

NORTH ROCKHAMPTON RESIDENTIAL CONSOLIDATION AREA

Description

The North Rockhampton Residential Consolidation Area is located north of the Fitzroy Bridge, and includes land on either side of Queen Elizabeth Drive / Musgrave Street, behind the Musgrave Street Highway Commercial Area. That portion of the Area located on the western side of Queen Elizabeth Drive / Musgrave Street is bound by the Bridge Street Residential Area to the south; Moores Creek Road to the east; the North Rockhampton Centre Commercial Area to the north; and the Musgrave Street Highway Commercial Area to the east. That portion of the Area located on the eastern side of Queen Elizabeth Drive / Musgrave Street is bound by Lakes Creek Road and the North Rockhampton Stables Residential Area to the south; the Frenchville Residential Area to the east and north; and the Musgrave Street Highway Commercial Area to the west.

The land in this Area primarily accommodates houses, however, there is also some multi-unit dwelling developments dispersed throughout the Area, as well as some commercial, community, and recreation uses (largely in the form of open space). There is a concentration of commercial uses in Elphinstone Street at its juncture with Berserker Street, which has been identified as a separate precinct. There are also some community uses located in this Precinct, including Council's library, a church, and a childcare facility. Otherwise, in the vicinity of Moores Creek, the Area incorporates Kershaw Gardens, a public facility operated by Rockhampton Regional Council, and land identified as open space along Moores Creek. Land in this Area is generally flat, and some land is subject to flooding from Moores Creek or the Fitzroy River, which is designated as either Flood Fringe High Hazard or Flood Fringe Low Hazard. The lower end of Moores Creek flows through this Area and into the Fitzroy River.

Intent

It is intended that the North Rockhampton Residential Consolidation Area retain and consolidate its residential character, accommodating a range of residential accommodation, including houses, duplexes, and multi-unit dwellings, up to three (3) stories in height. The Area is particularly suitable for additional multi-unit dwelling development, given its close proximity to employment, entertainment, and services offered in both the Central Business District (CBD) and in the adjoining Musgrave Street Highway Commercial Area. However, some land located in the south and east of this Area in proximity to Moores Creek is subject to flooding and is not suitable for more intense forms of residential development, other than houses. It is not intended that this flood prone land be further subdivided to accommodate additional residential allotments either.

The Area will continue to accommodate a convenience shopping precinct known as the Elphinstone Street Local Shopping / Neighbourhood Centre that services the needs of the local residents, rather than the wider community.



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Whilst the expansion of uses within this Precinct is consistent with the intent for this Area, it will not expand outside the Precinct boundaries or to a scale that changes its position in the hierarchy of centres for the City. The exception to this however will be in the Elphinstone Street sub-precinct where only in certain instances described later, commercial land uses may occur. For the Elphinstone Street Local Shopping / Neighbourhood Centre, refer to the individual Intent and Assessment Table for the Precinct, included in this Planning Area for greater detail and direction.

Multi-unit dwelling development and duplex development is encouraged throughout the Area, including in the Local Shopping / Neighbourhood Centre Precinct. However, short-term residential accommodation (e.g. motels) is not consistent with the intent for the Area, and is desirably located in other Areas of the City, and particularly the CBD. Whilst all development in this Area may be constructed to a height of three (3) stories, it will not be of a scale or design that adversely impacts or alters the character of the Area or part of the Area, or adversely impacts on the residential amenity of surrounding residents.

Whilst residential development will be the main form of development in the Area, it is possible that some land outside of the Elphinstone Street Local Shopping / Neighbourhood Centre might be developed for commercial purposes, in one of two only, possible ways. The first is as an extension of the adjoining Musgrave Street Highway Commercial Area and the second is when in accordance with the intent for the Elphinstone Street sub-precinct. The application of each of these will be as follows:

Extension to the Musgrave Street Highway Commercial Area

Development within the boundaries of this Area (*the North Rockhampton Residential Consolidation Area*), which is asserted to be an appropriate expansion or extension of the *Musgrave Street Highway Commercial Area*, will not, as a general proposition, be consistent with the intent of this Area. However, such development may be favourably considered if:-

- (1) The proposed development is not on land that has frontage or access to Part Street or Phillips Street¹; and
- (2) The development application for the proposed development includes:
 - (a) land that is located adjacent to other land that is located in the *Musgrave Street Highway Commercial Area*; or
 - (b) land in the Area and land in the *Musgrave Street Highway Commercial Area*; and
- (3) Those aspects of the development to be carried out on land in this Area enhance the overall achievement of the Intent for this Area by providing a form of less intensive transition between the activities in the *Musgrave Street Highway Commercial Area* and the residential uses in this Area.

Elphinstone Street sub-precinct

The Elphinstone Street sub-precinct has boundaries that are defined on the Precinct Map for the Area. Development within the boundaries of this sub-

¹ This is to prevent commercial land uses being extended to front onto (or worse back onto) streets that will accommodate residential land uses.

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precinct will not, as a general proposition, be consistent with the intent of this Area. However, such development may be favourably considered if:

- (1) The proposed development is clearly infill development between 2 existing non-residential buildings; or
- (2) The proposed development is an extension to an existing non-residential building(s) or use; or
- (3) The proposed development involves the retention, re-use and conversion of existing residential buildings, but where this is not possible due to the nature of the proposed use or the state of the existing building (e.g. structurally unsound), the development design has setbacks, building design elements (for example gable roofs with pitches of at least 22°, 600mm wide eaves, windows and door openings, articulated facades, etc.), choice of building materials and site design that reflects what is commonly used in residential building design;

and in all instances, the development protects the residential amenity and character of the Area and those adjoining lands used for a residential purpose.

To remove any doubt however, this Area Intent (including more specifically the sub-precinct or possible extension to the Musgrave Street Highway Commercial Area references above) does not support extensions to existing industrial uses that constitute a material change of use or the commencement of any new industrial land uses.

The expansion of existing community / recreation use category uses and the provision of additional community / recreation use category uses will be assessed on their merits. These uses will only be consistent with the intent for the Area where it can be demonstrated that they will not have a detrimental impact on residential amenity. Amongst other things, community / recreation use category uses will need to demonstrate that:

- Sufficient carparking can be provided on site;
- Buildings will not adversely overshadow or overlook adjacent residential dwellings; and
- The hours of operation of the use or the placement of facilities will not disturb the residential amenity of surrounding residents.

To ensure that the existing community / recreation uses located along Robinson Street are protected from the encroachment of residential uses (eg. houses) that can conflict with these existing uses, subdivision of Lot 4 SP 151214 has been made Impact Assessable development. Any subdivision of this land adjoining the community / recreation uses must ensure that the future uses of the allotments to be created (especially dwelling units) will not adversely affect, applying the 'reverse amenity'² principle, these existing community / recreation uses.

Kershaw Gardens is one of the City's tourist attractions located within this Area. Access to the gardens can be obtained from Moores Creek Road, Charles Street, and High Street. The gardens have excellent walking tracks that wind through a wetland area, a fragrant garden, heritage style buildings, rainforest

² For advice on this principle, it was raised and discussed in the Planning and Environment Court decision for *Yulara v Rockhampton City Council* 1999



and other plant communities, along with a playground and barbecue facilities. The gardens are also used for a range of functions and events.

Some land in proximity to Moores Creek is being used as a public facility and farming (a nursery), operated by Rockhampton Regional Council. The continued use of this land for this purpose is consistent with the intent for the Area.

Riparian corridors adjacent to all Council's waterways will be protected from development. In this instance, it applies to development adjacent to Moores Creek located within this Area. However, where environmentally and culturally appropriate, it is intended to allow public access to these areas, generally in the form of walkways, for the enjoyment of the entire community. Where possible, and appropriate, these walkways will connect with Council's parks, open spaces, and recreation facilities. There is already a significant amount of land located along Moores Creek, which is in public ownership, as public open space.

PRECINCT 1 – COMMERCIAL PRECINCT **ELPHINSTONE STREET LOCAL SHOPPING / NEIGHBOURHOOD CENTRE**

Description

The Elphinstone Street Local Shopping / Neighbourhood Centre Commercial Precinct incorporates land developed for retail / commercial / community uses, located on Elphinstone, Livingstone, Mostyn, and Berserker Streets, as identified on the precinct plan map. It also includes some allotments that are currently improved by residential dwellings.

The retail / commercial / community uses are provided in a linear configuration, fronting the abovementioned streets.

Intent

It is intended that the Elphinstone Street Local Shopping / Neighbourhood Centre Precinct will retain a local convenience focus for the residents of the Area, by providing shops and commercial services primarily utilised to service the day-to-day needs of the surrounding local community. The Precinct is intended to accommodate uses such as a convenience supermarket (maximum GFA of 1500m²), specialty shops and services, small scale offices, cafes and restaurants, medical centres, and community uses.

These uses are consistent with the intent for the Area, subject to the residential amenity of areas outside of the precinct not being compromised by the following:

- Noise and odours;
- Traffic generation; and
- The size and scale of the use, having regard to the intent for the Area.



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The centre will not provide the range of uses available in the major centres in North Rockhampton and the CBD, and expansion outside the identified precinct boundaries will not be supported. Uses particularly inconsistent with the intent of the Precinct include medium to large scale offices and entertainment facilities (both of which are desirably located elsewhere), service stations, a car wash, showrooms, and a major shopping outlet.

There is a large building in this Precinct occupied by Mitre 10. Should this use vacate the site, then the site would be suitable for community use / recreation use category uses, subject to the potential impact on adjoining residential uses being assessed in accordance with the previously mentioned criteria. The site will not be developed for a major shopping outlet and will not be developed for any other use that changes this Centre's position in the hierarchy of centres for the City.

Mixed-use residential / commercial developments are consistent with the intent of this Precinct, where commercial uses are provided at ground floor level and residential development is provided at first / second floor level. Impacts of commercial development on adjacent residential uses will be required to be addressed by:

- Appropriate separation of land uses, including fencing and landscaping, where considered necessary; and
- Appropriate sound mitigation for restaurants or after hours uses; and
- Sound mitigation on refrigeration or air conditioning units, etc.; and
- The appropriate design and location of servicing areas and the like e.g. refuse and loading areas, etc.

Council's Carparking Strategy adopted by Council in 2003, revealed an excess of carparking spaces in this Local Shopping / Neighbourhood Centre Precinct. It was estimated that with all vacant premises occupied there would be over 100 spare spaces within this Precinct. Consequently, there are opportunities to allow some additional development to occur in this precinct without the provision of additional carparking spaces on the site, subject to the location (i.e. proximate to available spaces) and land ownership of such development. Given that there are opportunities in this centre to provide carparking or streetscape improvements in the road reserve, where Council agree to a lesser number of carparking spaces being provided on site, a monetary contribution will be payable to Council or works undertaken to the equivalent value, in accordance with the Carparking Contributions Policy. The recommended carparking rate for this centre is 4.0 spaces per 100m² GFA, as specified in the Parking and Access Code.



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Material Change of Use / Building Work

Development Type	Primary Code(s)
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Self Assessable

The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s).

• Home Occupation	Home Occupation / Home Based Business Code
• House	House Code
• Outdoor Sport and Recreation , on land designated as Public Open Space on the North Rockhampton Residential Consolidation Area Map and where not an ERA	Sports and Recreation Code
• Special Needs Accommodation Building	House Code

Code Assessable

For advice on all the codes applicable, refer to section 5.1 to 5.3 of this Planning Scheme.

• Building work at a Heritage Place	Heritage Place Code
• Building work for a Swimming Pool	Swimming Pool Code
• Caretakers Residence	Caretakers Residence Code
• Duplex	Multi Unit Dwelling, Accommodation Building and Duplex Code
• Home Based Business	Home Occupation / Home Based Business Code
• House , when not self assessable development	House Code
• Multi Unit Dwelling	Multi Unit Dwelling, Accommodation Building and Duplex Code
• Small Lot House	Residential - Small Lot Code

Impact Assessable

• Any other Material Change of Use and associated Building Work for what is not otherwise stated as Exempt, Self Assessable or Code Assessable Development.	
• Building work for demolition of a Heritage Place.	



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Operational Work / Reconfiguring a Lot

Development Type

Primary Code(s)

Self Assessable

The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s).

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Consolidation Area that are not a Third Party Sign, a Flashing Sign or a Free Standing Sign. Part A of the Signage Code

Code Assessable

For advice on all the codes applicable, refer to sections 5.1 to 5.3 of this Planning Scheme.

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Consolidation Area that is;
 - (a) not complying with all the relevant Acceptable Solutions listed in the Signage Code and is not a Third Party Sign or a Flashing Sign; or
 - (b) a Freestanding Sign. Signage Code
- **Advertising Sign**, nominated as Group B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Consolidation Area that are associated with a non residential use that was existing on the site prior to the commencement of the Planning Scheme and is not a Third Party Sign or a Flashing Sign. Signage Code
- **Operational work for excavation or filling** Filling or Excavation Code; and Steep or Unstable Land Code
- **Operational work for Reconfiguring a Lot** Reconfiguring a Lot Code; and External Works and Servicing Code
- **Reconfiguring a Lot**, where no additional allotments are created or where additional allotments are created, all resulting allotments have an area of 600m² or more. Reconfiguring a Lot Code

Impact Assessable

- **Reconfiguring a Lot**, where additional allotments are created and one or more resulting allotments is less than 600m².
- **Advertising Sign**, not nominated as Group A or B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Residential Consolidation Area.
- **Advertising Sign**, being a Third Party Sign or a Flashing Sign.



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Precinct 1 – Commercial Precinct

Elphinstone Street Local Shopping / Neighbourhood Centre

Material Change of Use / Building Work

Development Type	Primary Code(s)
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Self Assessable

The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s), **and** when only involving minor building works.

• Commercial Premises (where, if the development is for office activities as described in the definition of Commercial Premises, each Tenancy of the proposed use, including associated existing use if the proposed use is an extension of an existing use, occupies a total Gross Floor Area within the building or buildings on the site of no more than 100m ²)	Commercial Centres Self Assessable Code
• Community Facility	Commercial Centres Self Assessable Code
• Emergency Services	Commercial Centres Self Assessable Code
• Home Occupation	Home Occupation / Home Based Business Code
• Market , on road reserve or land designated as Public Open Space on the North Rockhampton Residential Consolidation Area Map	Market Code
• Restaurant , when not including a drive-through facility	Commercial Centres Self Assessable Code
• Shop	Commercial Centres Self Assessable Code
• Take-away food store	Commercial Centres Self Assessable Code
• Veterinary Clinic	Commercial Centres Self Assessable Code

Code Assessable

For advice on all the codes applicable, refer to sections 5.1 to 5.3 of this Planning Scheme.

• Building work at a Heritage Place	Heritage Place Code
• Building work for a Swimming Pool	Swimming Pool Code
• Car Park	Activity Centres Code and Parking and Access Code
• Caretakers Residence , when above or behind a non residential use or when on land designated as Public Open Space on the North Rockhampton Residential Consolidation Area Map	Caretakers Residence Code and Activity Centres Code
• Commercial Premises (where, if the development is for office activities as described in the definition of Commercial Premises, each Tenancy of the proposed use, including associated existing use if the proposed use is an extension of an existing use, occupies a total Gross Floor Area within the building or buildings on the site of no more than 100m ²) when not self assessable development.	Activity Centres Code
• Community Facility , when not self assessable development	Activity Centres Code
• Duplex , when not at ground level	Multi Unit Dwelling, Accommodation Building and Duplex Code and Activity Centres Code
• Emergency Services , when not self assessable development	Activity Centres Code
• Home Based Business	Home Occupation / Home Based Business Code
• House , when not at ground level	House Code and Activity Centres Code
• Multi Unit Dwelling , when above a non residential use	Multi Unit Dwelling, Accommodation Building and Duplex Code and Activity Centres Code
• Restaurant , when not including a drive-through facility and not self assessable development	Activity Centres Code
• Shop , when not self assessable development	Activity Centres Code
• Small Lot House , when not at ground level	Residential – Small Lot Code & Activity Centres Code
• Take-away Food Store , when not self assessable development	Activity Centres Code
• Veterinary Clinic , when not self assessable development	Activity Centres Code

Impact Assessable



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- Any other Material Change of Use and associated Building Work for what is not otherwise stated as Exempt, Self Assessable or Code Assessable Development.
- Building work for demolition of a Heritage Place.

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Precinct 1 – Commercial Precinct

Elphinstone Street Local Shopping / Neighbourhood Centre

Operational Work / Reconfiguring a Lot

Development Type	Primary Code(s)
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Self Assessable

The following uses are Self Assessable development only when complying with all of the relevant Acceptable Solutions contained within the Applicable Primary Code(s).

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Commercial Area or Precinct that are not a Third Party Sign, a Flashing Sign or a Free Standing Sign. Part A of the Signage Code

Code Assessable

For advice on all the codes applicable, refer to sections 5.1 to 5.3 of this Planning Scheme.

- **Advertising Sign**, nominated as Group A in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Commercial Area or Precinct that is;
 - (a) not complying with all the relevant Acceptable Solutions listed in the Signage Code and is not a Third Party Sign or a Flashing Sign; or
 - (b) a Freestanding Sign. Signage Code
- **Advertising Sign**, nominated as Group B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Commercial Area or Precinct that are not a Third Party Sign or a Flashing Sign. Signage Code
- **Operational work for excavation or filling** Filling or Excavation Code; and Steep or Unstable Land Code
- **Operational work for Reconfiguring a Lot** Reconfiguring a Lot Code; and External Works and Servicing Code
- **Reconfiguring a Lot**, where no additional allotments are created or where additional allotments are created, all resulting allotments have an area of 600m² or more. Reconfiguring a Lot Code

Impact Assessable

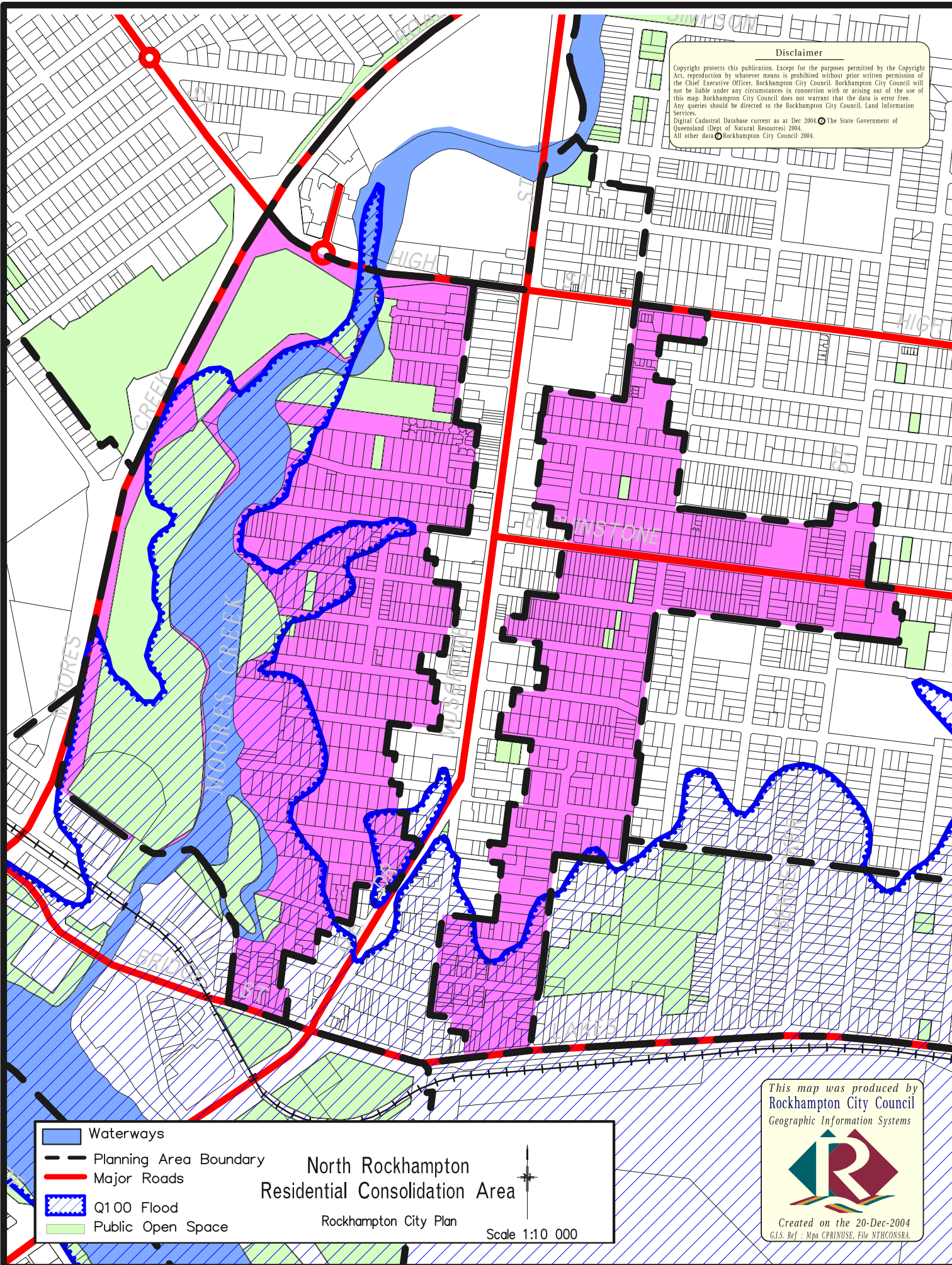
- **Reconfiguring a Lot**, where additional allotments are created and one or more resulting allotments is less than 600m²
- **Advertising Sign**, not nominated as Group A or B in Schedule 1 of Planning Scheme Policy No. 9 – Signage for a Commercial Area or Precinct.
- **Advertising Sign**, being a Third Party Sign or a Flashing Sign.



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- Waterways
- Planning Area Boundary
- Major Roads
- Q100 Flood
- Public Open Space

North Rockhampton Residential Consolidation Area

Rockhampton City Plan

Scale 1:10 000

This map was produced by
Rockhampton City Council
Geographic Information Systems



Created on the 20-Dec-2004
G.I.S. Ref : Mpa CPRINUSE, File NTHCONSR.

North Rockhampton Residential Consolidation Area

This map was produced by
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Geographic Information Systems



Created on the 23-Dec-2004
GIS Ref: Mps WORK, File NTHCONPREC

