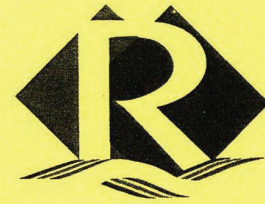


Our Ref: D-74/2004
Your Ref:
Enquiries: Planning Services Unit
Telephone: 4936 8343
Facsimile: 4936 8435
Email: planning@rcc.qld.gov.au



2 June 2004

Department Of Main Roads
Central District Office
PO Box 5096
CQ MAIL CENTRE QLD 4702

Dear Sir/Madam

REFERRAL AGENCY NOTICE - INTEGRATED PLANNING ACT 1997

DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (DAY CARE CENTRE) - APPLICATION NO. D-74/2004 - L4010 R1675, L1 RP600127, L2 RP600127, L3 RP600127, L4 RP600127, L5 RP600127, L6 RP600127, L7 RP600127, L8 RP600127 - 245-253 CAMPBELL STREET, ROCKHAMPTON CITY QLD 4700 FOR VASPAT PTY LTD

I refer to the abovementioned application lodged with Council on 20 January 2004. In accordance with section 3.5.15 of the *Integrated Planning Act 1997* Council has decided the application and a copy of the decision is enclosed for your information.

If you wish to discuss any matter contained within the decision notice please do not hesitate in contacting Cameron Wyatt on the above number.

Yours faithfully

David Mason
Director Development
Environment and Health
Encl:

DECISION NOTICE – INTEGRATED PLANNING ACT 1997**DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (DAY CARE CENTRE) – APPLICATION NO. D-74/2004 – L4010 R1675, L1 - L8 RP600127 – 245-253 CAMPBELL STREET, ROCKHAMPTON CITY QLD 4700, ROCKHAMPTON FOR VASPAT PTY LTD****1. DECISION DATE**

31 May 2004

2. DECISION

The abovementioned development application for a Development Permit for Material Change of Use (Day Care Centre) was assessed and **approved subject to conditions**. The decision was made by Rockhampton City Council as the Assessment Manager on the date listed in item 1 of this Decision Notice. The conditions of approval are listed in items 4 and 5 of this Decision Notice.

The type of any approval given is shown diagrammatically below

Approval Type	Development Permit ¹	Preliminary Approval ¹	Currency Period ²
Carrying out building work	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4 years
Carrying out plumbing or drainage work	<input type="checkbox"/>	<input type="checkbox"/>	
Carrying out operational work	<input type="checkbox"/>	<input type="checkbox"/>	
Making a material change of use of premises	<input checked="" type="checkbox"/>	<input type="checkbox"/>	4 years
Reconfiguring a lot	<input type="checkbox"/>	<input type="checkbox"/>	

1. A **development permit** authorises development to occur to the extent stated in the permit and subject to the conditions of the permit, whereas a **preliminary approval** approves development, but **does not** authorise the development to occur.
2. Development may only be carried out during the currency period stated in this decision notice.

3. NAME AND ADDRESS OF REFERRAL AGENCIES (Concurrence or Advice)

Name : Queensland Department of Main Roads
Central District Office
Postal Address : PO Box 5096
CQ MAIL CENTRE QLD 4702

4. CONDITIONS OF APPROVAL – ASSESSMENT MANAGER

**Rockhampton
City Council**

Bolsover Street
Rockhampton
Queensland

PO Box 243
Rockhampton
Qld 4700

Telephone (07) 4936 8000
Email enquiries@rcc.qld.gov.au
Facsimile (07) 4922 1700

MATERIAL CHANGE OF USE OF PREMISES**CURRENCY PERIOD AND APPROVED PLANS**

- (1) (a) In accordance with the provisions of the *Integrated Planning Act 1997* this Development Permit for a Material Change of Use (Day Care Centre) has a currency period of four (4) years from the date the approval takes effect.
- (b) This Development Permit shall be in accordance with the following approved Job Numbers: -
- Job No. 8396 Sheet P2 drawn by Miles Blucher Architect and dated December 2003* and;
 - Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004

except as otherwise amended by conditions in this approval.

CAPACITY OF DAY CARE CENTRE

- (2) The Day Care Centre shall have a maximum capacity of seventy-five (75) spaces located on Lot 1 to 8 on RP600127.

HOURS OF OPERATION

- (3) Unless otherwise approved in writing by Council the hours of operation shall be: -

Monday to Friday 7:00am to 6:30pm
No operation on Saturday, Sunday or Public Holidays

ACCESS AND CAR PARKING

- (4) In accordance with Part 5, Division VIII, Provision 12(5)(a) of the Transitional Town Planning Scheme, Council grants a relaxation of the pick-up and set-down area required for the proposed development.
- (5) Prior to the commencement of the use, the owner of the land is to provide a minimum of thirteen (13) carparking spaces on site in accordance with Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004 on Lots 1 to 8 on RP600127. All car parks shall be linemarked, sealed, drained and landscaped in accordance with the Transitional Town Planning Scheme for the City of Rockhampton.
- (6) The owner of the land is to ensure, prior to the commencement of the use that the driveway and carparking area is separated from the landscaped area by the construction of a minimum 150 mm high kerb or dwarf wall.

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- (7) The owner of the land is to ensure that staff and visitors vehicles are parked in the spaces provided on the subject premises and not on landscaping areas during the operation of the use.
- (8) The owner of the land is to ensure that all redundant vehicular crossings in the road reserve are removed and replaced with Council's standard kerb and channel prior to commencement of the use.
- (9) The owner of the land shall construct, prior to the commencement of the use, a 1.2 metre wide footpath, for the full length of road frontage along Campbell Street, where an existing footpath does not already exist. The area of footpath not paved shall be topsoiled and turfed. The footpath shall be constructed in accordance with Council's Specification and consistent in width and type of existing footpaths in the immediate area.
- (10) The owner of the land shall construct a reinforced concrete crossover for the carparking access point as shown on Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004, prior to the commencement of the use in accordance with the Council Capricorn Municipal Development Manual (CMDM).

LANDSCAPING

- (11) The owner shall, prior to the commencement of the use, submit to, and have approved by Council, a landscape plan drawn by a suitably qualified landscape designer.

The landscaping plan shall contain the following information:

- (a) Outline of the proposed structures;
 - (b) Existing trees;
 - (c) Trees to be removed;
 - (d) Proposed planting (quantity, species and expected mature height);
 - (e) Proposed earth mounding;
 - (f) The method of planting and the proposed maintenance program;
- (12) Landscaping shall be completed to the satisfaction of Council prior to the commencement of the use in accordance with the approved plan. All landscaping shall be maintained to Council's satisfaction.

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FENCING

- (13) The owner of the land, prior to the commencement of the use, shall install a 2.4 metre high timber acoustic fence being (double lapped and capped) in the location as identified on Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004.
- (14) The owner of the land shall, prior to the commencement of the use, install a minimum 1.2 metre high fence with a minimum 75% transparency along the road frontages of the site, with the exception of Kent Lane which shall have minimum 75% screening. A 1.8 metre fence with a minimum 75% screening shall be erected along the Campbell Street boundary.

STORMWATER

- (15) The owner of the land shall ensure that all stormwater runoff from roof and carparking areas within the site shall be discharged directly via pipes to the kerb and channel in either Kent Lane or Campbell Street in accordance with AS/NZS 3500.3:2003 - National Plumbing and Drainage Code prior to the commencement of the use. Under no circumstances shall runoff water from the site be diverted, redirected, intensified and/or concentrated in a manner that may cause or potentially cause a nuisance/damage to adjoining upstream or downstream properties or a hazard to pedestrians.

SIGNAGE

- (16) The owner shall not erect any sign or similar device on the subject land unless a plan is submitted detailing the location, size, type and content and such plan shall be approved by the Chief Executive Officer as well as conform to the provisions of the Signs Bylaw.

LIGHTING

- (17) The owner of the land shall ensure that any outdoor lighting is installed and maintained in accordance with Australian Standard AS4282 "Control of the obtrusive effects of Outdoor Lighting."

AMALGAMATION OF LOTS

- (18) The owner of the land shall, prior to the commencement of the use, apply to the Department of Natural Resources and Mines to amalgamate Lots 1 to 8 on RP600127 & Lot 4010 on R1675 into one title. The amalgamation of these allotments shall be completed prior to any approval for Building Works on the site for the construction of the Day Care Centre.

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SEWER LOCATION

- (19) The proposed building is located over the existing sewer access chamber in lot 3. As shown on Job No. 8396 drawn by Miles Blucher Architect and dated March 2004, the access chamber is required to be relocated at the applicant's expense. Fitzroy River Water (FRW) can provide a quote for the work if requested. In addition, the proposal will require approval under Council's Building Over Sewers Policy. A CCTV inspection of the sewer may be required and FRW can carry out this inspection at a cost of \$171/hour on request. In addition, a Building Over Sewer assessment fee of \$145 shall apply. A sewer rehabilitation contribution may be required in accordance with the Council's Building Over Sewers Policy. The applicable contribution will be determined after firm details of the extent of the building over sewer and the CCTV inspection results are available.

INFRASTRUCTURE CONTRIBUTIONS

- (20) The owner of the land shall provide a payment of infrastructure contributions in accordance with Local Planning Policy No. 5 (Headworks Contribution Policy) and Council's Guidelines for Infrastructure Contribution, within fourteen (14) days of any approval for building works on site at the rate applicable at the time of payment. The amounts shown are applicable for the current financial year and are reviewed each financial year.

For the subject development, a contribution towards the following water and wastewater infrastructure components has been assessed.

Description	Rate per unit (\$)	Amount (\$)
Glenmore Water Treatment Plant Upgrade	735	2,940
Sewerage Treatment Plant Upgrade	863	3,452
South Rockhampton Low level trunk water mains	616	2,464
Total	2,214x4	8,856

The above assessment has been based on four (4) additional lots for the subject development.

BUILDING WORKS**CURRENCY PERIOD AND APPROVED PLANS**

- (1) (a) In accordance with the provisions of the *Integrated Planning Act 1997* this Preliminary Approval for Building Works Material Change of Use (Day Care Centre) has a currency period of four (4) years from the date the approval takes effect.

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(b) This Preliminary Approval shall be in accordance with the following approved Job Numbers: -

- Job No. 8396 Sheet P2 drawn by Miles Blucher Architect and dated March 2004 and;
- Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated December 2003.

5. CONDITIONS OF APPROVAL – CONCURRENCE AGENCY

DEPARTMENT OF MAIN ROADS

Attached to this Decision Notice

6. GROUNDS OF REFUSAL

Not Applicable to this Decision Notice

7. OTHER DEVELOPMENT PERMITS REQUIRED

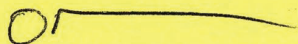
Development Permit for Building Works

8. THE FOLLOWING SELF ASSESSABLE CODES OF DEVELOPMENT APPLY TO THIS APPROVAL

There are no codes applicable to this Decision Notice

9. NUMBER OF PROPERLY MADE SUBMISSIONS RECEIVED

Nil



Dave Mason
Director Development,
Environment and Health

**Rockhampton
City Council**

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*Extracts from the Integrated Planning Act 1997***Appeals by applicants**

4.1.27.(1) An applicant for a development application may appeal to the court against any of the following—

- (a) the refusal, or the refusal in part, of a development application;
- (b) a matter stated in a development approval, including any condition applying to the development, and the identification of a code under section 3.1.6;⁷⁶
- (c) the decision to give a preliminary approval when a development permit was applied for;
- (d) the length of a currency period;
- (e) a deemed refusal.

(2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the “**applicant’s appeal period**”) after the day the decision notice or negotiated decision notice is given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

⁷⁶ Section 3.1.6 (Preliminary approval may override local planning instrument)

Appeals by applicants

4.2.9.(1) An applicant for a development application may appeal to a tribunal against any of the following—

- (a) the refusal, or the refusal in part, of a development application;
- (b) a matter stated in a development approval, including any condition applying to the development, but not including the identification of a code under section 3.1.6;⁸⁶
- (c) the decision to give a preliminary approval when a development permit was applied for;
- (d) the length of a currency period;
- (e) a deemed refusal.

(2) An appeal under subsection (1)(a) to (d) must be started within 20 business days (the “**applicant’s appeal period**”) after the day the decision notice or negotiated decision notice is given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

⁸⁶ Section 3.1.6 (Preliminary approval may override local planning instrument)

Appeal by advice agency

4.2.10.(1) An advice agency may, within the limits of its jurisdiction, appeal to a tribunal about the giving of a development approval if the development application involves code assessment for the aspect of building work to be assessed against the *Building Act 1975*.

(2) The appeal must be started within 10 business days after the day the decision notice or negotiated decision notice is given to the advice agency.

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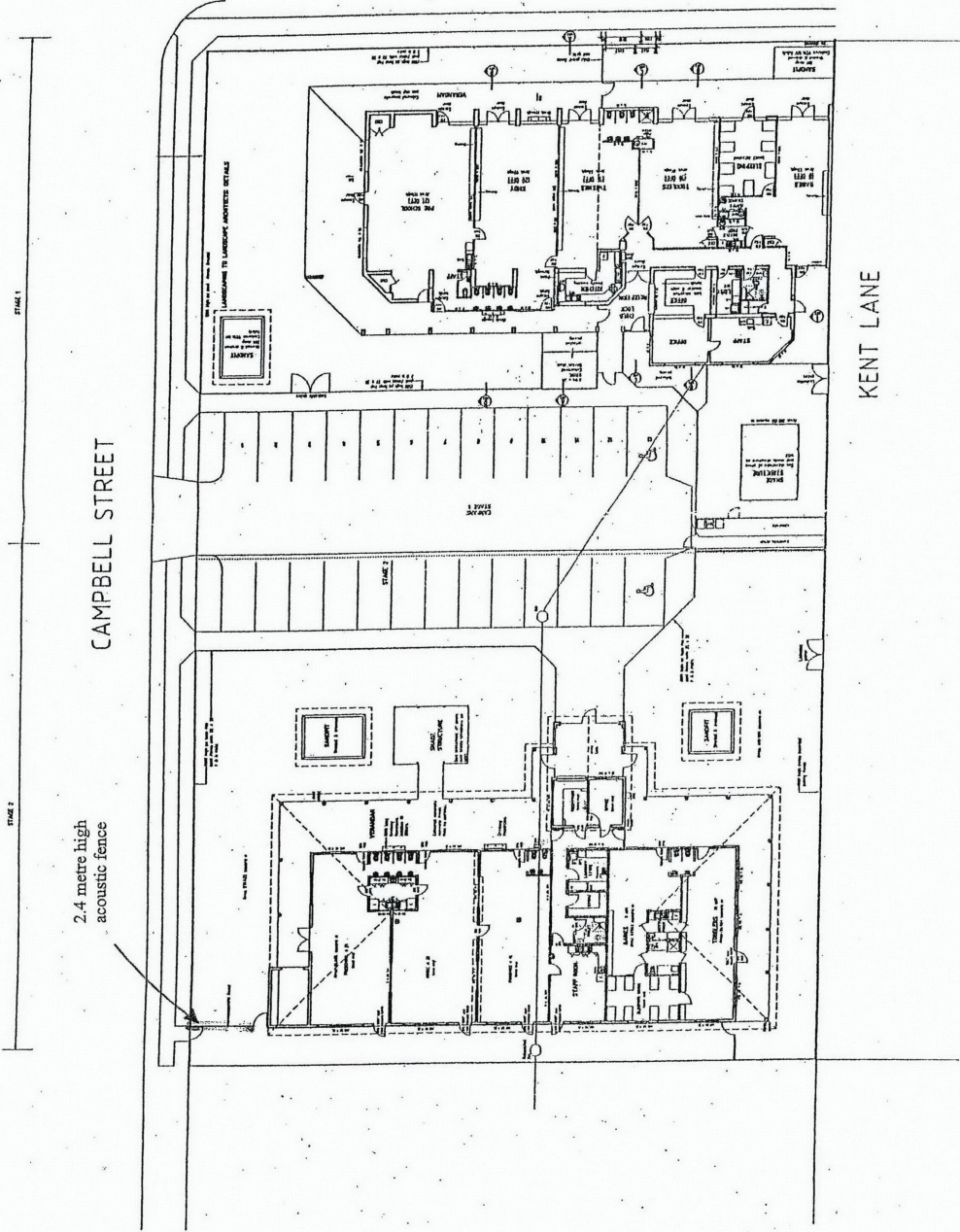
Rockhampton City Council
Planning Act 1997
PROPOSED DEVELOPMENT APPROVED PLAN

For Development Application No. D74/2004

This Development Application accords with the Decision Notice for the above-named Development Application that was approved on 31.05.04

This approval is provisional only and may change through a Negotiated Decision or an appeals process. This plan must not be used for private certification or development purposes. A final plan will be issued at the expiration of the appeal period.

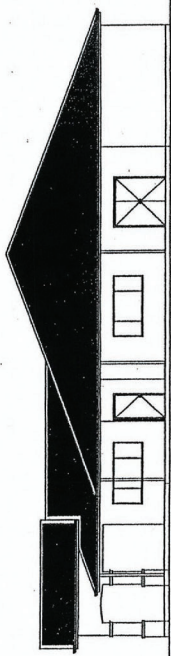
Authorised Signature



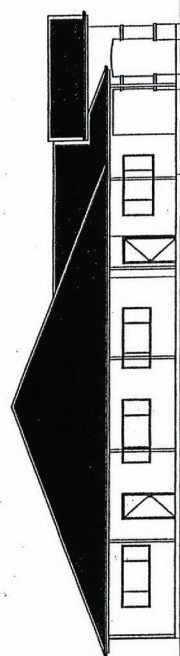
SITE PLAN 1:200

STAGE 1 DATE 13/04/2004		STAGE 2 DATE 13/04/2004	
A		A	
PROPOSED 75 PLACE DAYCARE CENTRE AT CAMPBELL ST, ROCKHAMPTON FOR VASSILUKOS & FIREHOSE PTY LTDs		Miles Blucher ARCHITECT TOOMBSVILLE QLD	
PROJECT NO. 8396		DATE 13/04/2004	
ISSUE 1		A	
P3		P3	

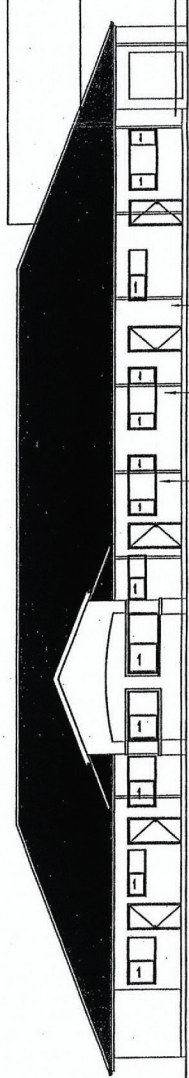
STAGE 2 CAMPBELL STREET STAGE 1



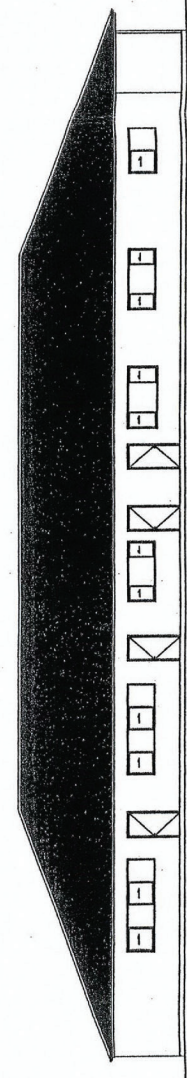
ELEVATION 1: 100



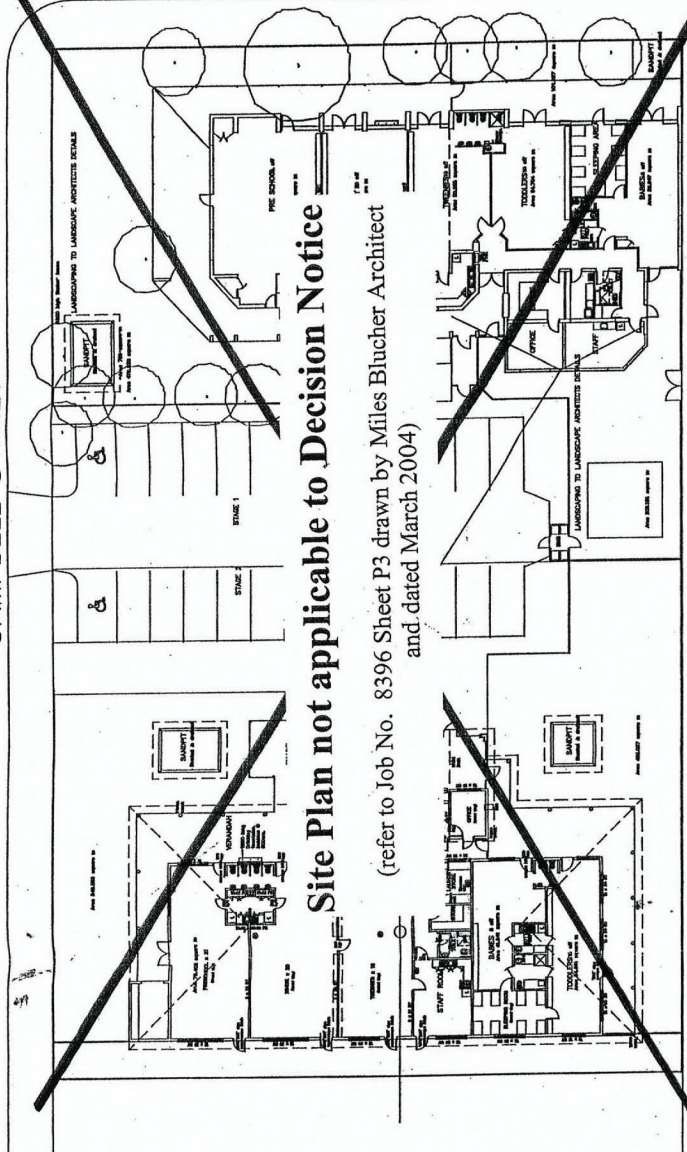
ELEVATION 2: 100



ELEVATION 3: 100



ELEVATION 4: 100



Site Plan not applicable to Decision Notice

(refer to Job No. 8396 Sheet P3 drawn by Miles Blucher Architect and dated March 2004)

KENT LANE

SITE PLAN 1: 200
PROPERTY DESCRIPTION:
LOT 1 - 8 RP 60027

Rockhampton City Council
Integrated Planning Act 1997
PROVISIONALLY APPROVED PLAN
For Development Application No. 274/2004
This plan or specification accompanies the Decision Notice for the abovementioned Development Application that was approved on 31/03/04.
This approval is provisional only and may change through a Negotiated Decision or an appeals process. This plan must not be used for private certification or development purposes. A final plan will be issued at the expiration of the appeal period.
Authorised Signature

- Selected Custom Orb roof & flashing.
- Courtyard steel gutter on metal fascia.
- Rendered black painted.
- Selected screening to service yard.
- Security grille entry.
- Steel window and door surround.

DATE: 25/03/2022	ISSUE: 8396	PROJECT: MILES BLUCHER ARCHITECT	STAGE: 2 - PROPOSED 75 DAYCARE CENTRE AT CAMPBELL ST, ROCKHAMPTON
SHEET: 1		ISSUE: 8396	FOR VASSPAT PTY LTD