



**PLANNING AND REGULATORY
COMMITTEE MEETING**

MINUTES

4 DECEMBER 2018

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 4 DECEMBER 2018 COMMENCING AT 9.03AM**

1 OPENING**2 PRESENT**

Members Present:

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

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)
Mr E Pardon – Chief Executive Officer
Mr T Cullen – General Manager Advance Rockhampton
Ms T Fitzgibbon – Acting Manager Planning and Regulatory
Ms K Moody – Coordinator Health and Environment
Mr J McCaul – Coordinator Development Engineering
Mr M Mansfield – Coordinator Media and Communications
Mr B Diplock – Planning Officer
Ms L Leeder – Senior Committee Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****COMMITTEE RESOLUTION**

THAT the minutes of the Planning and Regulatory Committee held on 20 November 2018 be taken as read and adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

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

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/97-2018 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A LOW IMPACT INDUSTRY AND OPERATIONAL WORKS FOR ADVERTISING DEVICES

File No: D/97-2018

Attachments:

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

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

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/97-2018

Applicant: Statewide Property Group Pty Ltd

Real Property Address: Lot 0 and Lot 6 on SP239584, Parish of Archer

Common Property Address: 6/235-239 Musgrave Street, Berserker

Area of Site: 365 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Specialised Centre Zone (Mixed Use Sub-Precinct)

Planning Scheme Overlays: Not applicable

Existing Development: Vacant land/commercial shopping complex

Existing Approvals: D/46-2011

Approval Sought: Development Permit for a Material Change of Use for a Low Impact Industry and Operational Works for Advertising Devices

Level of Assessment: Impact Assessable

Submissions: Nil

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

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	10 September 2018
<i>Acknowledgment Notice issued:</i>	19 September 2018
<i>Submission period commenced:</i>	5 October 2018
<i>Submission period end:</i>	26 October 2018

<i>Government Agency Response:</i>	<i>18 October 2018</i>
<i>Last receipt of information from applicant:</i>	<i>8 November 2018</i>
<i>Statutory due determination date:</i>	<i>18 December 2018</i>

9:07AM

Councillor Cherie Rutherford informed the meeting of an interest in D97/2018 – Development Application for a Material Change of Use for a Low Impact Industry and Operational Works for Advertising Signs and declared the following:

“I declare that I have a material personal interest in this matter as my brother-in-law owns a sign business which to the best of my knowledge is not connected to this application, and I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on.”

Councillor Rutherford left the meeting room.

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry and Operational Works for Advertising Devices, made by Statewide Property Group Pty Ltd, located at 6/235-239 Musgrave Street, Berserker described as Lot 0 and Lot 6 on SP239584, Council resolves to Approve the application subject to the following conditions:

Material Change of Use**1.0 ADMINISTRATION**

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 1.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
 - 1.3.1 to Council’s satisfaction;
 - 1.3.2 at no cost to Council; and
 - 1.3.3 prior to the commencement of the use;
 unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
 - 1.5.1 Operational Works:

- (i) Road Works;
 - (ii) Access and Parking Works;
 - (iii) Roof and Allotment Drainage;
- 1.5.2 Plumbing and Drainage Works; and
- 1.5.3 Building Works.
- 1.6 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.8.1 to Council's satisfaction;
 - 1.8.2 at no cost to Council; and
 - 1.8.3 by lodging the applications within three (3) months of the date of this development approval, and completion of the works within six (6) months from date of the approval of those works,
- 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 any condition of this development approval:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	18013 Sheet 01, Rev 03	8 November 2018
Ground Floor Layout Plan	18013 Sheet 02, Rev 03	8 November 2018
Mezzanine Layout Plan	18013 Sheet 03, Rev 03	8 November 2018
Elevations	18013 Sheet 04, Rev 03	8 November 2018
Elevations	18013 Sheet 05, Rev 03	8 November 2018
Vehicle Swept Paths	Dwg 001	11 August 2018

- 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 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.
- 3.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (road works).
- 3.3 Retaining structures and their foundations must be wholly contained within private allotments and not be constructed within Council owned or controlled land. Further,

Council will not accept any retaining walls to be contributed as a Council asset.

4.0 ACCESS AND PARKING WORKS

- 4.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.
- 4.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.3 All car parking and access areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 4.4 Delivery vehicles for the subject site must be no larger than that specified in the approved drawings. (Detailed Site Plan NGA Dwg 001 dated 11/07/18).
- 4.5 All vehicles must ingress and egress the development in a forward gear.
- 4.6 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.
- 4.7 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.8 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
- 4.9 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

5.0 PLUMBING AND DRAINAGE WORKS

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

works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act 2002* and Council's Plumbing and Drainage Policies.

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

6.0 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 LANDSCAPING WORKS

- 7.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use.

- 7.2 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.

- 7.3 Landscaping, or any part thereof, upon reaching full maturity, must not:

- (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
- (ii) adversely affect any road lighting or public space lighting; or
- (iii) adversely affect any Council infrastructure, or public utility plant.

8.0 ELECTRICITY

- 8.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.

9.0 TELECOMMUNICATIONS

- 9.1 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.

Note: The *Telecommunications Act 1997* (Commonwealth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.

10.0 ASSET MANAGEMENT

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

- 10.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in

association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

11.0 ENVIRONMENTAL

11.1 An 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.

12.0 ENVIRONMENTAL HEALTH

12.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.

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

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

12.4 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

12.5 The hours of operations for the development site must be limited to:

- (i) 0700 hours to 1800 hours on Monday to Friday, and
- (ii) 0800 hours to 1200 hours on Saturday,

with no operations on Sundays or Public Holidays.

12.6 Access to, and use of, the loading area must be limited to between 0800 and 1700 hours, Monday to Friday only. Access to, and use of, the loading dock area must not occur on Saturday or Sunday or any public holiday.

12.7 The loading and/or unloading of delivery and waste collection vehicles is limited between the hours of 0700 and 1800 Monday to Saturday. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.

13.0 OPERATING PROCEDURES

13.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within High Street or Victoria Parade.

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

13.3 All waste storage areas must be:

13.3.1 kept in a clean and tidy condition; and

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

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. General Safety Of Public During Construction

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

NOTE 3. Infrastructure Charges Notice

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

NOTE 4. Licensable Activities

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

Operational Works (Advertising Devices)

14.0 ADMINISTRATION

14.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.

14.2 Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.

14.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

14.4 The following further development permits are required prior to the commencement of any works on the site:

14.4.1 Building Works.

14.5 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

15.0 APPROVED PLANS AND DOCUMENTS

15.1 The approved signage must be completed and maintained generally in accordance with the approved drawings and documents, except where amended by the conditions of this permit.

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Elevations	18013 Sheet 04, Rev 03	8 November 2018
Elevations	18013 Sheet 05, Rev 03	8 November 2018

15.2 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.

- 15.3 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.
- 15.4 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.
- 15.5 Any proposed changes to the approved stamped plans during the works will be generally considered minor amendments and require Council's approval. The stamped amended plans and a covering letter will be forwarded to the applicant.
- 16.0 OPERATING PROCEDURE
- 16.1 All signage must only display or advertise a matter associated with the primary purpose for which the premises are used, or the purpose stated in this approval.
- 16.2 All text and images displayed on the approved signage:
- 16.2.1 must be static;
 - 16.2.2 must not imitate a traffic control device, move contrary to any traffic control device or include traffic instructions (for example 'stop'); and
 - 16.2.3 must not involve moving parts or flashing lights.
- 16.3 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*' and '*Civil Aviation Safety Authority (CASA) Guidelines: Lighting in the vicinity of aerodromes: Advice to lighting designers*'.
- 17.0 ASSET MANAGEMENT
- 17.1 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 no cost to Council, and completed within the following timeframes:
- 17.1.1 where damage causes a hazard to pedestrian/traffic safety or interrupts a community service, immediately; or
 - 17.1.2 as soon as reasonably possible as agreed with Council.
- 18.0 SIGNAGE CONSTRUCTION AND MAINTENANCE
- 18.1 Council reserves the right for uninterrupted access to the site at all times during construction.
- 18.2 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 the *Environmental Protection Regulation 2008* must be observed at all times.
- 18.3 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site.
- 18.4 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.
- 18.5 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.

- 18.6 All electrical services and systems must comply with *Australian and New Zealand Standard AS/NZS 3000:2007* – “Electrical Installations”.
- 18.7 All signage must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed,
Be maintained in a safe, clean, condition that does not adversely impact the visual amenity

RECOMMENDATION B:

That in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry and Operational Works for Advertising Devices, made by Statewide Property Group Pty Ltd on behalf of Highvic Pty Ltd, located at 6/235-239 Musgrave Street, Berserker described as Lot 0 and Lot 6 on SP239584, Council resolves to issue an Infrastructure Charges Notice for the amount of \$4,759.25.

Moved by: Councillor Fisher

Seconded by: Councillor Smith

MOTION CARRIED

8.2 VECTOR MANAGEMENT PLAN 2017 - 2021

File No: 2200

Attachments:

1. **Summary of Changes - Vector Management Plan Review 2018**
2. **Vector Management Plan 2017 - 2021**

Authorising Officer: Tarnya Fitzgibbon - Acting Manager Planning and Regulatory Services

Author: Karen Moody - Coordinator Health and Environment

SUMMARY

This report presents the annual review of the Rockhampton Regional Council Vector Management Plan 2017-2021 for Council's consideration.

9:17AM Councillor Rutherford returned to the meeting

COMMITTEE RECOMMENDATION

1. THAT Council adopts the amended Vector Management Plan 2017-2021.
2. THAT Council commends the officers on the amended Plan.

Moved by: Councillor Fisher
Seconded by: Councillor Wickerson

MOTION CARRIED

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS QUESTIONS

11 CLOSURE OF MEETING

There being no further business the meeting closed at 9:27am.

SIGNATURE

CHAIRPERSON

DATE