to an animal welfare agency or other disposal of surrendered and unclaimed impounded animals.

3 Related Documents

3.1 Primary

Nil

3.2 Secondary

- Animal Management (Cats and Dogs) Act 2008*
- Local Law No. 2 (Animal Management) 2011*
- Subordinate Local Law No. 2 (Animal Management) 2011*
- Animal Management – Rehoming and Rehoming Incentive Work Instruction
- Animal Release Expression of Interest Form – Charity Animal Welfare Agency
- Australian Veterinary Association – Code of Professional Conduct
- Cash Donation for Rehoming Impounded Animals Application Form – Charity Animal Welfare Agency
- Dog Registration Amendment Form
- Fees and Charges Schedule

4 Definitions

To assist in interpretation, the following definitions apply:

Animal Welfare Agency	Includes: (a) The RSPCA (Queensland); and (b) The Animal Welfare League of Queensland; and (c) Another incorporated association which: (i) Has objects similar to the objects of the corporation referred to in paragraph (a) or the incorporated association referred to in paragraph (b); and (ii) Is recognised as an animal welfare agency by Council.
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CORPORATE IMPROVEMENT AND STRATEGY USE ONLY			
Adopted/Approved:	Adopted, 8 December 2015	Department:	Community Services
Version:	1	Section:	Planning and Regulatory Services
Reviewed Date:	28 June 2018	Page No.:	Page 1 of 4

Charity Animal Welfare Agency	An animal welfare agency that is registered as a charity.
Council	Rockhampton Regional Council
Owner of an animal	As defined in <i>Local Law No. 2 (Animal Management) 2011</i> : (a) Its registered owner; (b) A person who owns the animal, in the sense of it being the person's personal property; (c) A person who usually keeps the animal, including through an agent, employee or anyone else; (d) If a person mentioned in paragraphs (a) to (c) is a minor—a parent or guardian of the minor.
Prescribed Period	As defined in <i>Subordinate Local Law No. 2 (Animal Management) 2011</i> : (a) If the animal is a horse, cow, registered cat, registered dog or other identifiable animal – 5 days; or (b) If the animal is an unregistered cat, unregistered dog or an animal which is not an identifiable animal – 3 days.
Region	Area defined by the electoral boundaries of Rockhampton Regional Council.
RSPCA	Royal Society for the Prevention of Cruelty to Animals
Surrendered	The owner of an animal has surrendered the animal to Council.

5 Policy Statement

Council is committed to minimising euthanasia rates and reducing the number of impounded animals within the Region.

Where possible, Council does not take a seized registered dog or identifiable animal directly to Council's Pound Facility if the owner can collect promptly within the field. Unregistered dogs (including identifiable unregistered dogs) or unidentifiable animals seized are taken to Council's Pound Facility; where Council makes every effort to identify the owner of the animal.

Surrendered and unclaimed animals may be suitable to be auctioned or transferred to an animal welfare agency after the statutory prescribed period.

5.1 Cats and Dogs

Surrendered and unclaimed cats and dogs are checked to determine their suitability for rehoming having regard to:

- (a) Breed;
- (b) Size;
- (c) Age;
- (d) Health observations;
- (e) Behavioural and temperament observations;
- (f) Likelihood of rehoming;
- (g) Likelihood of surviving surgery to desex; and
- (h) Any other factors as applicable to a specific animal or breed.

Registrations of surrendered dogs are transferred to Council after the dog is surrendered, if the dog is not reclaimed by the owner within the prescribed period.

CORPORATE IMPROVEMENT & STRATEGY USE ONLY			
Adopted/Approved:	Adopted, 8 December 2015	Department:	Community Services
Version:	1	Section:	Planning and Regulatory Services
Reviewed Date:	28 June 2018	Page No:	Page 2 of 4

All cats and dogs transferred to a charity animal welfare agency that is not supported by other government funding, will:

- (a) Be micro-chipped;
- (b) If the animal is a dog, provided with free registration to the end of the current registration period; and
- (c) Qualify for a cash donation of \$100 per dog and \$50 per cat subject to evidence being supplied to Council that the animal was desexed, rehomed and not euthanized. A Cash Donation for Rehoming Impounded Animals Application Form – Charity Animal Welfare Agency must be accompanied by proof of desexing and a completed Dog Registration Amendment Form. A maximum of one cash donation is paid per animal.

All cats and dogs transferred to a charity animal welfare agency supported by other government funding will:

- (a) Be micro-chipped at the charity animal welfare agency's cost, as set in Councils Fees and Charges Schedule; and
- (b) If the animal is a dog, provided with free registration to the end of the current registration period.

5.2 Poultry and Small Domestic Animals

Surrendered and unclaimed poultry and small domestic animals are offered to Council's Heritage Village if the animal is not reclaimed by the owner within the prescribed period.

If the animal is not transferred to Council's Heritage Village, the animal is offered to a charity animal welfare agency.

If the animal is not transferred to a charity animal welfare agency, the animal is offered for sale in a local auction, if appropriate.

5.3 Livestock

Surrendered and unclaimed livestock are offered to Council's Heritage Village if the livestock is not reclaimed by the owner within the prescribed period.

If the livestock is not transferred to Council's Heritage Village, the livestock is offered for sale in a local auction, if appropriate.

5.4 General Conditions for the Transfer of Animals

Charity animal welfare agencies must submit an Animal Release Expression of Interest Form - Charity Animal Welfare Agency if they wish to claim a surrendered or unclaimed animal and adhere to the following general conditions for the transfer of animals:

- (a) Treat all animals received from Council humanely;
- (b) Desex entire cats or dogs before rehoming the animal, unless otherwise approved by Council; and
- (c) Adhere to all relevant legislation including Local Laws and Planning Schemes.

Council:

- (a) Is the sole arbitrator in all rehoming matters (all decisions made by Council are final); and
- (b) Accepts no liability concerning the health or behavioural status of animals accepted by a charity animal welfare agency.

5.5 Euthanasia

Circumstances where euthanasia may be considered acceptable include, but are not limited to, the following:

- (a) Animals that are surrendered for the purposes of euthanasia;

CORPORATE IMPROVEMENT & STRATEGY USE ONLY			
Adopted/Approved:	Adopted, 8 December 2015	Department:	Community Services
Version:	1	Section:	Planning and Regulatory Services
Reviewed Date:	28 June 2018	Page No:	Page 3 of 4

- (b) Where animals are vicious, dangerous, unmanageable, fearful or likely to cause harm due to their behaviour or temperament;
- (c) Where the animal is a dog of a restricted breed type or has been declared to be a menacing or dangerous dog under the *Animal Management (Cats and Dogs) Act 2008*;
- (d) Where the animal is diseased, infant and/or feral as determined by the veterinarian surgeon. Diseased, infant and/or feral animals seized or surrendered to Council's Pound Facility are able to be destroyed prior to the statutory prescribed period; or
- (e) Unclaimed impounded animals unable to be rehomed or not taken by any animal welfare agency.

Euthanasia is undertaken by an approved veterinarian surgeon in line with the Australian Veterinary Association – Code of Professional Conduct. The veterinary surgeon determines the most appropriate method of euthanasia.

6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) The related information is amended or replaced; or
- (b) Other circumstances as determined from time to time by the Council.

7 Document Management

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



CORPORATE IMPROVEMENT & STRATEGY USE ONLY			
Adopted/Approved:	Adopted, 8 December 2015	Department:	Community Services
Version:	1	Section:	Planning and Regulatory Services
Reviewed Date:	28 June 2018	Page No:	Page 4 of 4

8.8 PROPOSED ANIMAL INSPECTION PROGRAM

File No:	11741
Attachments:	1. Gracemere Map 2. Notice of Approved Systematic Inspection Program
Authorising Officer:	Steven Gatt - Acting General Manager Community Services
Author:	Nishu Ellawala - Coordinator Local Laws

SUMMARY

This report presents an Animal Inspection Program for consideration by Council. Prior to Rockhampton Regional Council officers undertaking an inspection program, the Systematic Inspection Program, to monitor compliance with the Animal Management (Cats and Dogs) Act 2008, Rockhampton Regional Council Local Law 1 (Administration) 2011, and Rockhampton Regional Council Local Law 2 (Animal Management) 2011 must be approved by Council.

OFFICER'S RECOMMENDATION

THAT in accordance with the *Animal Management (Cats and Dogs) Act 2008* and *Local Government Act 2009*, Council approves an inspection program, the Systematic Inspection Program, for the locality of Gracemere, between 1 May 2019 and 2 June 2019.

COMMENTARY

Under Section 113 of the *Animal Management (Cats and Dogs) Act 2008* and Section 134 of the *Local Government Act 2009*, Council may by resolution approve a program (an approved inspection program) under which an authorised person may enter a place to monitor compliance with, or aspect of, the Act and local government acts.

It is proposed to undertake a systematic inspection program of all properties within Gracemere (see attached map) between 1 May 2019 and 2 June 2019 by visiting, and if necessary entering yards of premises to monitor compliance with the *Animal Management (Cats and Dogs) Act 2008* with regards to registration and microchipping requirements, *Rockhampton Regional Council Local Law 1 (Administration) 2011*, and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011* in relation to the keeping of animals (dogs) requirements including number of animals kept.

The area is considered a high priority for monitoring compliance with the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011* and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011*.

Notice is required to be given of the proposed inspection program at least 14 days, but no more than 28 days before an inspection program commences. Notice of the program must be published in a newspaper circulating generally in the local government's area and must be placed on Council's website (see attached notice).

If non-compliance's are identified, compliance notices and/or infringement notices may be issued.

BUDGET IMPLICATIONS

Increased registration will generate additional income to offset operating expenditure associated with delivering the community's expectation for an animal control program.

The program is funded within the 2018/2019 Local Laws operational budget.

LEGISLATIVE CONTEXT

Local Government is responsible for the administration of the *Animal Management (Cats and Dogs) Act 2008* (the *Act*) and Council's Local Laws.

STAFFING IMPLICATIONS

The Systematic Inspection Program requires the equivalent of six full time officers for the period of the Program.

RISK ASSESSMENT

An assessment regarding Workplace Health and Safety considerations has identified all activities associated with the implementation of the Selective Inspection Program as low risk.

CORPORATE/OPERATIONAL PLAN

The Systematic Inspection Program has been identified as an action within Council's previous Operational Plan.

CONCLUSION

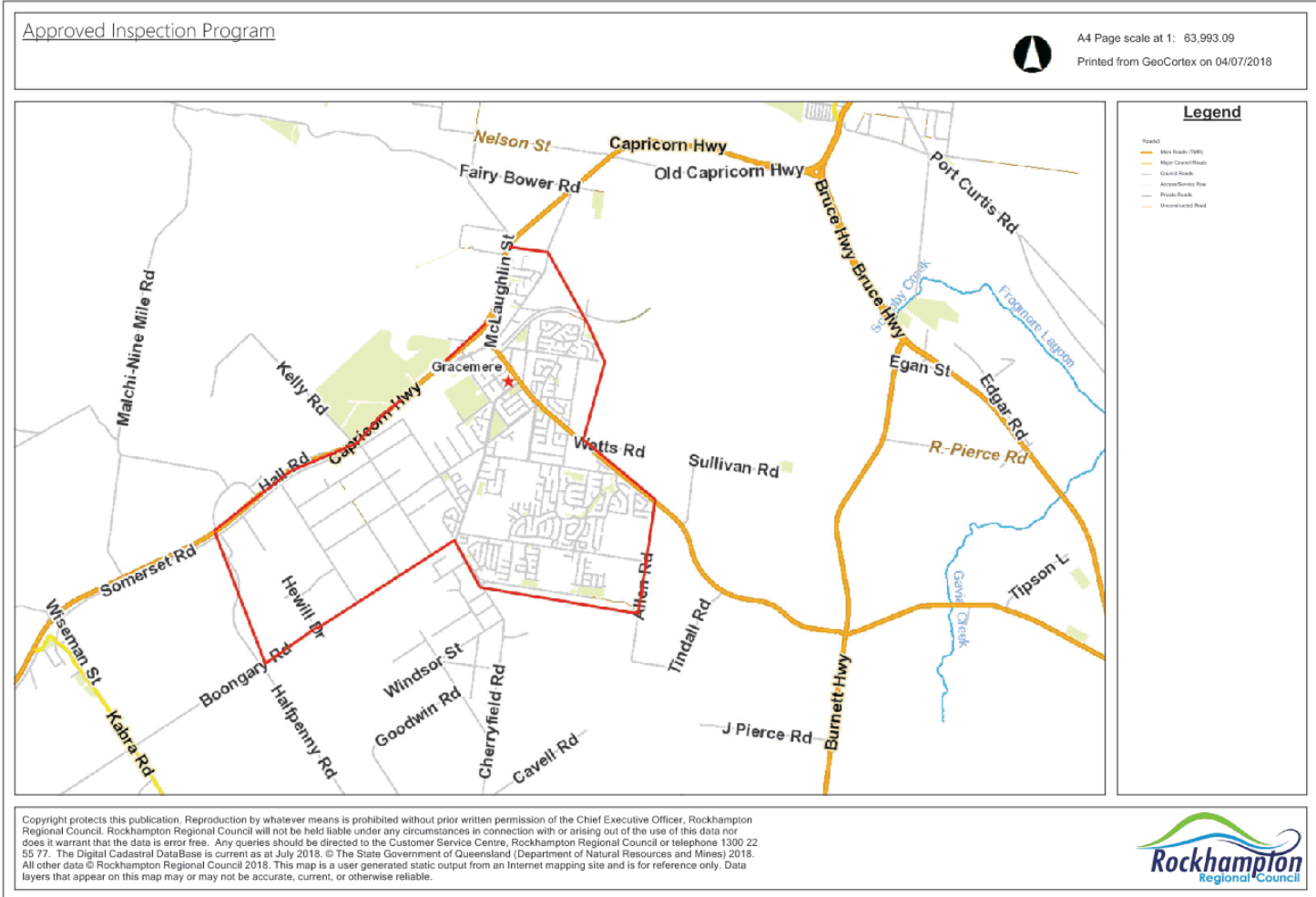
This report presents to Council a Systematic Inspection Program for approval and subsequent programming into operational projects. The implementation of this Systematic Inspection Program assists Council to fulfill its responsibilities under the *Animal Management (Cats and Dogs) Act 2008* and *Local Government Act 2009* by allowing Council to monitor compliance with the requirements of the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011*, and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011*.

PROPOSED ANIMAL INSPECTION PROGRAM

Gracemere Map

Meeting Date: 21 August 2018

Attachment No: 1



PROPOSED ANIMAL INSPECTION PROGRAM

Notice of Approved Systematic Inspection Program

Meeting Date: 21 August 2018

Attachment No: 2

NOTICE OF APPROVED SYSTEMATIC INSPECTION PROGRAM**ROCKHAMPTON REGIONAL COUNCIL**

Animal Management (Cats and Dogs) Act 2008 Section 113
Local Government Act 2009 Section 134

Survey area:

Property inspections will be conducted throughout part of the Rockhampton Regional Council area focusing on the locality of Gracemere.

Area Selection Criteria:

The focus area is a portion of Rockhampton Regional Council for which inspection by authorised persons is feasible within six weeks and are considered a high priority for monitoring compliance with the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011* and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011*.

Program Purpose:

To monitor compliance with the *Animal Management (Cats and Dogs) Act 2008*, *Rockhampton Regional Council Local Law 1 (Administration) 2011* and *Rockhampton Regional Council Local Law 2 (Animal Management) 2011* in relation to the keeping of dogs.

Properties Inspected:

Inspections will be conducted on all properties within the above stated areas.

Commencement and Duration of Survey:

This survey will commence on **1 May 2019** and will be in force for a period of six weeks expiring on **2 June 2019**. Properties will be inspected from 7:00 am to 6:00 pm Monday to Sunday.

Copy of program

A copy of the program may be purchased at the public offices of Rockhampton Regional Council until the end of the program. The price of a copy of the program is \$2.

By resolution of Rockhampton Regional Council Meeting on **DATE 2018**.

CHIEF EXECUTIVE OFFICER
ROCKHAMPTON REGIONAL COUNCIL
DATE 2018

8.9 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - JULY 2018

File No: 1464

Attachments: 1. **Monthly Operations Report for Planning and Regulatory Services - July 2018**[↓](#)

Authorising Officer: **Steven Gatt - Acting General Manager Community Services**

Author: **Steven Gatt - Acting General Manager Community Services**

SUMMARY

The Monthly Operations Report for the Planning and Regulatory Services Section for July 2018 is presented for Councillor's information.

OFFICER'S RECOMMENDATION

THAT the Planning and Regulatory Services Monthly Operations Report for July 2018 be 'received'.

COMMENTARY

The monthly operations report for Planning and Regulatory Services is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2018/2019 Operational Plan Key Performance Indicators.

**MONTHLY OPERATIONS REPORT FOR
PLANNING AND REGULATORY
SERVICES - JULY 2018**

**Monthly Operations Report for
Planning and Regulatory Services -
July 2018**

Meeting Date: 21 August 2018

Attachment No: 1



Monthly Operations Report

Planning and Regulatory Services

July 2018

1. Highlights

Health and Environment

Restoration forms were issued to 59 food premises who failed to renew their licences for this financial year. New applications were received and processed for two high risk personal appearance premises that also failed to renew their licences.

Environmental Health Officers attended the River Festival on 13 July 2018. One stall was not constructed as per the approved plan; stall layout was adjusted and made safe for the event. Some other minor issues were identified with all having been rectified by the follow up inspection. Two officers attended the Paradise Lagoons Campdraft on 19 July 2018 to inspect food vendors where only minor issues were found and rectified.

Two officers attended the Flying Fox & Other Wildlife meeting held at the Department of Environment and Science (DES). Officers from DES and other Councils met to talk about flying fox management and legislation. Discussions were held around knowledgeable persons and the definition of a roost, amongst other topical issues.

Pest Management

Construction of the four additional biological control tanks at the Bio Facility in Dooley Street has been completed. This is a joint initiative between Rockhampton Regional Council and Fitzroy Basin Association. Funding for the project has been on an equal share basis and will benefit the broader community as a whole.

Tanks contain Hyacinth, Salvinia and Water Lettuce.



Development Assessment

The Development Assessment team approved stages 1 to 3 of Stockland's Ellida development at Parkhurst. The development consists of 121 housing lots and parkland.

Building, Plumbing & Compliance

The Building and Plumbing team will be finalising the applications to the upgrade to the Kershaw Gardens. The Building application included the super sphere, new playground equipment, amenities and water play area which will be a welcome addition to the city.

**Development Engineering (DEU)**

DEU have completed the Stormwater Management Plan (SMP) to support the Wintergarden carpark redevelopment. The SMP has provided some direction regarding the design of the stormwater and demonstrated compliance with relevant legislation.

DEU have worked on the infrastructure charges notice trunk work costings that are to be presented to Council for the Stockland Development. Further, DEU have been reviewing Stocklands proposal for an Infrastructure Agreement regarding the delivery of the trunk works and infrastructure charges payable.

A position has been developed regarding the cost sharing arrangement for the trunk stormwater works associated with The Gardens development following legal review of Cajun's proposal. The developer is considering Council proposal.

Aldi civil works continue on Gladstone Road / Prospect Street. The trunk sewerage diversion works are almost complete and progress is being made on the stormwater works.

2. Innovations, Improvements and Variations

Health and Environment

The Collector Application has been installed on Vector Management Officer's iPad's and has been linked to GIS to enable officers to map freshwater zones around the city. This will enable more accurate data recording of these sites, including treatment methods.

Local Laws

Dog registration renewal notices, totalling 12,309, were issued during the month of the July with renewal due on or before 31 August 2018.

Further to the above, 2,863 free dog registration renewals were processed and tags issued for pensioner desexed and pensioner desexed and microchipped dogs. Owners of these dogs will all have received their tag/s in the mail.

Development Assessment

Council has applied for funding under the Innovation and Improvement Fund offered by the State Government for funding to develop a Mobile Development Advice Centre application that will enable the user to obtain data about any particular lot. This would include zoning information, information on overlays and some general property specifications. The project will also include infographic videos on our most common request types to assist the community to understand planning concepts and application processes. We are hoping to hear in the next two months whether we have been successful.

Building, Plumbing and Compliance

Workflow tasks have been built in the customer request module. This will allow for detailed reporting of response times to customers.

Development Engineering

A review of the driveways design component of the Capricorn Municipal Development Guidelines has been conducted. Changes have been implemented to reflect relevant legislation and provide additional clarity regarding aspects of the document.

3. Customer Service Requests

The Planning and Regulatory Services section has received in the vicinity of 8,552 customer requests from January 2018 to date. Of these 7,635 have been completed giving an average completion rate of 89% across the spectrum of operations.

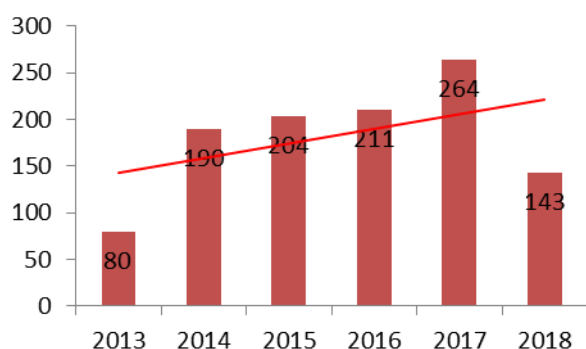
Health and Environment

Environmental Health Officers received 149 food enquiries for the month of July, with 147 of these enquiries being completed. This directly relates to the food business renewal period. From August 2018 moving forwards, applications for renewal, restorations and new applications of Food Business Licences will no longer be recorded in the customer request module of Pathway, statistics will be automatically compiled from developed workflows in Pathway Licensing Module.

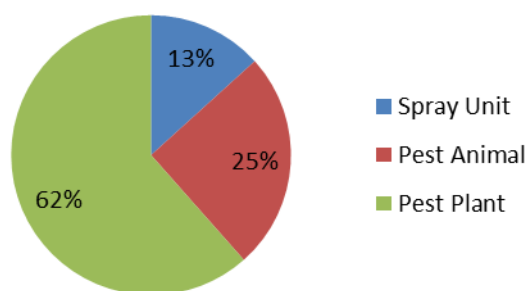
Pest Management

12 customer requests were received during the month; 7 pertaining to pest animals and 5 to pest plants. As you can see depicted below, this continues the upwards trend in customer requests for the unit.

Pest Management - Total Requests Received YTD



Pest Management - Breakdown of Types of Requests Received (2018)



Local Laws

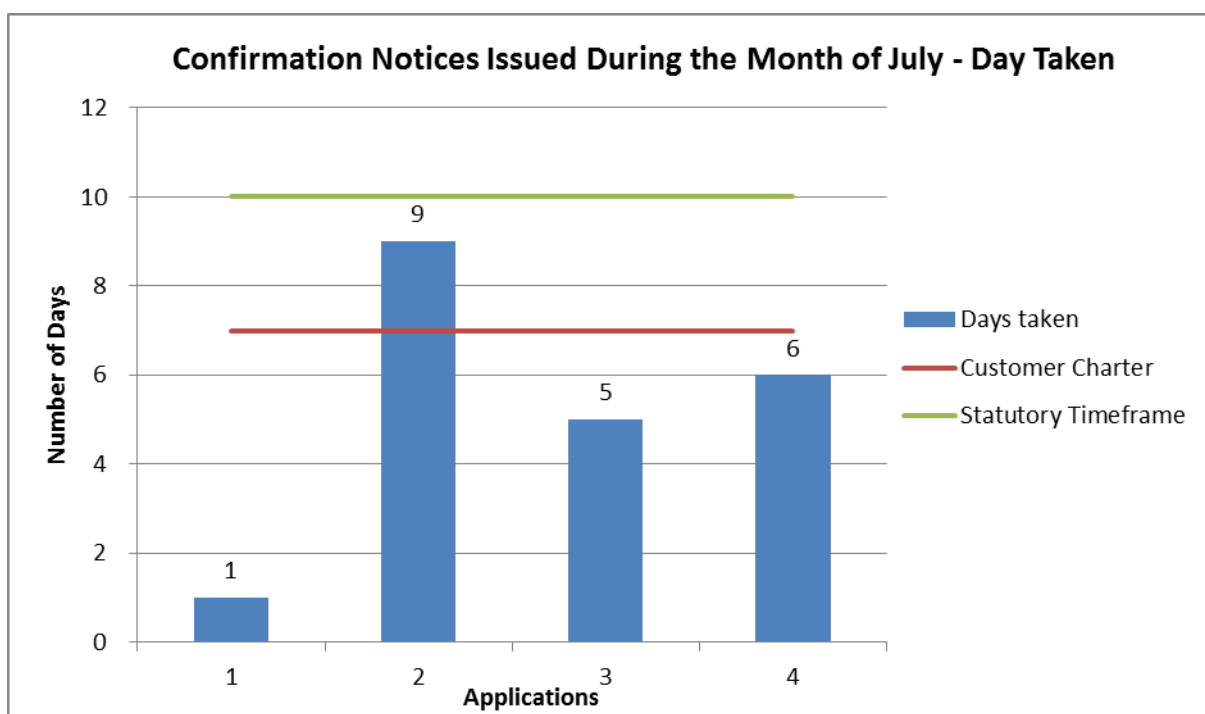
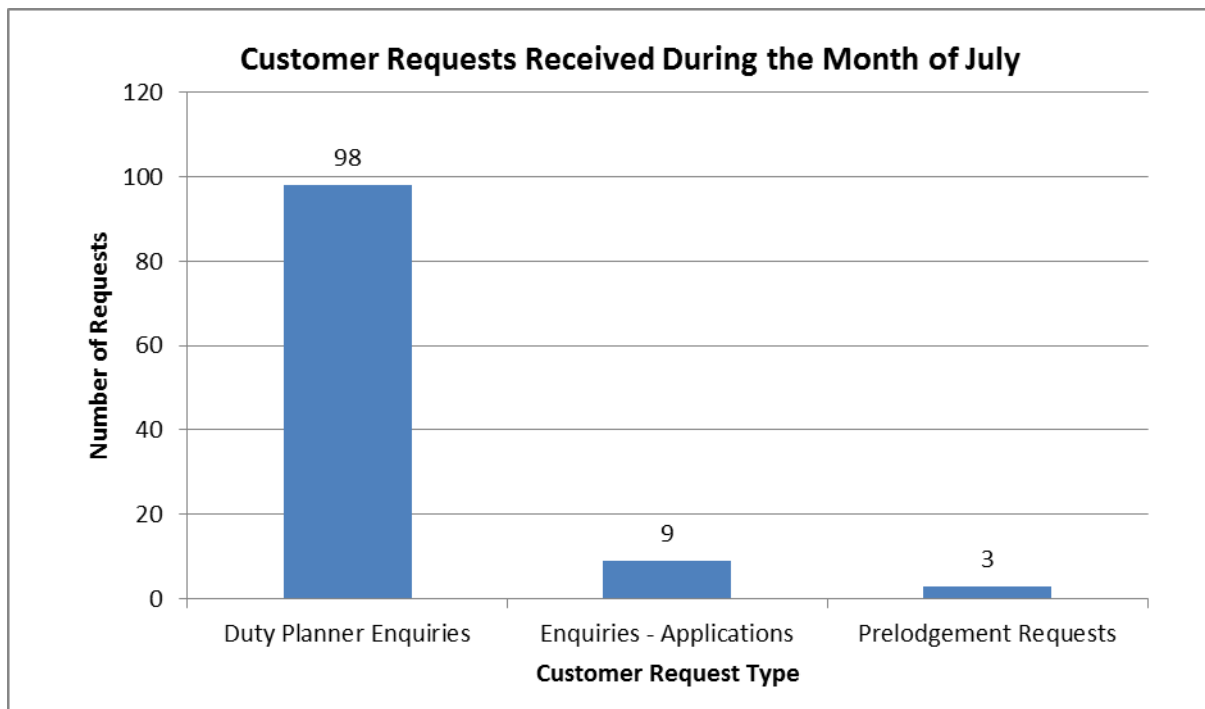
Local Laws has received 905 customer requests in the reporting period of July, completing 515 within the period. The unit continues to provide quality customer service whilst experiencing high levels of requests for service.

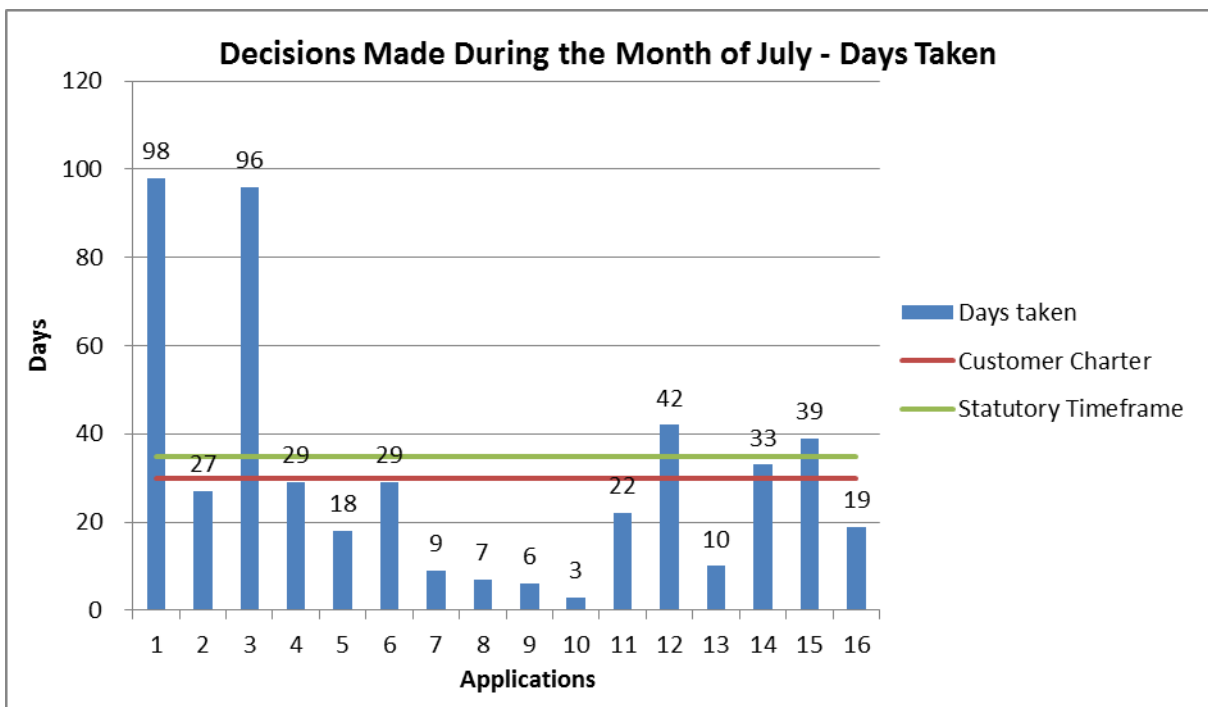
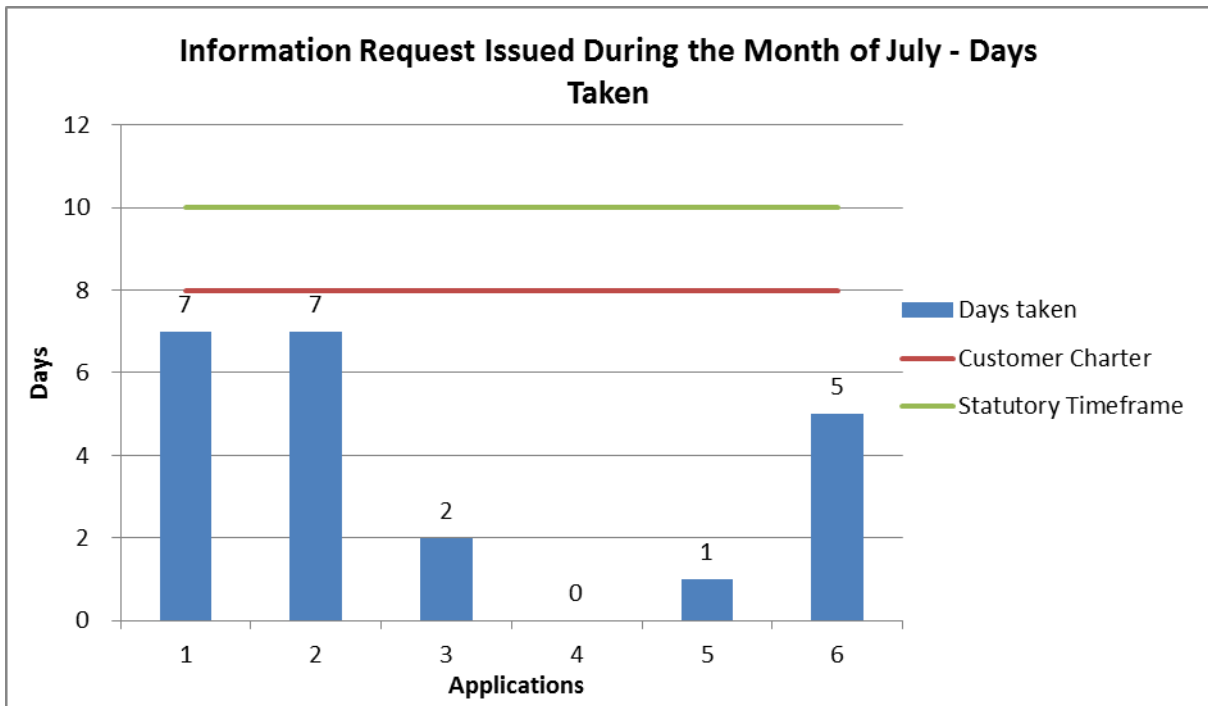
A snapshot of high profile customer requests received for the month is provided below illustrating the high level of activity within the unit:

- 226 wandering animal customer requests;
- 156 dog registration enquiries;
- 88 barking dog complaint – stage 1 requests.

Development Assessment

The Development Assessment Unit received 109 customer requests for the month. As at 1 August 2018 all but four had been completed.





As per the above table, 4 decisions took longer than the standard 20 and /or 35 business day decision period under the Sustainable Planning Act and Planning Act respectively. These applications were complicated and required continued negotiations with the Applicants and the decision period was formally extended by agreement with the applicant in accordance with the provisions of the *Planning Act 2017*.

4. Service Delivery

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Health and Environment			
Annual inspection of licensed food businesses undertaken	474 premises	8% completed	Operational
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken	11 premises	0% completed	Operational
Annual inspection of devolved licensed environmentally relevant activities undertaken	16 premises	0% completed	Operational
Development Assessment			
Confirmation Notices (where required) sent out within 10 business days of applications lodged	100%	100%	Operational
Information Requests (where required) sent out within timeframes required under SPA and PA	100%	100%	Operational
Decisions are made within timeframes required under SPA and PA	100%	95%	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
Development Engineering			
Development MCU, ROL Completed in 8 days	90%	100%	Operational
Development Operational Works Completed in 8 days	90%	95%	Operational

5. Legislative Compliance and Standards

Legislative timeframes

Item	Due Date	Compliant? (Yes/No)	Status
Local Laws			
Certificate IV (Government Investigations)	Various	95%	Current
Environment and Public Health			
Council's Ground Distribution Contract Licence	6 Apr 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	3 Feb 2019	Yes	Current
Building, Plumbing and Compliance			
Compliance Officers Powers of Entry	Various	Yes	Current
C Class Drivers Licence	Various	Yes	Current
Cert IV (Government Investigations)	Various	Yes	Completed

6. Operational Plan Targets by Section

Operational Plan Ref	Action	Target	Status
1.1.3	Develop plans that support the delivery of trunk infrastructure and service future development		
1.1.3.2	Develop governance arrangements for the ongoing management of the Capricorn Municipal Development Guidelines	Governance arrangements documented and endorsed by Council by 30 June 2018	Governance Strategy document has been endorsed by each local government CMDG representative and a legal review conducted. It will now require endorsement by Council.
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	The project is near handover and is currently on schedule.
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	Applications have been lodged with Human Resources for the next round of traineeship allocations. Awaiting outcome.
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	Surveillance of the Marmor and Bajool areas remain suspended due to dry weather.
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,	Compliance with statutory codes and regulations	The Environmental Health Unit received 1 environmentally relevant activity complaint, 1 environmentally relevant activity enquiry, 3 noise and 1 water contamination complaint during

Operational Plan Ref	Action	Target	Status
	safety, notice, odour and dust protection		<p>July.</p> <p>There was 1 public health complaint, 3 food complaints and 4 asbestos complaints also received.</p> <p>Environmental Health Officers issued food business restoration letters within legislative requirements, with a due date of 31 July 2018.</p>
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	Preparations are underway for Small Landholder Day to be held on 6 October 2018.
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	Completed.
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-compliance in decision making, planning and reporting processes identified.
5.3.1	Council's resources are allocated in an efficient and effective manner		
5.3.1.1	Workforce planning is reviewed to ensure that resourcing levels meet business needs in accordance with budget allocations	Review workforce requirements in accordance with budget schedule	<p>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.</p> <p>Resourcing in the Pest and Vector units does not meet business needs but is in accordance with budget allocation.</p>

7. Operational Projects

As at period ended July – 12% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Local Laws					
Issuing of Dog Registration Renewals	Jun 2018	Sept 2018	In progress	\$20,000	\$3,670.00
Health and Environment					
Enforcement Guideline	Commenced	Yet to be determined	In progress	Operational budget	
Story Books (food safety, mosquitos) – education tools	Commenced	August 2018	Book launch planning continues.	Operational budget	
Development Assessment					
Outstanding infrastructure charges	Jun 17	Dec 18	Outstanding charges continue to be collected.	Within budget	Within budget

8. Budget



End of Month General Ledger - (Operating Only) - COMMUNITY SERVICES

As At End Of July

Report Run: 06-Aug-2018 16:04:11 ; 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 \$	Comm + Actual \$	Variance %	On target 8.3% of Year Gone
PLANNING AND REGULATORY SERVICES								
<i>Development Engineering</i>								
Revenues	(2,624)	0	0	0	0	0	0%	*
Expenses	1,108,422	0	0	59,556	13,636	73,193	7%	*
Transfer / Overhead Allocation	(448,589)	0	0	(22,038)	0	(22,038)	5%	*
Total Unit: Development Engineering	657,209	0	0	37,518	13,636	51,154	8%	*
<i>Development Assessment</i>								
Revenues	(861,928)	0	0	(23,769)	0	(23,769)	3%	*
Expenses	1,533,026	0	0	91,748	24,819	116,567	8%	*
Transfer / Overhead Allocation	31,212	0	0	291	0	291	1%	*
Total Unit: Development Assessment	702,310	0	0	68,270	24,819	93,089	13%	*
<i>Building, Plumbing and Compliance</i>								
Revenues	(747,266)	0	0	(60,149)	0	(60,149)	8%	*
Expenses	1,359,712	0	0	62,766	4,688	67,454	5%	*
Transfer / Overhead Allocation	(106,419)	0	0	(10,588)	0	(10,588)	10%	*
Total Unit: Building, Plumbing and Compliance	506,027	0	0	(7,971)	4,688	(3,283)	-1%	*
<i>Health & Environment</i>								
Revenues	(192,052)	0	0	(30,550)	0	(30,550)	16%	*
Expenses	2,611,869	0	0	141,934	40,492	182,425	7%	*
Transfer / Overhead Allocation	360,558	0	0	15,760	0	15,760	4%	*
Total Unit: Health & Environment	2,780,374	0	0	127,143	40,492	167,635	6%	*
<i>Local Laws</i>								
Revenues	(1,456,385)	0	0	(120,988)	0	(120,988)	8%	*
Expenses	2,784,876	0	0	185,191	270,666	455,857	16%	*
Transfer / Overhead Allocation	260,367	0	0	23,034	0	23,034	9%	*
Total Unit: Local Laws	1,588,858	0	0	87,236	270,666	357,902	23%	*
<i>Planning and Regulatory Services Management</i>								
Expenses	530,958	0	0	26,469	54,724	81,193	15%	*
Total Unit: Planning and Regulatory Services Manage	530,958	0	0	26,469	54,724	81,193	15%	*
Total Section: PLANNING AND REGULATORY SERVICES	6,765,736	0	0	338,666	409,025	747,691	11%	*
Total Department: COMMUNITY SERVICES	6,765,736	0	0	338,666	409,025	747,691	11%	*
Grand Total:	6,765,736	0	0	338,666	409,025	747,691	11%	*

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 – Month	1 – 31 July 2018	One property inspected	One property found to have Giant Rats Tail Grass and American Rats Tail Grass.
		No follow up inspections conducted	
Surveillance Program under Biosecurity Act – Entire Program to Date	1 Dec 2017 – To date	77 properties inspected	Rubber Vine (61.84%), Lantana (61.84%) and Harissa Cactus (47.36%) have been the most prevalent invasive plants identified throughout the program.
Applications/Inspections		July 18	Comments
Number of Food Business Licence Applications		2	
Number of Short Term Food Business Licence Applications		8	
Number of Mobile Food Business Licence Applications		1	
Total Number of Food Business Licences		474	Does not include short term food business licenses.
Number of Annual Inspections for Food Business Licences YTD		37	

Local Laws

Registered Dogs

Description	Jul 18	Aug 18	Sept 18	Oct 18	Financial YTD
New Dogs Registered	224				224
Dog Registration Renewals	4687				4687
Total	4911				4911

Declared Dogs

Description	Jul 18	Aug 18	Sept 18	Oct 18	Financial YTD
Dangerous Dogs	3				3
Menacing Dogs	1				1
Restricted Dogs	0				0

Infringements Issued

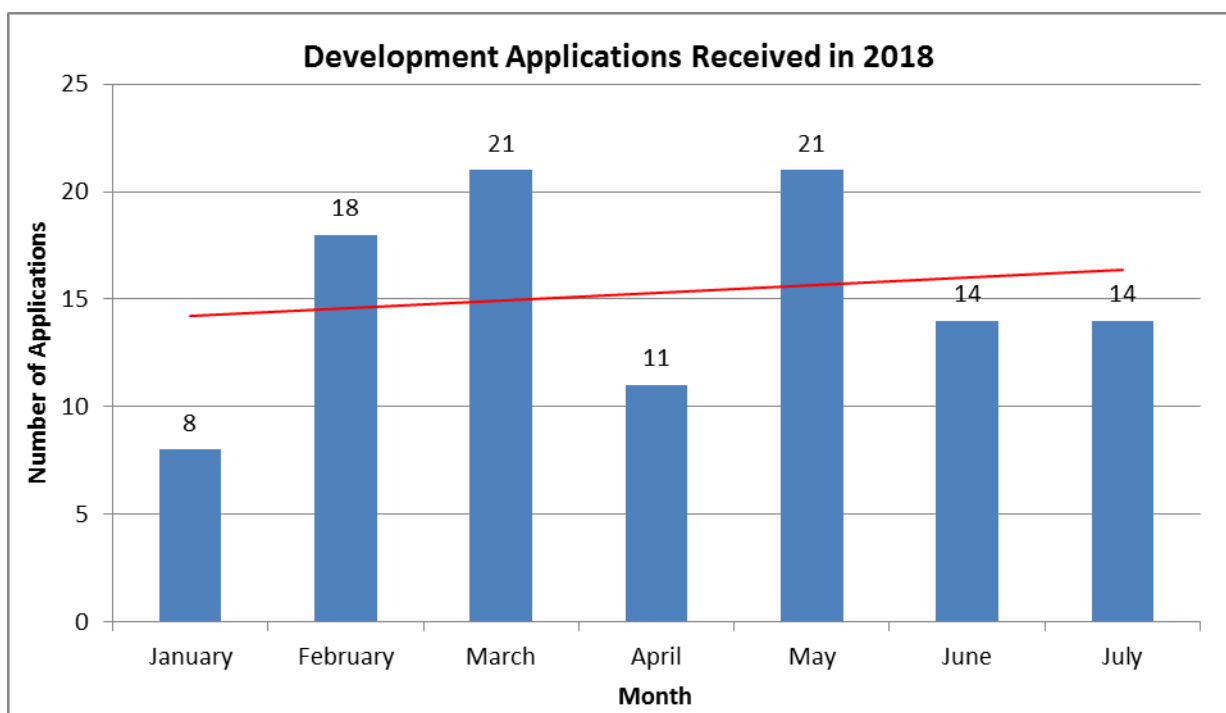
Description	Jul 18	Aug 18	Sept 18	Oct 18	Financial YTD
Parking Infringements	300				300
Animal Infringements	18				18
Local Law Infringements	2				2
Total	320				320

Development Engineering

Description	Jul 18	Aug 18	Sep 18	Oct 18	Financial YTD
MCU & ROL referrals completed	20				20
Op Works referral completed	17				17
Total Completed	37				37

Development Assessment

Description	Jul 18	Aug 18	Sept 18	Oct 18	Financial YTD
New Applications	11				11
Request to Change Applications	2				2
Development Incentives Applications	1				1
Total Received	14				14
Total Decided	18				18

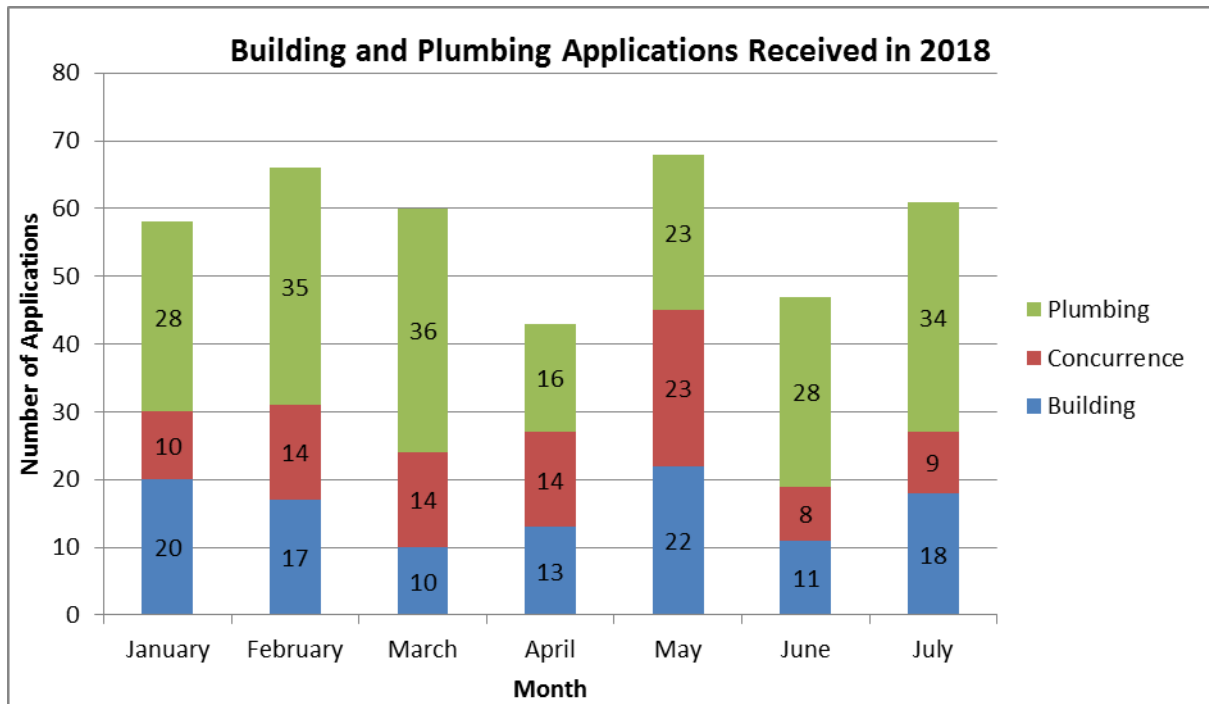


Building

Description	Jul 18	Aug 18	Sept 18	Oct 18	Financial YTD
Concurrence Applications	9				9
Building Works	18				18
Total Received	27				27
Total Decided	28				28

Plumbing

Description	Jul 18	Aug 18	Sept 18	Oct 18	Financial YTD
New Applications	34				34
Total Decided	22				22



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 Customer Requests with Councillor or Public Interest at Building, Plumbing and Compliance

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

12 CONFIDENTIAL REPORTS

12.1 CUSTOMER REQUESTS WITH COUNCILLOR OR PUBLIC INTEREST AT BUILDING, PLUMBING AND COMPLIANCE

File No: 4842

Attachments: Nil

Authorising Officer: Steven Gatt - Acting General Manager Community Services
Philip Harrison - Coordinator Building Plumbing and Compliance

Author: Brett Robson - Building Certifier

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

SUMMARY

This report summarises the continued safety issues around the dilapidated building.

13 CLOSURE OF MEETING