

**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 19 SEPTEMBER 2017 COMMENCING AT 9.14AM**

COMMITTEE RESOLUTION**9:14AM**

THAT Councillor Drew Wickerson be appointed Chairperson of the Planning and Regulatory Committee meeting.

Moved by: Councillor Fisher
Seconded by: Councillor Rutherford

MOTION CARRIED**1 OPENING****2 PRESENT**

Members Present:

Councillor M D Wickerson (Chairperson)
Councillor C R Rutherford
Councillor N K Fisher

In Attendance:

Ms C Haughton – Acting General Manager Community Services
Mr E Pardon – Chief Executive Officer
Ms T Fitzgibbon – Coordinator Development Assessment
Ms C Hayes – Coordinator Health and Environment
Mr B Diplock – Planning Officer
Ms A Johnson – Planning Administration Officer
Ms C Steinberger – Media Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Ellen Smith.

The Mayor, Councillor Margaret Strelow tendered her apology and was not in attendance.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**COMMITTEE RESOLUTION**

THAT the minutes of the Planning and Regulatory Committee held on 5 September 2017 be taken as read and adopted as a correct record.

Moved by: Councillor Wickerson
Seconded by: Councillor Fisher

MOTION CARRIED

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

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

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

SUMMARY

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

COMMITTEE RECOMMENDATION

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

Moved by: Councillor Rutherford
Seconded by: Councillor Fisher

MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/15-2017/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/15-2017 FOR A MATERIAL CHANGE OF USE FOR A WAREHOUSE AND AGRICULTURAL SUPPLIES STORE

File No:	D/15-2017/A
Attachments:	1. Locality Plan 2. Site Plan
Authorising Officer:	Tarnya Fitzgibbon - Coordinator Development Assessment Steven Gatt - Manager Planning & Regulatory Services Michael Rowe - General Manager Community Services
Author:	Brandon Diplock - Planning Officer

SUMMARY

<i>Development Application Number:</i>	<i>D/15-2017/A</i>
<i>Applicant:</i>	<i>Elders Rural Services Australia Limited</i>
<i>Real Property Address:</i>	<i>Lot 3 and Lot 4 on RP600258 and Lot 239 on R1675, Parish of Rockhampton</i>
<i>Common Property Address:</i>	<i>14 Stanley Street, Rockhampton</i>
<i>Planning Scheme Zone:</i>	<i>Low Impact Industry</i>
<i>Type of Approval:</i>	<i>Development Incentives Application for D/15-2017 - Material Change of Use for a Warehouse and Agricultural Supplies Store</i>
<i>Date of Decision:</i>	<i>27 April 2017</i>
<i>Application Lodgement Fee:</i>	<i>\$5,798.00</i>
<i>Infrastructure Charges:</i>	<i>\$46,763.90</i>
<i>Infrastructure charges incentive:</i>	<i>All other areas – 50% discount</i>
<i>Incentives sought:</i>	<i>Infrastructure Charges Concession 50%</i> <i>Development facilitation</i> <i>Refund of Development Application Fees</i> <i>Refund of service and connection fees</i>

COMMITTEE RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a Warehouse and Agricultural Supplies Store, located at 14 Stanley Street, Rockhampton described as Lot 3 and Lot 4 on RP600258 and Lot 239 on R1675, Parish of Rockhampton, Council resolves to Approve the following incentives if the use commences prior to 27 April 2021:

- a) A fifty (50) percent reduction of infrastructure charges to the amount of \$23,381.95;
- b) A refund of the development application fee of \$5,798.00;
- c) A refund of service and connection fees on completion of the development; and

- d) That Council enter into an agreement with the applicant in relation to (a), (b) and (c).

Moved by: Councillor Wickerson

Seconded by: Councillor Fisher

MOTION CARRIED

8.2 D/60-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR OFFICE

File No: D/60-2017

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/60-2017

Applicant: JRT (Holdings No.11) Pty Ltd

Real Property Address: Lot 2 on RP603014, Parish of Rockhampton

Common Property Address: 68 Bolsover Street, Rockhampton

Area of Site: 653 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: High Density Residential Zone

Planning Scheme Overlays: Nil

Existing Development: Dwelling House

Existing Approvals: Nil

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

Level of Assessment: Impact Assessable

Submissions: Nil

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	16 June 2017
<i>Acknowledgment Notice issued:</i>	28 June 2017
<i>Submission period commenced:</i>	14 July 2017
<i>Submission period end:</i>	10 August 2017
<i>Council request for additional time:</i>	N/A
<i>Last receipt of information from applicant:</i>	11 August 2017
<i>Statutory due determination date:</i>	8 September 2017

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Office, made by JRT (Holdings No.11) Pty Ltd, on Lot 2 on RP603014, Parish of Rockhampton, located at 68 Bolsover Street, Rockhampton, Council resolves to Approve the

application despite its conflict with the planning scheme and provide the following grounds to justify the decision:

- a) The development is considered low scale and has been designed to ensure it can operate with no adverse impacts on the residential character of the area.
- b) The proposed development will not impact on the development potential of the site or surrounding sites for future residential high density purposes.
- c) The proposed use is considered consistent with the commercial uses immediately adjoining the site.
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for Office, made by JRT (Holdings No.11) Pty Ltd, on Lot 2 on RP603014, Parish of Rockhampton, located at 68 Bolsover Street, Rockhampton, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

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

- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	6743-MCU	-

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

3.0 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to the commencement of any road works required by this development approval.
- 3.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (road works).
- 3.3 A concrete pathway, with a minimum width of 1.2 metres, must be constructed on the western side of Bolsover Street for the full frontage of the development site.
- 3.4 All pathways and access ramps must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

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 All vehicular access to and from the development must be via Bolsover Lane only.
- 4.5 Any redundant vehicular crossovers must be replaced by Council standard kerb and channel.
- 4.6 All vehicles must ingress and egress the development in a forward gear.
- 4.7 Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.

- 4.8 A minimum of four (4) parking spaces must be provided on-site.
- 4.9 Parking spaces must be line-marked in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.10 Any application for a Development Permit for Operational Works (access and parking works) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site.

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 5.1 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, and sound engineering practice.
- 5.2 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.
- 5.3 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 5.4 In order to mitigate the increased runoff as a result of the impervious area associated with the car-parking area at the rear of the subject site, the Developer must install a 5,000 litre rainwater tank for the existing dwelling with an outlet that discharges to the car-parking area.

6.0 SITE WORKS

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

7.0 BUILDING WORKS

- 7.1 A minimum 1.8 metre high screen fence must be erected between the subject development site and adjacent residential property south of the development.

8.0 LANDSCAPING WORKS

- 8.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.

9.0 ASSET MANAGEMENT

- 9.1 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.
- 9.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

9.3 '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)*.

10.0 ENVIRONMENTAL

10.1 An Erosion Control and Stormwater Control Management Plan 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.

11.0 ENVIRONMENTAL HEALTH

11.1 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"*.

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

11.3 The hours of operations for the development site must be limited to 0800 hours to 1700 hours on Monday to Friday with no operations on Saturdays, Sundays or Public holidays.

ADVISORY NOTES

NOTE 1. Asbestos Removal

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Works in Road Reserve Permit

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

NOTE 5. Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for Office, made by JRT (Holdings No.11) Pty Ltd, on Lot 2 on RP603014, Parish of Rockhampton, located at 68 Bolsover Street, Rockhampton, Council resolves to issue an Adopted Infrastructure Charges Notice for the amount of \$10,985.50.

Moved by: Councillor Fisher
Seconded by: Councillor Wickerson
MOTION CARRIED

8.3 D/75-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR LOW IMPACT INDUSTRY

File No: D/75-2017

Attachments: 1. Locality Plan
2. Floor Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Michael Rowe - General Manager Community Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/75-2017

Applicant: Mr. Wayne V. Stewart

Real Property Address: Lot 7 on RP601813, Lot 1 on RP609521 and Lot 8 on SP195014, Parish of Archer

Common Property Address: 54 Charles Street and 112-118 Musgrave Street, Berserker

Area of Site: 3,603 square metres

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Specialised Centre Zone (Musgrave Street Precinct)

Planning Scheme Overlays: Nil

Existing Development: Showroom, Workshop and Office

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for Low Impact Industry

Level of Assessment: Impact Assessable

Submissions: One (1)

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

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	30 June 2017
<i>Acknowledgment Notice issued:</i>	3 July 2017
<i>Submission period commenced:</i>	4 August 2017
<i>Submission period end:</i>	25 August 2017
<i>Last receipt of information from applicant:</i>	30 August 2017
<i>Statutory due determination date:</i>	27 September

COMMITTEE RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry, made by Mr. Wayne V. Stewart, located at 54 Charles Street and 112-118 Musgrave Street, Berserker, described as Lot 7 on RP601813, Lot 1 on RP609521 and Lot 8 on SP195014, Parish of Archer, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposal presents a logical and integrated extension which is reasonably expected within the Specialised Centre Zone.
- b) The scale and intensity of the proposed development will ensure the ongoing operation of surrounding retail uses along with no additional amenity impacts on the adjoining residential uses.
- c) The proposed development is able to form an appropriate transition from higher intensity development along Musgrave Street to residential land to the east.
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- f) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

THAT in relation to the application for a Development Permit for a Material Change of Use for Low Impact Industry, made by Mr. Wayne V. Stewart, located at 54 Charles Street and 112-118 Musgrave Street, Berserker, described as Lot 7 on RP601813, Lot 1 on RP609521 and Lot 8 on SP195014, Parish of Archer, 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 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:

- 1.4.1 Operational Works:
 - (i) Access and Parking Works;
- 1.4.2 Plumbing and Drainage Works;
- 1.4.3 Building Works

- 1.5 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Location Plan	SK-001 Rev 3	28 June 2017
Overall Site Plan / Existing	SK-002 Rev 3	28 June 2017
Proposed Floor Plan	SK-003 Rev 3	28 June 2017
Elevations	SK-004 Rev 3	28 June 2017

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the prompt commencement of the use submission of an application for a Development Permit for Operational Works/Building Works.

3.0 ACCESS AND PARKING WORKS

- 3.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access works on the development site.
- 3.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 3.3 The existing access from Charles Street to the development must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*. Additionally, the Charles Street access upgrade must also allow for the continuation of the existing pedestrian footpath along the Charles Street frontage of the subject site.
- 3.4 All car parking and access areas must be maintained as pavement or sealed areas to Council's satisfaction.
- 3.5 All vehicles must ingress and egress the development in a forward gear.

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation. Arrester traps must be provided where commercial or non-domestic waste water is proposed to be discharged into the system.
- 4.2 Hoses must be provided at the refuse container area, and washdown must be drained to the sewer in accordance with a Plumbing and Drainage Permit and Sewerage Trade Waste Permit. Alternatively, a commercial bin cleaning service can be provided.

5.0 SITE WORKS

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

6.0 BUILDING WORKS

- 6.1 A Development Permit for Building Works must be obtained prior to the commencement of any building/demolition works on the development site.

7.0 ASSET MANAGEMENT

- 7.1 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.
- 7.2 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.

8.0 ENVIRONMENTAL HEALTH

- 8.1 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"*.
- 8.2 Noise emitted from the activity must not cause an environmental nuisance.
- 8.3 The hours of operation for the development site must be limited to 0800 to 1700, Monday to Saturday, with no operations on Sundays or Public Holidays.
- 8.4 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, odour or dust.
- 8.5 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy 2008*.
- 8.6 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be appropriately bunded and drained to the sewer network in accordance with a trade waste permit.

- 8.7 All chemicals and/or environmentally hazardous liquids must be contained within a covered, bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five percent (25%) of the total storage capacity.
- 8.8 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:
- 8.8.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
 - 8.8.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and
 - 8.8.3 waste bags and ties.
- 8.9 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 9.0 OPERATING PROCEDURES
- 9.1 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 Musgrave Street, Charles Street or Armstrong Street.
- 9.2 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.
- 9.3 All waste storage areas must be:
- 9.3.1 kept in a clean and tidy condition; and
 - 9.3.2 maintained in accordance with *Environmental Protection Regulation 2008*.
- 9.4 No panel beating, spray-painting or any body works must be carried out on-site.
- 9.5 Cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
- 10.0 MOTOR VEHICLE WORKSHOP OPERATIONS
- 10.1 No metal surface coating will be permitted other than the following:
- 10.1.1 Brushed finishes achieved by a hand brush with bristles; and/or
 - 10.1.2 Using hand held aerosol cans where the can and spray device forms one disposable unit and the can holds less than one (1) litre of product.
- 10.2 The workshop must have an impervious floor that is adequately bunded and drains to a holding tank or the sewer through an approved oil interceptor/separation system.

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. Licensable Activities

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Works in Road Reserve Permit

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

NOTE 5. Infrastructure Charges Notice

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.

NOTE 6. Duty to Notify of Environmental Harm

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

Moved by: Councillor Rutherford

Seconded by: Councillor Fisher

MOTION CARRIED

8.4 COMMITTEE REPORT DELEGATIONS - AUGUST 2017

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

SUMMARY

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

COMMITTEE RECOMMENDATION

THAT the Committee Report Delegations – August 2017 be received.

Moved by: Councillor Rutherford
Seconded by: Councillor Fisher
MOTION CARRIED

8.5 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - AUGUST 2017**File No:** 1464**Attachments:**

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

Authorising Officer: Michael Rowe - General Manager Community Services**Author:** Steven Gatt - Manager Planning & Regulatory Services

SUMMARY

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

COMMITTEE RECOMMENDATION

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

Moved by: Councillor Rutherford**Seconded by:** Councillor Fisher**MOTION CARRIED**

8.6 BIOSECURITY PLAN 2017-2021

File No: 7099
Attachments: 1. Draft Biosecurity Plan 2017 - 2021
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Catherine Hayes - Coordinator Health and Environment

SUMMARY

This report presents the Rockhampton Regional Council Biosecurity Plan 2017-2021 (The Plan) for Council's endorsement before being sent to neighbouring Councils and Biosecurity Queensland for consultation.

COMMITTEE RECOMMENDATION

THAT Council endorse the Biosecurity Plan 2017-2021 for consultation.

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 9:56am.

SIGNATURE

CHAIRPERSON

DATE