



PLANNING & DEVELOPMENT COMMITTEE MEETING

MINUTES

26 AUGUST 2014

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**REPORT OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 26 AUGUST 2014 COMMENCING AT 1.32PM**

1 OPENING

2 PRESENT

Members Present:

Councillor A P Williams (Acting Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor G A Belz
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr R Cheesman – Acting Chief Executive Officer
Mr R Holmes – General Manager Regional Services
Mr R Claus – Manager Planning
Ms T Fitzgibbon – Coordinator Development Assessment
Mr J Herron – Coordinator Infrastructure Operations
Mr P Barry – Senior Planning Officer
Mr A DeKlerk – Planning Officer
Ms C Hibberd – Planning Officer
Ms K Mahon – Committee Support Team Leader

3 APOLOGIES AND LEAVE OF ABSENCE

Leave of Absence for the meeting was previously granted to Councillor Stephen Schwarten.

Leave of Absence for the meeting was previously granted to Mayor Margaret Strelow.

COMMITTEE RESOLUTION

That the leave of absences for the Planning and Development Committee Meeting be received.

Moved by: Councillor Swadling

Seconded by: Councillor Rutherford

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Planning & Development Committee held on 12 August 2014 be taken as read and adopted as a correct record.

Moved by: Councillor Smith

Seconded by: Councillor Rutherford

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 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR COMMERCIAL PREMISES

File No: D/121-2014

Attachments:

1. Locality Plan
2. Overall Site Plan - SK-01 Rev 3
3. Proposed Floor Plan - SK-03 Rev 4

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
 Russell Claus - Manager Planning
 Robert Holmes - General Manager Regional Services

Author: Corina Hibberd - Planning Officer

SUMMARY

Development Application Number: D/121-2014

Applicant: Cascade Retail No.2 Pty Ltd

Real Property Address: 109-113 George Street, Rockhampton City

Common Property Address: Lot 4 on SP266029 (Formerly known as Lot 1 on SP197268)

Area of Site: 341 square metres (Lease Area D)

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: South Rockhampton Highway Commercial Area

Planning Scheme Overlays: Nil

Existing Development: 'One-Eleven On George' Convenience Centre

Existing Approvals: D-1673/2005/B Material Change of Use (Convenience centre – Shops, Restaurants and Take-away Food Stores)
 D11-2014 Material Change of Use for Indoor Sport and Recreation

Approval Sought: Development Permit for a Material Change of Use for Commercial Premises

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Department of Transport and Main Roads

Adopted Infrastructure Charges Area: Charge Area One

Application Progress:

<i>Application Lodged:</i>	20 May 2014
<i>Acknowledgment Notice issued:</i>	27 May 2014
<i>Request for Further Information sent:</i>	11 June 2014
<i>Request for Further Information responded to:</i>	19 June 2014
<i>Submission period commenced:</i>	26 June 2014

<i>Submission period end:</i>	<i>16 July 2014</i>
<i>Council request for additional time:</i>	<i>8 August 2014</i>
<i>Government Agency Response:</i>	<i>16 July 2014</i>
<i>Last receipt of information from applicant:</i>	<i>17 July 2014</i>
<i>Statutory due determination date:</i>	<i>11 September 2014</i>

COMMITTEE RESOLUTION

RECOMMENDATION A

That in relation to the application for a Development Permit for a Material Change of Use for Commerical Premises, made by Flinders Hyder on behalf of Cascade Retail No.2 Pty Ltd, on Lot 4 on SP266029 (formerly known as Lot 1 on SP197268), Parish of Rockhampton, located at 109-113 George Street, Rockhampton City, 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 application is for a destination activity which is an intended use for this area as per the South Rockhampton Highway Commercial Area and unlikely that it would undermine the role of the CBD.
- (b) The use can be appropriately located at the site and is not likely to compromise the existing convenience centre complex functions.
- (c) Adequate parking is available on site having regard to the mix of uses and alternative peak parking demands in the complex. The site is also easily accessible via footpaths and bikeways which may reduce the reliance on the number of parking spaces required for the proposed use.
- (d) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*.
- (e) Assessment of the development against the relevant planning scheme codes 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.
- (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 Commerical Premises, made by Flinders Hyder on behalf of Cascade Retail No.2 Pty Ltd, on Lot 4 on SP266029 (formerly known as Lot 1 on SP197268), Parish of Rockhampton, located at 109-113 George Street, Rockhampton City, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 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.
- 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 of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.

- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.6.1 Plumbing and Drainage Works; and
- 1.6.2 Building Works.
- 1.7 All Development Permits for Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Overall Site Plan	SK-01 Rev 3	19 May 2014
Proposed Floor Plans	SK-03 Rev 4	19 May 2014

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to commencement of the use.

3.0 PLUMBING AND DRAINAGE WORKS

- 3.1 All 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, Plumbing and Drainage Act* and the provisions of a Development Permit for Plumbing and Drainage Works.
- 3.2 The development must be connected to Council's reticulated sewerage and water networks.
- 3.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 3.4 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies.
- 3.5 Alteration or relocation of internal sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.
- 3.6 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation. Arrestor traps must be provided where commercial or non-domestic waste water is proposed to be discharged into the system.

4.0 BUILDING WORKS

- 4.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed the limits specified in the *Environmental Protection Act*.
- 4.2 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"'.

5.0 ASSET MANAGEMENT

- 5.1 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 at full cost to the Developer.

6.0 OPERATING PROCEDURES

- 6.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in George Street, Fitzroy Street, or Campbell Lane.
- 6.2 The hours of operations must be limited to:
- (i) 0800 hours to 1800 hours on Monday to Wednesday and Friday, and
 - (ii) 0800 hours to 2100 hours on Thursday; and
 - (iii) 0800 hours to 1600 hours on Saturday and Sunday.
- 6.3 The development must comply with the *Environmental Protection (Waste Management) Regulation* for the storage and collection of general and clinical wastes.
- 6.4 All waste storage areas must be kept in a clean, tidy condition in accordance with *Environmental Protection (Waste Management) Regulations*.
- 6.5 Clinical wastes must be serviced by qualified commercial contractors.
- 6.6 Noise from the activity must not cause an environmental nuisance.
- 6.7 When requested by the administering authority, noise monitoring must be undertaken and recorded to investigate any 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 the administering authority within fourteen (14) days of the completion of the investigation.

Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the Environmental Protection (Noise) Policy and noise monitoring conducted in accordance with the most recent edition of Department of Environment and Heritage Protection Noise Measurement Manual.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. Infrastructure Charges

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 to the new development.

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for Commerical Premises, made by Flinders Hyder on behalf of Cascade Retail No. 2 Pty Ltd, on Lot 4 on SP266029 (formerly known as Lot 1 on SP197268), Parish of Rockhampton, located at 109-113 George Street, Rockhampton City, Council resolves to not issue an Infrastructure Charges Notice.

Moved by: Councillor Fisher

Seconded by: Councillor Rutherford

MOTION CARRIED

8.2 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HOUSE

File No: D/100-2014

Attachments:

1. Locality Plan
2. Overall Site Plan - d12.102-SP1 Rev 1
3. Building Location Envelope

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Petrus Barry - Senior Planning Officer

SUMMARY

Development Application Number: D/100-2014

Applicant: A R Clarke

Real Property Address: Lot 4 on RP603374, Lot 5 on RP603374, Lot 14 on RP603374 and Lot 15 on RP603374, Parish of Archer

Common Property Address: 625 Montgomerie Street, Lakes Creek

Area of Site: 5,179 hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Berserker Range Environmental Protection Area

Planning Scheme Overlays: Steep and Unstable Land, Bushfire Hazard and Remnant Vegetation

Existing Development: Vacant

Existing Approvals: Dwelling House (lapsed)

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

Level of Assessment: Impact Assessable

Submissions: One (1) submission

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area three

Application Progress:

<i>Application Lodged:</i>	29 April 2014
<i>Acknowledgment Notice issued:</i>	6 May 2014
<i>Request for Further Information sent:</i>	20 May 2014
<i>Request for Further Information responded to:</i>	26 June 2014
<i>Submission period commenced:</i>	8 July 2014
<i>Submission period end:</i>	29 July 2014
<i>Last receipt of information from applicant:</i>	31 July 2014
<i>Statutory due determination date:</i>	27 August 2014

COMMITTEE RESOLUTION

That the matter lay on the table pending a site inspection to return to the Planning and Development Committee Meeting on 9 September 2014.

Moved by: **Acting Mayor Williams**

Seconded by: **Councillor Smith**

MOTION CARRIED

8.3 D/102-2014 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A MULTI UNIT DWELLING (THREE UNITS)

File No: D/102-2014

Attachments:

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevations
5. 3D Views

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
 Russell Claus - Manager Planning
 Robert Holmes - General Manager Regional Services

Author: Anton de Klerk - Planning Officer

SUMMARY

Development Application Number: D/102-2014

Applicant: Capricorn Engineering and Drafting Services

Real Property Address: Lot 11 on RP603329, Parish of Rockhampton

Common Property Address: 8 Athelstane Terrace, The Range

Area of Site: 1,012 square metres

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: The Range North Residential Area

Planning Scheme Overlays: Nil

Existing Development: Vacant

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a Multi Unit Dwelling (three units)

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	1 May 2014
<i>Properly Made Application:</i>	2 May 2014
<i>Acknowledgment Notice issued:</i>	13 May 2014
<i>Notice that no Further Information is required:</i>	22 May 2014
<i>Submission period commenced:</i>	10 June 2014
<i>Submission period end:</i>	3 July 2014
<i>Council request for additional time:</i>	6 August 2014
<i>Last receipt of information from applicant:</i>	13 August 2014
<i>Council Meeting date:</i>	26 August 2014

COMMITTEE RESOLUTION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Multi Unit Dwelling (three units), made by Capricorn Engineering and Drafting Services, on Lot 11 on RP603329, Parish of Rockhampton, located at 8 Athelstane Terrace, The Range, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds for justification:

- a) The proposal provides alternative accommodation type within the area proximal to essential community uses such as educational facilities (Girls Grammar School and CQ Tafe) as well as health services (Rockhampton Hospital) and Kerr Park;
- b) The proposed use does not compromise the achievement of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- c) Assessment of the development against the relevant area intent, 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
- d) 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 a Multi Unit Dwelling (three units), made by Capricorn Engineering and Drafting Services, on Lot 11 on RP603329, Parish of Rockhampton, located at 8 Athelstane Terrace, The Range, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 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.
- 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 of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Access and Parking Works;
 - (ii) Stormwater Works; and
 - (iii) Site Works.
 - 1.6.2 Plumbing and Drainage Works; and
 - 1.6.3 Building Works.

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

1.8 All engineering drawings/specifications, design and construction works must comply 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 the conditions of this permit:

<u>Plan/Document Name</u>	<u>Reference</u>	<u>Dated</u>
Site Plan	14-031-C Sheet 001 Revision 3	11 August 2014
Floor Plan	14-031-C Sheet 100 Revision 3	11 August 2014
Elevations	14-031-C Sheet 200 Revision 3	11 August 2014
3D Views	14-031-C Sheet 400 Revision 3	11 August 2014

2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

2.3 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 a Development Application for Operational 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 and parking works on the site.

3.2 All 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 All parking, access and manoeuvring areas must be paved or sealed.

4.0 PLUMBING AND DRAINAGE WORKS

4.1 All plumbing and sanitary 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*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

4.2 The development must be connected to Council's reticulated sewerage and water networks.

4.3 The existing sewerage connection point(s) must be retained, and upgraded if necessary, to service the development.

4.4 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.

4.5 The development must be provided with a master meter at the property boundary and sub meters for each sole occupancy building in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Sub-metering Policy.

4.6 All internal plumbing and sanitary drainage works must be completely independent for each unit.

5.0 STORMWATER WORKS

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

5.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines* and sound engineering practice.

5.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect adjoining land or infrastructure by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.

5.4 All structures must maintain a clearance of two (2) metres to any council infrastructure (that is, stormwater pipe). Any construction works proposed in the vicinity of Council's existing stormwater infrastructure must not adversely affect the integrity of the infrastructure or impact upon the operation, maintenance, replacement or structural integrity of the infrastructure. Protection around and along the stormwater pipe must be constructed to ensure its integrity and prevent impacts as a result of failure of the infrastructure.

5.5 An easement must be provided over all stormwater infrastructure within the development site.

6.0 SITE WORKS

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

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

6.2.1 the location of cut and/or fill;

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

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

6.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and

6.2.5 the maintenance of access roads to and from the site so that they are free of all cut and/or fill material and cleaned as necessary.

6.3 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 adjoining properties or infrastructure.

6.4 Any vegetation cleared or removed must be:

(i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or

(ii) removed for disposal at a location approved by Council;

within sixty (60) days of clearing. Any vegetation removed must not be burnt.

7.0 BUILDING WORKS

- 7.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed the limits specified in the *Environmental Protection Act*.
- 7.2 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the 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"*.
- 7.3 Provide a 1.8 metre high fence between the subject site and the adjacent properties to the development. The fence must be constructed of materials and finishes that are aesthetically pleasing and commensurate with the surrounding area.
- 7.4 Storage and collection of solid wastes must comply with the *Environmental Protection (Waste Management) Regulation*. All waste storage areas must:
- 7.4.1 provide impervious paved and drained wash-down areas to accommodate all refuse containers;
 - 7.4.2 provide a suitable hose-cock (with backflow prevention) and hoses at the refuse container area; and wash-down must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement;
 - 7.4.3 be of a sufficient size to accommodate wheelie bins and recyclable bins plus clearances around the bins for manoeuvring and cleaning;
 - 7.4.4 be aesthetically screened from any frontage or adjoining property;
 - 7.4.5 be surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the bin compound by any member of the public from any public place; and
 - 7.4.6 not be located within 2 metres of a road frontage.

8.0 LANDSCAPING WORKS

- 8.1 All landscaping works must be generally in accordance with the approved plans (refer to condition 2.1).
- 8.2 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.
- 8.3 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.
- 8.4 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

9.0 ELECTRICITY AND TELECOMMUNICATIONS

- 9.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

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 at full cost to the Developer.

10.2 Any damage to existing water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

11.0 ENVIRONMENTAL

11.1 An Erosion Control and Stormwater Control Management Plan must be implemented and maintained on-site for the duration of the works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The prepared Erosion Control and Stormwater Control Management Plan must be available on-site for inspection by Council Officers during those works.

12.0 OPERATING PROCEDURES

12.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Athelstane Terrace.

12.2 All waste storage areas must be kept in a clean, tidy condition in accordance with *Environmental Protection (Waste Management) Regulations*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Infrastructure Charges Notice

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 a Multi Unit Dwelling (three units), made by Capricorn Engineering and Drafting Services, on Lot 11 on RP603329, Parish of Rockhampton, located at 8 Athelstane Terrace, The Range, Council resolves to issue an Infrastructure Charges Notice for the amount of \$42,000.00.

Moved by: Councillor Smith
Seconded by: Councillor Swadling
MOTION CARRIED

9 STRATEGIC REPORTS

9.1 PLANNING SECTION - MONTHLY OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report - July 2014
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Russell Claus - Manager Planning

SUMMARY

The monthly operations report for the Planning Section (Development Assessment, Strategic Planning and Building Compliance) as at 31 July 2014 is presented for Councillors information.

COMMITTEE RESOLUTION

THAT the Planning Section (Development Assessment, Strategic Planning and Building Compliance) report be received.

Moved by: Councillor Smith
Seconded by: Councillor Rutherford

MOTION CARRIED

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS\QUESTIONS

12 CLOSURE OF MEETING

There being no further business the meeting closed at 2:09pm.

SIGNATURE

CHAIRPERSON

DATE