



PLANNING & DEVELOPMENT COMMITTEE MEETING

AGENDA

11 NOVEMBER 2014

Your attendance is required at a meeting of the Planning & Development Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 11 November 2014 commencing at 1.30pm for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be "C. R.", is positioned above the printed name of the Chief Executive Officer.

CHIEF EXECUTIVE OFFICER
5 November 2014

Next Meeting Date: 25.11.14

Please note:

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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1 OPENING

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor G A Belz
Councillor S J Schwarten
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Planning & Development Committee held 21 October 2014

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 LIFTING MATTERS LAYED ON THE TABLE

File No:	10097
Attachments:	Nil
Authorising Officer:	Evan Pardon - Chief Executive Officer
Author:	Evan Pardon - Chief Executive Officer

SUMMARY

Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting 11 November 2014.

OFFICER'S RECOMMENDATION

THAT the following matter, "lying on the table" be lifted from the table and be dealt with accordingly:

- D/69-2014 – Development Application for Reconfiguring a Lot (Three Lots into Three Lots)

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/69-2014 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (THREE LOTS INTO THREE LOTS)

File No: D/69-2014

Attachments:

1. Locality Plan
2. Site Plan

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

Author: Alyce McLellan - Planning Officer

Previous Items: 8.4 - D/69-2014 - Development Application for Reconfiguring a Lot (three lots into three lots) - Planning & Development Committee - 07 Oct 2014 1.30 pm

SUMMARY

This matter was layed on the table at the Planning and Development Committee Meeting on 7 October 2014 and the report is now due to be returned to the table to be dealt with.

Development Application Number: D/69-2014

Applicant: John Brydon

Real Property Address: Lot 14 on RP603512 and Lot 15 on RP603512 and Lot 16 on RP803410, Parish of Murchison

Common Property Address: 2 Sturt Street, Parkhurst

Area of Site: 1.38 hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Parkhurst Industrial Area – Low Impact Industrial Precinct

Planning Scheme Overlays: Flood Prone Land

Existing Development: Single Dwelling

Existing Approvals: Nil

Approval Sought: Development Permit for Reconfiguring a Lot (three lots into three lots)

Level of Assessment: Code Assessable

Submissions: Not Applicable

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

Adopted Infrastructure Charges Area: Charge Area One

Application Progress:

<i>Application Lodged:</i>	19 March 2014
<i>Acknowledgment Notice issued:</i>	26 March 2014
<i>Request for Further Information sent:</i>	31 March 2014
<i>Request for Further Information responded to:</i>	23 May 2014

<i>Government Agency Response:</i>	<i>29 April 2014</i>
<i>Last receipt of information from applicant:</i>	<i>23 May 2014</i>
<i>Council request for additional time:</i>	<i>17 June 2014</i>
<i>Council request for additional time:</i>	<i>16 July 2014</i>
<i>Council request for additional time:</i>	<i>20 August 2014</i>
<i>Council request for additional time:</i>	<i>11 September 2014</i>
<i>Statutory due determination date:</i>	<i>7 October 2014</i>

OFFICER'S RECOMMENDATION

THAT in relation to the application for a Development Permit for Reconfiguring a Lot (three lots into three lots), made by John Brydon, on Lot 14 on RP603512, Lot 15 on RP603512 and Lot 16 on RP803410, Parish of Murchison, located at 2 Sturt Street, Parkhurst, Council resolves to Refuse the application for the following reasons:

- (i) The existing lots are not within a Water Supply Service Area or Sewerage Service Area and consequently the site is not connected to appropriate water and sewerage infrastructure;
- (ii) The proposed lots are not of a sufficient size to accommodate flood free, on-site sewerage treatment and disposal for any future development. Consequently, compliance with the *Queensland Plumbing and Wastewater Code (On-Site Sewerage Code)* has not been demonstrated;
- (iii) The proposal does not have access to adequate fire fighting protection; and
- (iv) Further development of the proposed lots will not comply with the Industry Self-Assessment Code or the Industrial Use Code of the *Rockhampton City Plan 2005* as no provision has been made for water and sewerage infrastructure.

BACKGROUND

PROPOSAL IN DETAIL

The proposal is for a boundary realignment; three lots into three lots. Currently Lot 14 on RP603512 and Lot 15 on RP603512 are bound by Limestone Creek and are inaccessible. The proposal is to allow the realignment of these boundaries so they have access to Leichhardt Street and potentially be developed for Industrial purposes.

Proposed Lot 1 will have an area of 12,290 square metres and contain the existing dwelling house. Proposed Lot 2 will have an area of 3,180 square metres and Lot 3 will have an area of 3,640 square metres.

Access to Lot 1 will be via Sturt Street, and access to Lot 2 and Lot 3 will be via Leichhardt Street.

SITE AND LOCALITY

The subject site is irregular in shape with an area of 1.38 hectares. The site is bound by Sturt Street, Leichhardt Street and Alexandra Street. Limestone Creek traverses the site, making Lot 14 and Lot 15 inaccessible.

The existing house is located on Lot 16 and is connected to Council's reticulated water supply (via a Special Water Supply Arrangement) and on-site sewerage system.

The site is prone to flooding (except for an area facing Leichhardt Street) and is designated as a high hazard floodway area under the Flood Hazard Map of the *Rockhampton City Plan 2005*.

The area is dominated by industrial related activities including a variety of light and medium industrial uses such as, recycling, steel fabrication, towing/wrecking businesses. There are also two residential uses located south of the site.

PLANNING ASSESSMENT

MATTERS FOR CONSIDERATION

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the Integrated Development Assessment System provisions of the *Sustainable Planning Act 2009*, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Infrastructure Operations Unit's Comments – 26 March 2014

The application is supported subject to conditions.

Infrastructure Operations Unit's (sewer and water) Comments – 16 June 2014

The application is recommended refusal.

The information provided in the information request response is not satisfactory, therefore a refusal is recommended.

There is no water supply within the vicinity of these lots. The nearest water supply is from Gregory Street which is approximately 140 metres east of the site. The existing Lot 16 is connected to Council's reticulated water supply via a Special Water Supply arrangement. A Special Water Supply arrangement would not be sufficient for an Industrial use. The applicant would be required to construct water supply from the intersection of Gregory Street and Sturt Street.

Each lot must be provided with an on-site sewerage system in accordance with the *Queensland Plumbing and Wastewater Code*. Given the majority of the site is affected by Q100 flooding, compliance with the *Queensland Plumbing and Wastewater Code* is questionable. A Site Evaluation Report in accordance with the *Queensland Plumbing and Wastewater Code* for on-site Sewerage is required. The report must address the flooding implications and must be prepared by a qualified person in accordance with the *Queensland Plumbing and Wastewater Code*. The applicant was required to provide a Sewerage Strategy as per Council's Information Request dated 31 March 2014. This information was not provided.

TOWN PLANNING COMMENTS

Central Queensland Regional Plan 2013

The *Central Queensland Regional Plan 2013* is a statutory document which came into effect on 18 October 2013. The development is not required to be assessed against the regional plan if this document is appropriately reflected in the local planning scheme. It is considered that the regional plan is appropriately reflected in the current local planning scheme.

State Planning Policy 2014

This policy came into effect in July 2014 and replaced all former State Planning Policies. This policy requires development applications to be assessed against its requirements until the identified state interests have been appropriately reflected in the local planning scheme.

Liveable communities

Not Applicable.

Mining and extractive resources

Not Applicable.

Biodiversity

Not Applicable.

Coastal environment

Not Applicable.

Water quality

Not Applicable.

Natural hazard, risk and resilience

Complies. The State Planning Policy is appropriately reflected within the *Rockhampton City Plan 2005*. The proposal has been assessed against these requirements and is considered compliant. The site still provides safe and efficient access during a flood event and there is adequate land that is not flood affected should any future structures be erected.

Emissions and hazardous activities

Not Applicable.

State transport infrastructure

Not Applicable.

Strategic airports and aviation facilities

Not Applicable.

Rockhampton City Plan 2005**Parkhurst Industrial Area Intent**

The subject site is situated within the Parkhurst Industrial Area under the *Rockhampton City Plan 2005*. The intent of the Parkhurst Industrial Area identifies that: -

“The intent of this Area is that it will accommodate industries of varying degrees and intensities, including High Impact Industries, to the exclusion of other land uses that by their nature and purpose are incompatible with being located close to industry. The Area is, and will remain as, the principal Industrial Area for the City, providing opportunities for linkages and synergies between different industries, irrespective of whether they are existing or new, in an appropriate location. It is intended that High Impact Industries including Queensland Magnesium and Cement Australia will remain within the Area and that additional High Impact Industries may locate within the core of the Area and are to be protected from the encroachment of incompatible land uses. While it is recognised that many High Impact Industries would be best located in the Gracemere – Stanwell Industrial Corridor, the Parkhurst Industrial Area will continue to provide an alternative location, primarily for those that are smaller in scale or rely on direct access to a railway corridor.”

This application is consistent with the intent of the Area.

Rockhampton City Plan Codes

The following codes are applicable to this application: -

- Reconfiguration a Lot Code;
- Flood Prone Land Code;
- Parking and Access Code; and
- External Works and Servicing Code.

An assessment has been made against the requirement of the abovementioned codes and the proposed development generally complies with the relevant Performance Criteria and Acceptable Solutions. An assessment of the Performance Criteria which the application is in conflict with is outlined below:

Reconfiguring a Lot Code		
Performance Criteria		Officer's Response
P14	<p>For any subdivision;</p> <p>(a) The provision of public utilities, including sewerage, water, electricity, street lighting, and communication services, are cost effective over their life cycle and incorporate provisions to minimise adverse environmental impact in the short and long term; and</p> <p>(b) Transportation, treatment and disposal of sewage wastes uses best practice to meet minimum health and environmental standards; and</p> <p>(c) Subdivision occurs where there is an adequate water supply for domestic and fire fighting purposes; and</p> <p>(d) Subdivision is staged to ensure that each stage is fully serviced before a new area is released; and</p> <p>(e) Water supply and sewerage networks are accessible, easy to maintain, and cost-effective based on life-cycle costs; and</p> <p>(f) Adequate buffers are maintained between utilities and houses to protect residential amenity and health; and</p> <p>(g) The feasibility of using water from the sewage system on a localised basis (usually not on individual allotments) for irrigation is established during the design process of the subdivision.</p>	<p><u>Does not comply</u></p> <p>No provision has been made for reticulation of water supply and sewerage supply to each allotment.</p> <p>Further, Council have no Plans for Trunk Infrastructure for Water and Sewerage trunks associated with these properties.</p>
P15	<p>Subdivision unable to be connected to the reticulated sewerage system results in allotments that are each able to efficiently dispose of domestic effluent in a manner that:</p> <p>(a) minimises any potential adverse ecological impacts, particularly on any nearby sensitive receiving environments; and</p>	<p><u>Does not comply</u></p> <p>Each lot must be provided with an on-site sewerage system in accordance with the <i>Queensland Plumbing and Wastewater Code</i>. Given the majority of the site is affected by Q100 flooding, compliance with the <i>Queensland Plumbing and Wastewater Code</i> is questionable as the area not affected by flooding is not of a sufficient size to accommodate on-site sewerage.</p>

	<p>(b) limits any health risks during a system failure; and</p> <p>(c) ensures the water quality of existing and/or proposed water supplies remains unaffected; and</p> <p>(d) ensures the sustainable disposal of domestic effluent; and</p> <p>(e) does not impose a higher than normal cost to future land owners of the site for the installation and maintenance of pipes, pumps, etc and ensure that systems are easily able to be properly maintained.</p>	
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INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 4) 2014 for Reconfiguring a Lot applies to the application and it falls within Charge Area 1. The Adopted Infrastructure Charges are as follows:

Column 1 Charge Area	Column 2 Infrastructure Charge (\$/lot)	Column 3 Unit	Calculated Charge
Charge Area 1	21,000	per lot	\$63,000.00
Total			\$63,000.00
Less credit			\$63,000.00
TOTAL CHARGE			\$Nil

Therefore, no charges are applicable.

CONSULTATION

The proposal was not subject to public notification.

REFERRALS

The application was referred to the Department of State Development and Infrastructure Planning as the site is affected by contaminated land. The department assessed the application and provided conditions supporting the application on 29 April 2014.

CONCLUSION

The application for Reconfiguring a Lot (three lots into three lots) cannot be considered favourably as the site is not connected to appropriate water and sewerage infrastructure. As such, the assessment of this application has resulted in a recommendation for refusal, as the proposal conflicts with the Planning Scheme, and it is considered that there are insufficient grounds to justify approving the application.

**D/69-2014 - DEVELOPMENT
APPLICATION FOR RECONFIGURING
A LOT (THREE LOTS INTO
THREE LOTS)**

Locality Plan

Meeting Date: 11 November 2014

Attachment No: 1



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Locality Plan

0 0.0325 0.065 0.13 Km

5,426 at A4.

Rockhampton
 Regional Council
 Printed from Geko on 18/09/2014

**D/69-2014 - DEVELOPMENT
APPLICATION FOR RECONFIGURING
A LOT (THREE LOTS INTO
THREE LOTS)**

Site Plan

Meeting Date: 11 November 2014

Attachment No: 2



IMPORTANT NOTE

This plan was prepared to accompany a reconfiguration of a lot application to Rockhampton Regional Council and should not be used for any other purpose.

The dimensions and areas shown hereon are subject to field survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation.

In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land.

This note is an integral part of this plan.

client

J. Brydon

project

2 Sturt Street,
Parkhurst

plan of

**Lot Reconfiguration
(3 Lots into 3 Lots)
(with Ortho Underlay)**

tpd

Lots 14 & 15 on RP603512
& Lot 16 on RP803410
Parish of Murchison
County of Livingstone

lga

Rockhampton Regional Council

rev	date	details	authorised
A	17/02/2014	issue issue	CSG

created

CSG
capricorn survey group (cq)
17/02/2014 10:00:00 AM
17/02/2014 10:00:00 AM
17/02/2014 10:00:00 AM
17/02/2014 10:00:00 AM

scale
1:1000 @ A3

datum
RRC

sheet no

1 of 1

cad file

6005-05-ROL-A

plan no

6005-05-ROL

revision
A

8.2 D/191-2014 DEVELOPMENT APPLICATION FOR BUILDING WORKS ASSESSABLE AGAINST A PLANNING SCHEME FOR A HOUSE

File No: D/191-2014

Attachments:

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevation Plan
5. Elevation Plan (2)

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

Author: Rebecca De Vries - Senior Planning Officer

SUMMARY

Development Application Number: D/191-2014

Applicant: Thomas Bartlem

Real Property Address: Lot 15 on RP601650, Parish of Rockhampton

Common Property Address: 8 Barnes Street, Port Curtis

Area of Site: 1,173 square metres

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Port Curtis Rural Area

Planning Scheme Overlays: Flood Prone Land Code: High hazard floodway
and Airport Affected Land: No buildings over 20 metres in height

Existing Development: House

Existing Approvals: Building Permit 2554-2012 for an as constructed shed issued by a Private Certifier on 17 October 2012.

Approval Sought: Development Permit for Building Works Assessable against a Planning Scheme for a House

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Not Applicable

Adopted Infrastructure Charges Area: Charge Area 3

Application Progress:

<i>Application Lodged:</i>	22 July 2014
<i>Acknowledgment Notice issued:</i>	4 August 2014
<i>Request for Further Information sent:</i>	8 August 2014
<i>Request for Further Information responded to:</i>	3 September 2014
<i>Submission period commenced:</i>	11 September 2014
<i>Submission period end:</i>	1 October 2014

<i>Council request for additional time:</i>	<i>10 October 2014</i>
<i>Committee meeting date:</i>	<i>11 November 2014</i>
<i>Statutory due determination date:</i>	<i>4 December 2014</i>

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

That in relation to the application for a Development Permit for Building Works Assessable against a Planning Scheme for a House, made by Thomas Bartlem, on Lot 15 on RP601650, Parish of Rockhampton, located at 8 Barnes Street, Port Curtis, 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 development will not increase the risk to life, being that no additional residents are able to be accommodated on site;
- b) The shed is constructed of durable materials which are able to withstand a flood event;
- c) The structure will not significantly interfere with the passage, storage or quality of stormwater in a flood event;
- d) The burden on disaster management is not anticipated to be increased by the development, being that the site is already developed with a House and that the shed is an ancillary structure;
- e) The proposed use does not compromise the achievement of the Desired Environmental Outcomes in the Rockhampton City Plan 2005;
- f) 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
- g) The proposed development has reasonably responded to the requirements of the State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for Building Works Assessable against a Planning Scheme for a House, made by Thomas Bartlem, on Lot 15 on RP601650, Parish of Rockhampton, located at 8 Barnes Street, Port Curtis, 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, works, or requirements of this approval relating to the existing non-compliant Building Works Assessable Against the Scheme must be undertaken and completed to the satisfaction of Council, at no cost to Council and within six months of the date of this approval.
- 1.4 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council within six months of the date of this approval, unless otherwise stated.

- 1.5 The following further Development Permit must be obtained prior to the commencement of any works:

1.5.1 Building Works.

- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.7 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	SK-01	2 July 2014
Floor Plan	SK-02	2 July 2014
Elevations	SK-03	2 July 2014
Elevations	SK-04	2 July 2014
Plan of Contour Survey Lot 15 on RP601650	9051-33434	4 June 2014
Structural Engineering Assessment on Existing Steel-Framed Shed at 8 Barnes Street, Port Curtis	D14.057_0	22 July 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 the submission of a Development Application for Building Works.

3.0 PLUMBING AND DRAINAGE WORKS

- 3.1 Any internal plumbing and sanitary drainage works must be undertaken in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies and *Australian Plumbing and Drainage Standard AS3500 section 3 and 4*.
- 3.2 Alteration or relocation of internal plumbing or sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.
- 3.3 On-site sewage treatment and disposal must be in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies.

4.0 STORMWATER WORKS

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

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 5.1 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 5.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

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 adjoining properties or infrastructure.

7.0 BUILDING WORKS

- 7.1 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"*.
- 7.2 All non-habitable areas subjected to flood inundation during a Q100 flood event must be designed and constructed using suitable flood resilient materials.
- 7.3 All services and utilities connected to the development, including electrical outlets, must be designed or installed at such a height that they are a minimum of 500 millimetres above the Q100 flood level.
- 7.4 All recommendations provided in the Structural Engineering Assessment (refer to condition 2.1) must be completed within six months of the date of this approval.

8.0 ASSET MANAGEMENT

- 8.1 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.
- 8.2 Any damage to existing water supply or 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.

9.0 ENVIRONMENTAL

- 9.1 Implement and maintain an Erosion Control and Stormwater Control Management Plan 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.

10.0 OPERATING PROCEDURES

- 10.1 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 Barnes Street.
- 10.2 Any chemicals or other environmentally hazardous liquids which may be kept on site must be stored a minimum of 500 millimetres above the Q100 flood level.

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.

RECOMMENDATION C

That in relation to the application for a Development Permit for Building Works Assessable against a Planning Scheme for a House, made by Thomas Bartlem, on Lot 15 on RP601650, Parish of Rockhampton, located at 8 Barnes Street, Port Curtis, Council resolves not to issue an Infrastructure Charges Notice.

BACKGROUND

An application has been lodged with Council to seek approval for an as constructed shed in a flood prone area. The works trigger an application for building works assessable against the planning scheme as the site is located in a flood prone area.

Council provided advice to the owner on 7 September 2012 that the development on this site required approval under the *Rockhampton City Plan 2005*.

An application for building works assessable against the scheme was submitted on 12 November 2012. A request for further information was sent on 23 November 2012. The application lapsed on 18 December 2013 as the applicant did not provide a response to the information request.

A show cause notice was issued to the land owner on 19 February 2014. An application in response to the notice was received by Council on 22 July 2014.

PROPOSAL IN DETAIL

The proposal is to seek approval for an as constructed shed. The shed is approximately 12 metres by 12 metres and has a floor area of 147 square metres.

The shed is currently used for storage purposes associated with the house.

The proposal also includes a raised storage area of 18 square metres extended off the front of the already constructed shed on the left side. An awning is proposed to provide a covered area in front of the two roller doors along the remaining frontage of the constructed shed in line with the intended extension area.

The shed is constructed from colorbond sheeting and the extension is intended to be constructed of the same materials.

SITE AND LOCALITY

The subject site contains a residential dwelling and large shed, the shed being the subject of this development application.

The site is a regular shape with a frontage to Barnes Street of approximately 23 metres. There is a slight slope across the site to the rear boundary falling approximately 200 millimetres. Several mature trees exist on site with the remaining areas generally being turfed.

The surrounding lots are typically developed with older high set houses on individual lots of a similar nature. Further beyond the immediately adjoining properties is rural land containing wetlands and generally being utilised for grazing purposes.

PLANNING ASSESSMENT**MATTERS FOR CONSIDERATION**

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the Integrated Development Assessment System provisions of the *Sustainable Planning Act 2009*, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

Infrastructure Operations Unit's Comments – 1 August 2014

Support, subject to conditions.

Infrastructure Operations Unit's (sewer and water) Comments – 31 July 2014

Support, subject to conditions.

Public and Environmental Health Comments – 25 July 2014

Support, subject to conditions.

Other Staff Technical Comments

Not applicable as the application was not referred to any other technical staff.

TOWN PLANNING COMMENTS**Central Queensland Regional Plan 2013**

The *Central Queensland Regional Plan 2013* is a statutory document which came into effect on 18 October 2013. The development is not required to be assessed against the regional plan if this document is appropriately reflected in the local planning scheme. It is considered that the regional plan is appropriately reflected in the current local planning scheme.

State Planning Policy 2014

This policy came into effect in July 2014 and replaced all former State Planning Policies. This policy requires development applications to be assessed against its requirements until the identified state interests have been appropriately reflected in the local planning scheme.

Liveable communities

Not Applicable.

Mining and extractive resources

Not Applicable.

Biodiversity

Not Applicable.

Coastal environment

Not Applicable.

Water quality

Not Applicable.

Natural hazard, risk and resilience

The site is mapped as being affected by a natural hazard, as identified by the *Flood Hazard Area – Level 1 – Queensland floodplain assessment overlay* on the State Planning Policy Interactive Mapping System. Council is required to assess development which is affected by a natural hazard against the following matters:

<i>State Interest – for all natural hazards</i>		<i>Council assessment</i>
1	Development avoids natural hazard areas or mitigates the risks of the natural hazard to an acceptable or tolerable level, and	The risk already exists on the site and it is considered that the proposed development will not exacerbate the risk. The risk is considered tolerable having regard to the development not increasing the scale or intensity of the use of the site.
2	supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and	The burden on disaster management is not anticipated to be increased by the development, being that the site is already developed with a House and that the shed is an ancillary structure. The shed is for storage purposes and will not be capable of accommodating any additional residents on the site. It could also be argued that the storage of material in a flood event, as opposed to these being caught in flood waters may, however minimally, reduce the risk to disaster management teams from debris in an emergency situation.
3	directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties, and	The submitted Flood Report indicates that the development will result in an increase in flood depth of ten millimetres up to fifty metres from the location of the shed. This could potentially affect three existing adjacent high-set dwellings. Given the experienced level of inundation, being in excess of one metre in the Port Curtis area, this increase is considered to be negligible and not anticipated to have an adverse effect with regard to the floor level of impacted dwellings continuing to be above this flood height.
4	avoids risks to public safety and the environment from the location of hazardous materials and the release of these materials as a result of a natural hazard, and	The development is able to be conditioned to store all hazardous material above the flood height in a flood event.
5	maintains or enhances natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard.	The Flood Report provided by the applicant has demonstrated that the impact on the natural process (being flood flows and flood storage) will be minor. The development will result in an increase in flood depth of ten millimetres up to fifty metres from the location of the shed.

Emissions and hazardous activities

Not Applicable.

State transport infrastructure

Not Applicable.

Strategic airports and aviation facilities

Not Applicable.

Other Acts

Not Applicable.

Rockhampton City Plan 2005**Rockhampton City Plan Strategic**

This application is situated within the rural designation under the scheme's Strategic Framework Map. The Desired Environmental Outcomes, as identified within Chapter 2 of the *Rockhampton City Plan 2005* are applicable:

- (1) Rockhampton continues to consolidate its 'Capital of Central Queensland' role in the region.

Complies. The shed is located in a rural area which is consistent with the expectation for development in a rural area and will not detract from Rockhampton's role in the region.

- (2) Valuable natural resources are conserved or, where required to support economic growth in Rockhampton, used sustainably.

Not applicable. The subject site is not proximal to any natural resources.

- (3) Important natural assets are, as far as is practically possible, retained in a natural state to maximise biodiversity and to maintain their scenic and biological value.

Not applicable. The proposal does not impact on important natural assets.

- (4) New development in Rockhampton City is designed and managed to minimise adverse impacts on the environment, and biodiversity.

Complies. The development will not result in greater adverse impacts on the environment or biodiversity. The site is already developed with a House in a flood area and any impacts on the environment in such an event from stormwater runoff are not expected to be exacerbated by the proposed shed.

- (5) Commercial and retail development is accommodated in a hierarchy of centres throughout Rockhampton which provide for a range of services, retail, commercial, entertainment and employment activities.

Not applicable. The proposal does not involve any commercial development and will not impact on the centres hierarchy.

- (6) Rockhampton's commercial centres are safe, attractive and readily accessible spaces for all members of the community.

Not applicable. The proposal does not involve any commercial development and will not impact on commercial centres within the region.

- (7) Rockhampton's industrial development is consolidated in identified industrial locations throughout the City.

Not applicable. The proposal does not involve any industrial development and will not impact on industrial uses within the region.

- (8) Rockhampton's cultural and urban heritage, both indigenous and post European, is retained and conserved for future generations.

Complies. The subject land is not identified on the State or Local Heritage Register nor is it adjoining a Heritage Place.

- (9) Residential communities are attractive places to live, providing a range of housing types at different densities that positively contributes to the built environment, satisfies the needs of all members of the community in terms of life stages, lifestyle choices and affordability, are free from incompatible development and have access to a range of compatible urban services and facilities.

Not applicable. The subject site, being located in a rural area, is not intended for the development of residential communities.

- (10) Rockhampton's important community uses and health care facilities are provided and maintained in locations where they are readily accessible to all members of the community.

Not applicable. The proposal will not impact on the function or operation of Rockhampton's community or health care uses.

- (11) New residential land subdivision and development occurs in identified areas within the City where environmentally valuable features are retained and protected, and urban services, recreational opportunities and parks are provided, along with a range of allotment sizes.

Not applicable. The proposal does not entail subdivision of land.

- (12) Infrastructure is provided and augmented in a sequenced manner in Rockhampton, resulting in appropriate, efficient, affordable, reliable, timely and lasting infrastructure provision that is not compromised by new development and is sensitive to the environment.

Complies. A house is constructed on the site. The development application is for the associated storage shed for the residential use which does not require any further connection of services.

- (13) Safe, accessible, efficient and convenient transport systems are provided in Rockhampton.

Complies. The development site is appropriately connected to the transport network, having access to Barnes Street.

- (14) Readily accessible and safe Open Space and facilities for active and passive recreational purposes are accommodated within Rockhampton City.

Complies. The proposal will not impact on any existing public open space networks.

The performance assessment of the proposal demonstrates that the development will not compromise the *Rockhampton City Plan 2005* Desired Environmental Outcomes.

Port Curtis Rural Area Intent

The subject site is situated within the Port Curtis Rural Area under the *Rockhampton City Plan 2005*. The intent of the Port Curtis Rural Area identifies that:

It is intended that the status quo in this Area will be maintained, with no new residential, commercial, and industrial development or new allotments to occur in this Area, with the only exceptions clearly stated below. This is a result of the Area being among one of the most flood affected Areas of the City, and the Area being completely isolated in times of flood.

Broadly, there are only two types of development that will be consistent with the intent of this Area. The first is minor extensions and alterations to existing development that does not constitute a material change in the intensity or scale of the use but that are also able to comply with the requirements of the Flood Prone Land Code. For example, minor extensions in relation to residential development could be the construction of a carport or verandah.

This application is not consistent with the intent of the Area. Whilst the development does not increase the scale and intensity of the residential use of the site, it is recognised that the proposed development does not explicitly comply with the requirements of the Flood Prone

Land Code and therefore cannot be considered consistent with the intent of development for this area.

Rockhampton City Plan Codes

The following codes are applicable to this application:

- House Code
- Flood Prone Land Code
- Water Quality and Quantity Code
- Airport Code
- Crime Prevention Through Environmental Design Code
- Landscape Code
- Parking and Access Code

An assessment of the Performance Criteria which the application is in conflict with is outlined below:

House Code		
Performance Criteria		Officer's Response
P5	<p>The house and ancillary structures are protected from adverse flooding and do not:</p> <ul style="list-style-type: none"> a) significantly interfere with the passage, storage or quality of stormwater or the natural functions of a waterway; or b) put loss of life at risk; or c) put life at risk of injury; or d) put damage to property at high risk, and complies with the Flood Prone Land Code. 	<p>The shed is not protected from flooding, however is constructed of durable materials which are able to withstand a flood event.</p> <p>The submitted Flood Report demonstrates that the structure will not significantly interfere with the passage, storage or quality of stormwater.</p> <p>The development will not increase the risk to life, being that no additional residents are able to be accommodated on site.</p>
P6	<p>Habitable rooms, non-habitable areas (eg utility areas, garage, laundry and storage room) and car parking do not significantly interfere with the passage or storage of stormwater or the natural functions of a waterway and complies with the Flood Prone Land Code.</p>	<p>The Flood Report provided by the applicant demonstrates that the development will not significantly interfere with the passage or storage of stormwater.</p> <p>The development does not comply with the Flood Prone Land Code, however a response has been provided to justify the deviation.</p>

Flood Prone Land Code		
Performance Criteria		Officer's Response
P1	<p>The capacity and function of floodways and flood storage areas are preserved in high and low hazard areas.</p>	<p>The Flood Report provided by the applicant demonstrates that the development will not significantly interfere with the passage or storage of stormwater.</p>
P2	<p>Safe access from the development site to the Central Business District or the Gracemere township is available during the defined flood event.</p>	<p>Safe access is not available to or from the site in a flood event, however the house is existing and the construction of the shed will have no impact on access in a flood event.</p>
P7	<p>Extensions to existing residential</p>	<p>The development will not increase the risk</p>

	buildings do not exacerbate the impacts and consequences caused by flooding.	to life, being that no additional residents are able to be accommodated on site.
P10	Development for a residential building in any Rural Area or Special Use Area is carried out, when unavoidably necessary, having proper regard to mitigating the effects, impacts and consequences of flooding.	<p>The development cannot mitigate all the effects off the site in a flood event which will be caused by the development; however the provided Flood Report has demonstrated that in a flood event the increase in impacts will be minimal.</p> <p>The development will result in an increase in flood depth of ten millimetres up to fifty metres from the location of the shed.</p>

Based on a performance assessment of the above mentioned codes, it is determined that the proposal is acceptable and where there is deviation from the codes, sufficient justification has been provided.

Planning Scheme Policies

Policy	Officer's Response
PSP 14 Flood Plain Management	The applicant has provided a Flood Statement to Council which provides detail of the impacts of the development in a range of flood events. It has been demonstrated that the impact of the development is minimal, having regard to the increase in water levels and the alteration of flows.

A reasonable response has been provided to Council to address impacts of the development and the management of the site in a flood event.

Sufficient Grounds

The proposed development cannot be considered consistent with the *Rockhampton City Plan 2005*. Council should note, however, that pursuant to Section 326(1)(b) of the Sustainable Planning Act 2009, the assessment manager's decision may conflict with the planning scheme if there are sufficient grounds to justify the decision despite the conflict. Sufficient grounds to support the development are as follows:

- a) The development will not increase the risk to life, being that no additional residents are able to be accommodated on site;
- b) The shed is constructed of durable materials which are able to withstand a flood event;
- c) The structure will not significantly interfere with the passage, storage or quality of stormwater in a flood event;
- d) The burden on disaster management is not anticipated to be increased by the development, being that the site is already developed with a House and that the shed is an ancillary structure;
- e) The proposed use does not compromise the achievement of the Desired Environmental Outcomes in the Rockhampton City Plan 2005;
- f) 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

- g) The proposed development has reasonably responded to the requirements of the State Planning Policy.

Having regard to all of the above, it is recommended Council, from a land use perspective, consider the proposed development favourably as there are considered to be sufficient grounds to justify a decision that favours the alternative land uses proposed herein.

INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 4) 2014 for residential development applies to the application and it falls within Charge Area 3. The Infrastructure Charges are as follows:

Column 1 Use Schedule	Column 2 Charge Area	Column 3 Adopted Infrastructure Charge for residential development (\$/dwelling unit)	Column 4 Unit	Calculated Charge
		3 or more bedroom dwelling		
Residential	Area 3	7,000	per dwelling	\$7,000
Total				\$7,000
Less credit				\$7,000
TOTAL CHARGE				NIL

The subject site is developed with a House. The development application is for a shed for storage purposes associated with the residential use of the site. The ancillary structure is considered building works assessable against the scheme as the development is not a change in the scale or intensity of the use.

As no change is occurring on the site and there is no increase in the scale and intensity of the development, there are considered to be no charges applicable for the development. Further, no Infrastructure Charges Notice will be issued for the development in this instance.

CONSULTATION

The proposal was the subject of public notification between 11 September 2014 and 1 October 2014, as per the requirements of the *Sustainable Planning Act 2009*, and no submissions were received.

REFERRALS

There are no referral agencies triggered by this development application.

CONCLUSION

The development application has been prompted by a compliance investigation which found the development had not obtained the relevant permits. The development is located in a flood prone area and an assessment has found that a reasonable response has been provided to Council to address impacts of the development during a flood event.

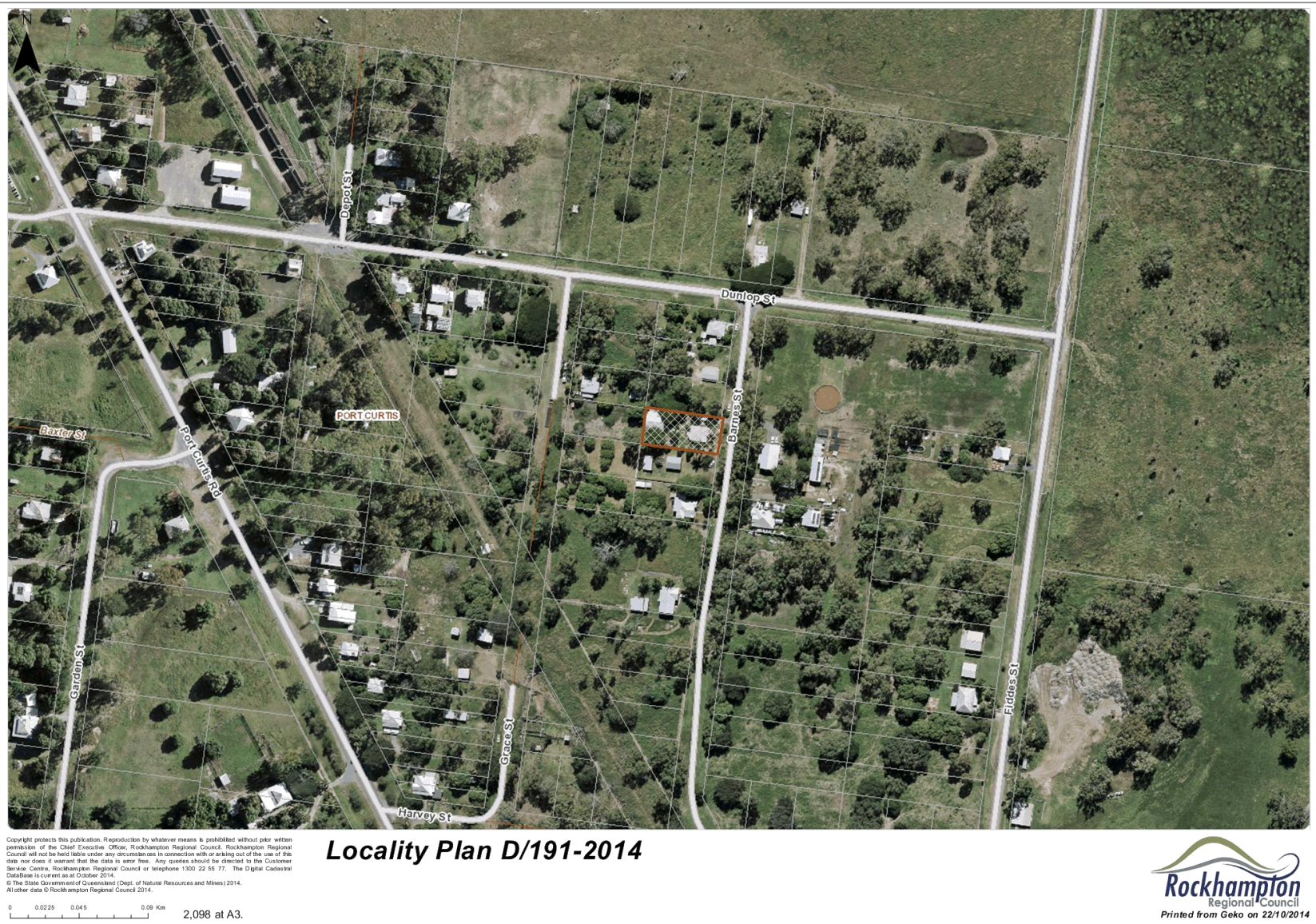
It is therefore considered that there are sufficient grounds in this instance to justify the development despite the conflict with the planning scheme. The development is recommended for approval subject to conditions.

**D/191-2014 DEVELOPMENT
APPLICATION FOR BUILDING WORKS
ASSESSABLE AGAINST A PLANNING
SCHEME FOR A HOUSE**

Locality Plan

Meeting Date: 11 November 2014

Attachment No: 1



**D/191-2014 DEVELOPMENT
APPLICATION FOR BUILDING WORKS
ASSESSABLE AGAINST A PLANNING
SCHEME FOR A HOUSE**

Site Plan

Meeting Date: 11 November 2014

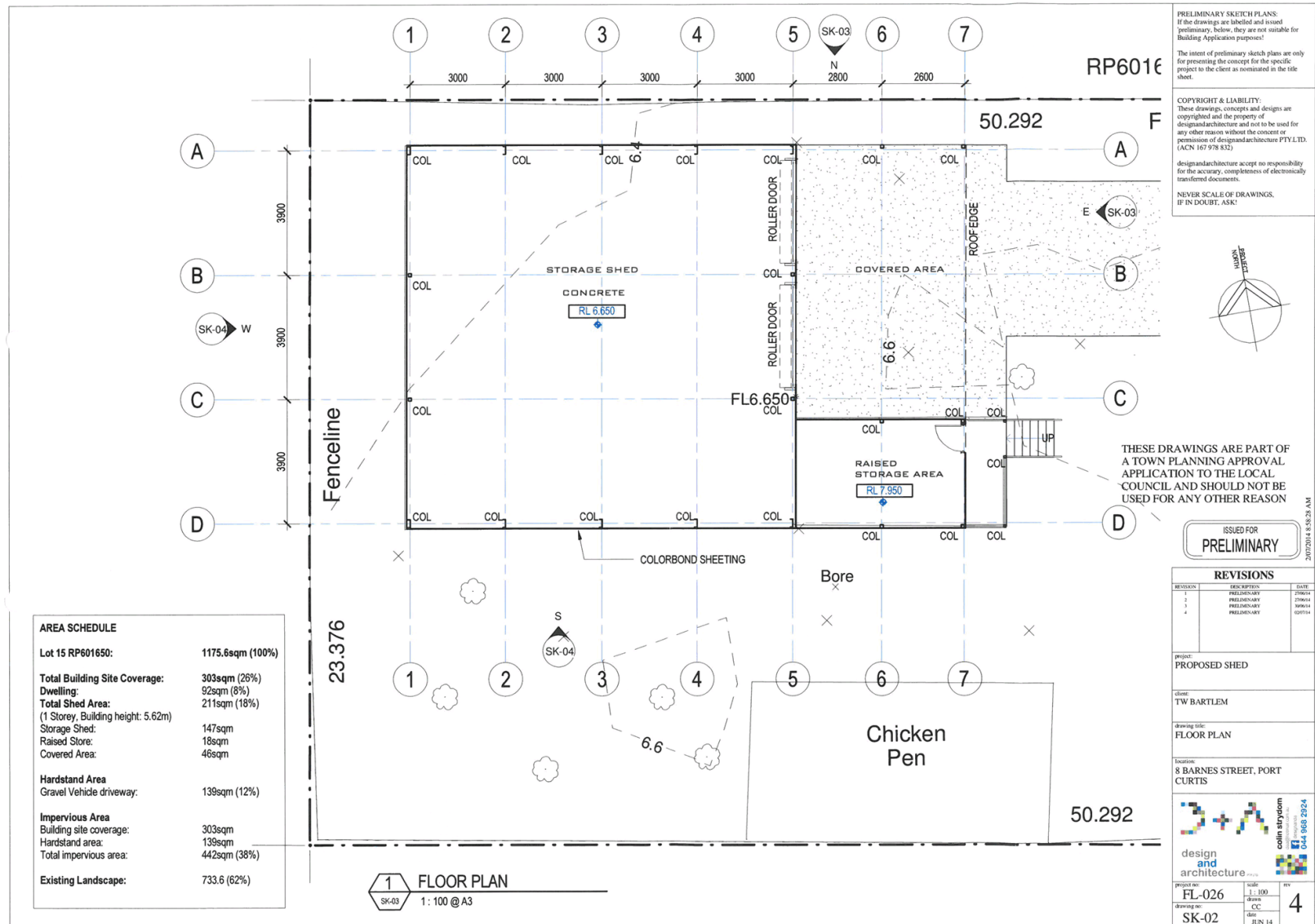
Attachment No: 2

**D/191-2014 DEVELOPMENT
APPLICATION FOR BUILDING WORKS
ASSESSABLE AGAINST A PLANNING
SCHEME FOR A HOUSE**

Floor Plan

Meeting Date: 11 November 2014

Attachment No: 3

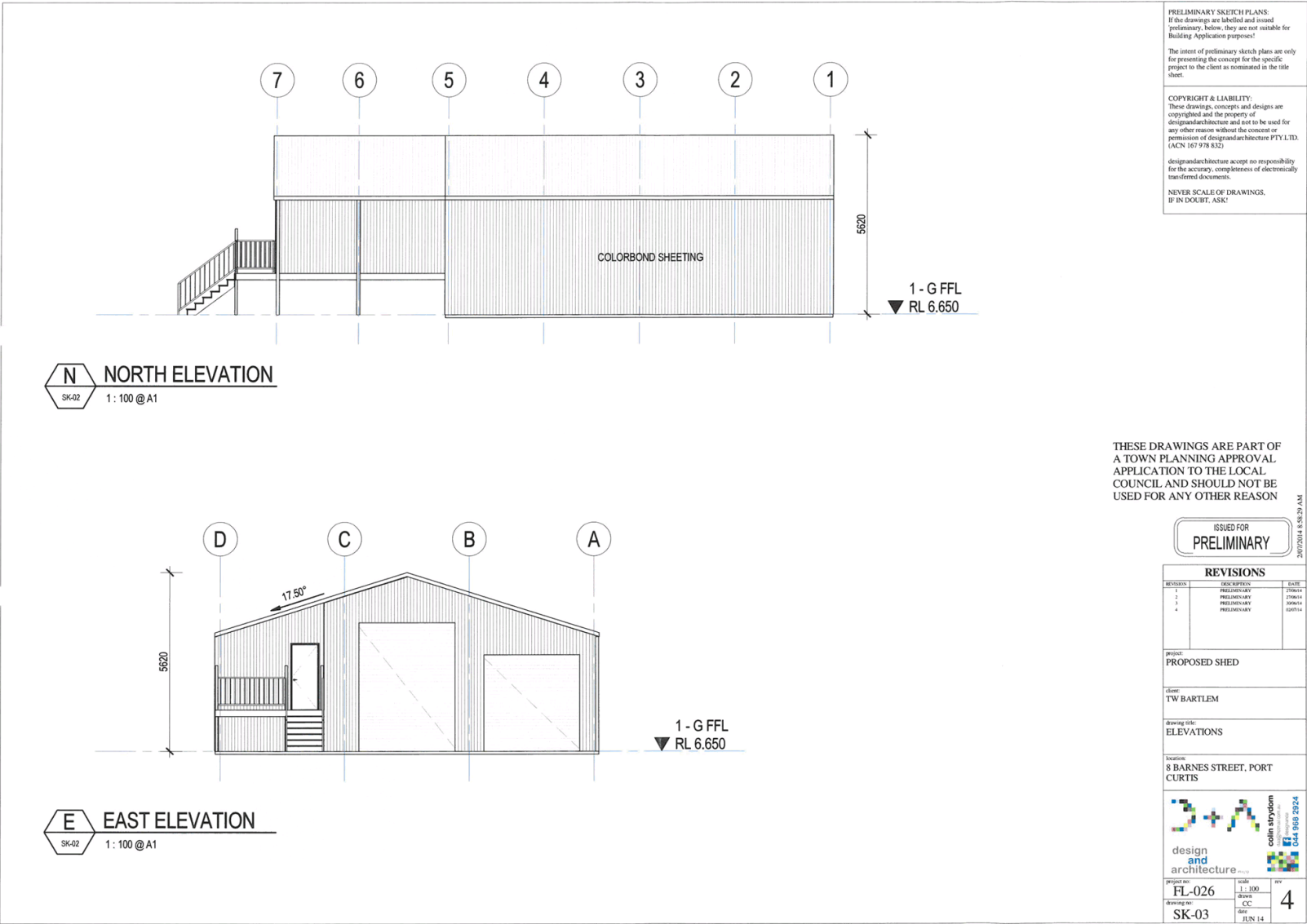


**D/191-2014 DEVELOPMENT
APPLICATION FOR BUILDING WORKS
ASSESSABLE AGAINST A PLANNING
SCHEME FOR A HOUSE**

Elevation Plan

Meeting Date: 11 November 2014

Attachment No: 4

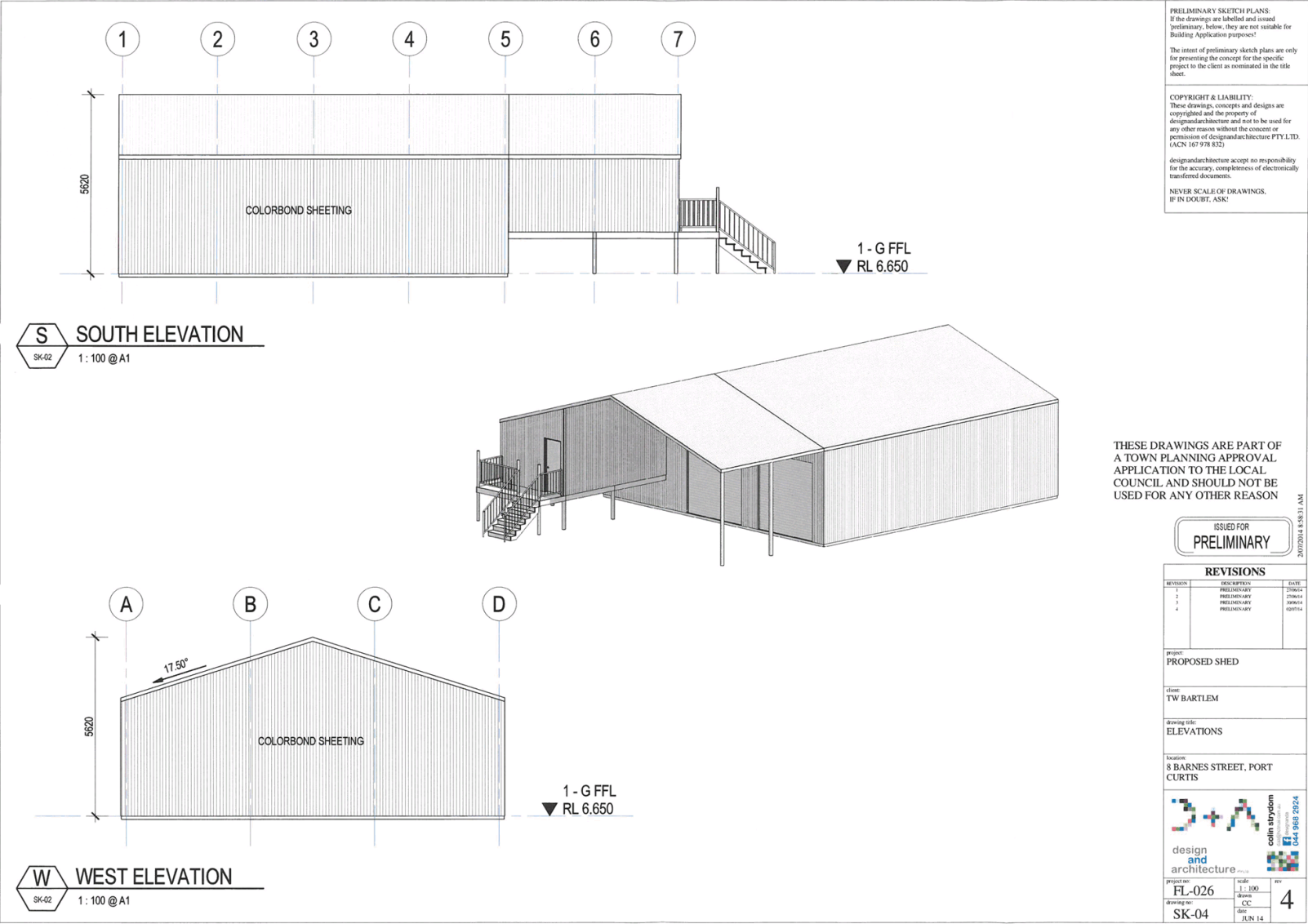


**D/191-2014 DEVELOPMENT
APPLICATION FOR BUILDING WORKS
ASSESSABLE AGAINST A PLANNING
SCHEME FOR A HOUSE**

Elevation Plan (2)

Meeting Date: 11 November 2014

Attachment No: 5



9 STRATEGIC REPORTS

9.1 DEVELOPMENT ASSESSMENT INNOVATION PROJECT - FASTTRACK APPLICATIONS

File No: 8037

Attachments: 1. Duplex FastTrack Kit

Authorising Officer: Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

Council has made substantial progress towards achieving the rating of Fully Advanced for its development assessment system by 30 June 2015, as part of the Development Assessment Innovation Project. Substantial progress has been made toward achieving the overall goal of being rated as an Emerging Premium system by 30 June 2016. This report provides an update on the progress of this project over the last six months.

OFFICER'S RECOMMENDATION

THAT the report on progress with the Development Assessment Innovation Project be received.

BACKGROUND

The Development Assessment Innovation Project was presented to the Planning and Development Committee on 26 March 2014. Council's development assessment system was rated as an Emerging Advanced system under the project. Council's aim is to become a Fully Advanced system by 30 June 2015 and become an Emerging Premium system by 30 June 2016.

Under the project, an Advanced system has a fast tracked development assessment process for low risk applications and completes processes under the *Sustainable Planning Act 2009* quicker than the timeframes specified for most applications. The Premium system, in addition to the Advanced criteria, requires assessment of applications in very short timeframes and extensive stakeholder engagement.

The progress for the Key Performance Indicators that Council was below the criteria for Fully Advanced are reported on below:

Key Performance Indicator	Rating in March 2014	Progress over last six months
Workforce management	Emerging Advanced	There has been a strong focus on training and development for the planning officers. The Development Assessment Unit now has a 30 minute training session before every fortnightly team meeting, to discuss issues and new legislative requirements.
Customer partnerships	Emerging Advanced	A customer service charter for the unit is being developed and will be finalized and implemented at the beginning of 2015.
ePlanning	Emerging Advanced	The proposed planning scheme was available on Council's website and people were able to make submissions online. Some progress has been

		made in relation to having tracking and reporting on development applications available online. However, Council's current IT systems do not support this. The ECM upgrade should enable the online tracking and reporting to be implemented.
Risk assessment framework	Essential	<p>Low risk applications continue to be processed through the development control processes, usually taking five (5) business days to decide. Plan sealing processes are also being reviewed to increase the speed at which plans are sealed. Planning officers have developed kits for streamlined development assessment for multi unit dwellings and duplexes for certain zones. A low impact industrial kit is also being developed. These kits include the assessment criteria and a set of standard conditions that will likely be imposed on the development. The multi unit dwelling and duplex kits are being tested with consultants at the moment, before they will be made available to the public.</p> <p>Council does not intend to undertake the certification process to enable third parties to assess and approve operational works applications including for public non-trunk infrastructure, due to potential liability issues for Council.</p>
Information requests	Emerging Advanced	Planning officers have made a concerted effort to reduce the number of information requests issued. Information requests are only issued where information critical to the assessment has not been provided by the applicant. Prior to issuing the information request, the planning officers call the applicant to advise them that information is missing and give the applicant the opportunity to provide the information prior to issuing the information request.
Consistency and collaboration	Emerging Advanced	A program to review processes, update report templates and develop templates for lower risk applications is part of the planned ongoing improvement. In terms of collaboration at the regional level, recent State government workshops have seen Council collaborating with officers from Central Highlands Regional Council, Gladstone Regional Council, Banana Shire Council. There has also been collaboration with many South East Queensland local governments in relation to the new infrastructure charging regime and the potential impacts of the Planning and Development Bill, especially in relation to a new development assessment system.

Council is likely to have its development assessment system at the rating of Fully Advanced by 1 January 2015. However, the introduction of the Planning and Development Bill and a new development assessment system in the first half of 2015, will likely mean that there is some delay in achieving the Emerging Premium rating.

Council officers will be required to develop new report and letter templates and workflows for the new development assessment system, meaning that resources will be diverted away from this project and towards ensuring that Council has an adequate system in place prior to the new planning legislation taking effect.

CONCLUSION

The Development Assessment Unit has made substantial progress towards achieving the rating of Fully Advanced by 30 June 2015, by modifying existing practices and developing new kits and templates to streamline low risk applications, and improving communications with applicants.

DEVELOPMENT ASSESSMENT INNOVATION PROJECT - FASTTRACK APPLICATIONS

Duplex FastTrack Kit

Meeting Date: 11 November 2014

Attachment No: 1

FastTrack

Duplex

ABOUT THIS KIT

This Application Kit provides criteria for two (2) types of assessment: FastTrack Assessment and Streamlined Assessment. FastTrack Assessment is an application that meets low-risk criteria and will usually be assessed and decided within **five (5) business days** from the date of lodgement. An application that does not meet the criteria for FastTrack may qualify for Streamlined Assessment and will require further information to be submitted. This will allow the application to be assessed and a decision made within the IDAS timeframes prescribed under the *Sustainable Planning Act 2009*.

Note: If you answer "No" to any of the questions below, this FastTrack/Streamlined Application Kit does not apply to your proposal. Please contact Council for further assistance in completing your development application.

APPLICATION KIT SUMMARY CHECKLIST

	Yes	Office Use Only
1. The proposed development is defined as a Duplex in the <i>Rockhampton City Plan 2005</i> , and does not better fit any other definition.	<input type="checkbox"/>	<input type="checkbox"/>
2. The proposal is for no more than two dwellings.	<input type="checkbox"/>	<input type="checkbox"/>
The development site is not on a hatchet allotment.		
3. NOTE: A hatchet lot is an allotment that has access to a road by means only of an access strip or easement.	<input type="checkbox"/>	<input type="checkbox"/>
4. The development site is located entirely within an area/ zone/ precinct described in Table A – Permissible Zones.	<input type="checkbox"/>	<input type="checkbox"/>
There are no character provisions affecting the subject site. Character provisions affect the following areas and precincts:		
5. <ul style="list-style-type: none"> • Allentown Residential Consolidation Area; • The Range North Residential Area; • The Range North Residential Area – Precinct 1; • The Range South Residential Area. 	<input type="checkbox"/>	<input type="checkbox"/>
The site is not located on Flood Prone Land		
6. <ul style="list-style-type: none"> • Please refer to the Flood Prone Land Code Map 1 – Flood Hazard Map in the <i>Rockhampton City Plan 2005</i> 	<input type="checkbox"/>	<input type="checkbox"/>
7. The development does not have any External Referral Agencies.	<input type="checkbox"/>	<input type="checkbox"/>
8. All questions in Section 1 have been satisfied.	<input type="checkbox"/>	<input type="checkbox"/>
9. All required information outlined in Section 2 and 3 have been provided and attached to this application.	<input type="checkbox"/>	<input type="checkbox"/>
Check completed by :	Date:	/ /



FastTrack Assessment

Please answer all questions.

01

WHERE TO LODGE

To ensure that your FastTrack application is assessed and decided within five (5) business days, your completed Application Kit **MUST** be lodged at the at Rockhampton City Hall Customer Service Centre at 232 Bolsover Street, Rockhampton City.

IS YOUR APPLICATION LOW-RISK?

If an application meets the following criteria (i.e. achieves a 'QUESTION SATISFIED' answer to all questions), the application is deemed to be low risk and is suitable for an accelerated assessment process called **FastTrack**.

If an application does not meet the following criteria it is a 'CRITICAL ISSUE', but the application may qualify as a **Streamlined Assessment** application that requires additional information to be included.

FASTTRACK ASSESSMENT

Siting and Design	Answer	
<p>Q1. Does the development comply with the following requirements—?</p> <p>(a) The front setback to the street is within 20% of the average setback of adjoining buildings to the same street;</p> <p>(b) Minimum site area of 600m²;</p> <p>(c) Provide a minimum 20% of the site for landscaping</p> <p>(d) Has a maximum site cover of 50%; and</p> <p>(e) Queensland Development Code (QDC) setbacks.</p> <p>Note: Setback means the shortest distance measured horizontally from the wall or balustrade of a building or structure to the vertical projection of the boundary of the lot.</p>	<p><input type="checkbox"/> Yes</p> <p>QUESTION SATISFIED</p> <ul style="list-style-type: none"> Please provide a plan that illustrates the separation distance from all boundaries to the proposed Duplex building, including any car parking, garages and any other structures. <p>Continue to Q2</p>	<p><input type="checkbox"/> No</p> <p>CRITICAL ISSUE</p> <ul style="list-style-type: none"> Please provide a plan that illustrates the separation distance from all boundaries to the proposed Duplex building, including any car parking, garages and any other structures. <p>Continue to Q2</p>

FastTrack Assessment

Please answer all questions.

01

<p>Q2. Pedestrian entry points are clear, well defined and visible from the street; and the building is orientated towards the primary street frontage.</p>	<p><input type="checkbox"/> Yes</p> <p>QUESTION SATISFIED</p> <p>Continue to Q3</p>	<p><input type="checkbox"/> No</p> <p>CRITICAL ISSUE</p> <ul style="list-style-type: none"> Please provide Council with evidence that the property has sufficient street surveillance with building plans showing windows, verandah, or secondary access visible from the street. <p>Continue to Q3</p>
Drainage	Answer	
<p>Q3. Does the site have a lawful point of discharge (e.g. stormwater directed to the street, stormwater pipe, or onsite water management such as installed drains)?</p>	<p><input type="checkbox"/> Yes</p> <p>QUESTION SATISFIED</p> <ul style="list-style-type: none"> Please provide a plan that shows the location of the lawful point of discharge to the street or a stormwater pipe. <p>Continue to Q4</p>	<p><input type="checkbox"/> No</p> <p>CRITICAL ISSUE</p> <ul style="list-style-type: none"> Please ensure that the application is supported by a statement that clearly details how the development will manage stormwater runoff, supported by any required reports and plans. <p>Continue to Q4</p>

FastTrack Assessment

Please answer all questions.

01

Infrastructure and Services	Answer	
Q4. Does the proposed site have direct access to all the following infrastructure—? <p>(a) Reticulated sewerage; and</p> <p>(b) Reticulated water supply; and</p> <p>(c) Stormwater drainage services;</p> <p>(d) Established kerbing and road pavements.</p>	<input type="checkbox"/> Yes QUESTION SATISFIED Continue to Q5	<input type="checkbox"/> No CRITICAL ISSUE <ul style="list-style-type: none"> A Further Information Request may be issued by Council. Continue to Q5
Q5. Are all invert crossing(s) and driveways clear of all gully pits, street lights, power poles and other infrastructure located within the road reserve (minimum separation distance is 1m)?	<input type="checkbox"/> Yes QUESTION SATISFIED Continue to Q6	<input type="checkbox"/> No CRITICAL ISSUE <ul style="list-style-type: none"> A Further Information Request may be issued by Council. Continue to Q6
Q6. Are all proposed structures and buildings 2m clear of Council easements and underground infrastructure?	<input type="checkbox"/> Yes QUESTION SATISFIED Continue to Q7	<input type="checkbox"/> No CRITICAL ISSUE <ul style="list-style-type: none"> Please demonstrate compliance with MP1.4 – Building Over or Near Relevant Infrastructure. Continue to Q7
Q7. Is there adequate space along the road front to accommodate kerbside bin collection?	<input type="checkbox"/> Yes QUESTION SATISFIED Continue to Q8	<input type="checkbox"/> No CRITICAL ISSUE <ul style="list-style-type: none"> A Further Information Request may be issued by Council. Continue to Q8

FastTrack Assessment

Please answer all questions.

01

Q8. Are any retaining walls proposed higher than 1.0 metre?	<input type="checkbox"/> No / NA ▪ No retaining walls over 1.0 metre.	<input type="checkbox"/> Yes ▪ Further approval may be required for retaining walls over 1.0 metres.
	QUESTION SATISFIED Continue Q9	STANDARD CONDITION Continue to Q9
Car parking	Answer	
Q9. Does the proposed development provide two car parking spaces per dwelling (may be in tandem)? ▪ Note: 1 space must be covered.	<input type="checkbox"/> Yes QUESTION SATISFIED ▪ Please demonstrate on a site plan that the required car parking spaces are numbered and dimensioned.	<input type="checkbox"/> No CRITICAL ISSUE ▪ Please demonstrate how the development will provide sufficient vehicle parking to meet the demand likely to be generated by the development
	Continue to Q10	Continue to Q9
Private Open Space	Answer	
Q10. Does the proposed development dedicate an area of private open space with an area of 25 square metres with a minimum dimension of 4 metres and directly accessible from a living area of the dwelling unit?	<input type="checkbox"/> Yes QUESTION SATISFIED ▪ Please submit plans that clearly illustrate the location and dimensions of the open space.	<input type="checkbox"/> No CRITICAL ISSUE ▪ Please demonstrate how the development will provide accessible and usable open space that adequately services the needs of all dwelling occupants.
	Continue to Q11	Continue to Q11

FastTrack Assessment

Please answer all questions.

01

Filling and Excavation	Answer	
Q11. Does the proposed development include any filling or excavation that may affect overland flow?	<input type="checkbox"/> Yes CRITICAL ISSUE <ul style="list-style-type: none"> Please provide Council with detailed hydraulic analysis of the required stormwater drainage system having regard to the impact of overland flow paths and objectives of the Stormwater Management Plan. Continue to Q12	<input type="checkbox"/> No STANDARD CONDITION Continue to Q12
Topography	Answer	
Q12. Development is not located on land affected by a slope 15% or greater? <ul style="list-style-type: none"> For Rockhampton please refer to the Steep or Unstable Land Code Map 1 – Slope More Than 15% 	<input type="checkbox"/> Yes QUESTION SATISFIED Continue to section 2	<input type="checkbox"/> No CRITICAL ISSUE <ul style="list-style-type: none"> Please provide Council with a Geotechnical Engineers report prepared by a Registered Professional Engineer of Queensland that demonstrates the site is not subject to land slide and the building is structurally sound. Continue to section 2
END - Continue to Section 2		

Lodgement Requirements

Please ensure all information is provided.

02

MANDATORY INFORMATION

This section provides a list of all the mandatory information that is required in accordance with s.261 of the *Sustainable Planning Act 2009* (SPA). Where an application meets all the requirements of SPA, an application is deemed 'Properly Made.'

All development applications in Queensland are required to be properly made at lodgement. If your application is not properly made, Council may reject the application at the lodgement stage or issue an information request which will extend the assessment timeframe and delay approval.

PART 1 – APPLICATION FEE

Correct Application Fee	Yes	Office Use Only
Please specify the applicable fee: <div>\$</div>	<input type="checkbox"/>	<input type="checkbox"/>
<p>The current applicable fee for a Duplex application is \$2,479.00 which can be found on the Council website under the Development Assessment Council Fees and Charges (2014/2015).</p> <p>Link: Click here</p>		

Lodgement Requirements (cont.)

Please ensure all information is provided.

02

PART 2 – INTEGRATED DEVELOPMENT ASSESSMENT FORMS (IDAS)

Ensure that the following IDAS¹ forms are completed and remain attached to this document. All fields on the forms, unless otherwise indicated, are mandatory.

Relevant IDAS Forms	Yes	Office Use Only
(a) Completed IDAS Form 1 - Application details <i>Please ensure that all the mandatory supporting information listed in item 6 is provided with this Application Kit</i>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Completed IDAS Form 5 - Material change of use assessable against a planning scheme	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> Refer to the Queensland Government Department of State Development Infrastructure and Planning website for a list of all IDAS forms. Link: http://dlgp.qld.gov.au/forms-templates/idas-forms-guides-and-checklists-spa.html 		

¹ **Integrated Development Assessment Forms (IDAS)** are the forms that all applicants are required to complete and provide with the application when lodging a development application in Queensland.

Supporting Information

Please ensure all information is provided.

03

INFORMATION REQUESTED BY COUNCIL

The following information is requested in addition to the minimum legislative requirements outlined in Section 3. This information will assist in the FastTrack/Streamlined development assessment process. This information is requested by Council to enable accurate and timely assessment and to minimise the likelihood of an information request being issued by Council.

SUPPORTING INFORMATION CHECK

Ensure the following information is provided with this Application Kit	Yes	Office User Only
<p>(a) Two (2) hard copies and one CD of all forms, document plans, reports and supplementary information.</p> <p><i>Note - All hard copy plans should be submitted in A3 format unless otherwise specified by Council. All electronic documents should be supplied on CD in PDF with individual file sizes of no greater than 5MB.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>(b) Copies of any letters of approval/consent from affected owners in relation to easement, discharge consent approval and/or drainage works (if applicable).</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>(c) Pre-lodgement meeting minutes (if applicable) and any other relevant information identified</p>	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX A

TABLE A - ACCEPTABLE ZONES

Rockhampton City Plan
Zone
Inner City North Residential Consolidation Area
Wandal Residential Area
Berserker Foothills Residential Area
Berserker Heights Residential Area
Bridge Street Residential Area
Frenchville Residential Area
Lakes Creek Residential Area
Limestone Creek Residential Area
Norman Road Residential Area
North Rockhampton Residential Consolidation Area
Richardson Road Residential Area
Splitters Creek Residential Area
<i>Note: (precincts are excluded in the above areas unless specified)</i>

APPENDIX B

DRAFT CONDITIONS

NOTE: These conditions may vary based on the answers provided in the application kit.

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 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 Works;
 - (ii) Roof and Allotment Drainage 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:

2.2	Plan/Document Name	Plan/Document Reference	Dated
	LIST APPROVED PLANS		

- 2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.4 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 WORKS
- 3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access 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 works).
- 3.3 A minimum of two (2) off-street car parking spaces must be provided for each unit, one (1) of which must be covered.
- 3.4 A new access must be constructed for the new dwelling that complies with the requirements of the *Capricorn Municipal Development Guidelines*.
- 3.5 The existing access for the existing dwelling on the site must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.0 SEWERAGE WORKS
- 4.1 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* and *Plumbing and Drainage Act*.
- 4.2 The development must be connected to Council's reticulated sewerage network.
- 4.3 The existing sewerage connection point must be retained and upgraded, if necessary, to service the development.
- 4.4 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 5.0 WATER WORKS
- 5.1 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* and the *Plumbing and Drainage Act*.
- 5.2 The development must be connected to Council's reticulated water network.
- 5.3 The existing water connection point(s) must be retained and upgraded, if necessary, to service the development.
- 5.4 The proposed 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 Drainage Code* and Council's Sub-metering Policy.
- 5.5 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.
- 6.0 PLUMBING AND DRAINAGE WORKS
- 6.1 All plumbing and sanitary drainage works must be in accordance with the *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.

7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 7.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 7.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 7.3 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

8.0 BUILDING WORKS

- 8.1 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*.
- 8.2 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"*.
- 8.3 The private open space areas must be sufficiently screened and/or fenced to prevent viewing into these areas by adjoining residents or from a public space.
- 8.4 All waste storage areas must be aesthetically screened from any road frontage or adjoining property.

9.0 SITE WORKS

- 9.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 9.2 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.
- 9.3 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.

10.0 LANDSCAPING WORKS

- 10.1 All landscaping on site must be established generally in accordance with the approved plans (refer to condition 2.1) prior to the commencement of the use.
- 10.2 All landscaping must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 10.3 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

11.0 ELECTRICITY AND TELECOMMUNICATIONS

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

- 11.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the commencement of the use.

12.0 ASSET MANAGEMENT

- 12.1 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.
- 12.2 Any damage to existing water supply or 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.

13.0 ENVIRONMENTAL

- 13.1 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.

14.0 OPERATING PROCEDURES

- 14.1 All construction materials, waste, waste skips and machinery must be located and stored or parked within the site. No storage of materials or parking of construction machinery will be permitted in [NAME] Street.

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* legislation and *Public Health Act 2005*.

NOTE 2. General Environmental Duty

General environmental duty under the *Environmental Protection Act* 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* 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 subject to being compliant with the Standard Capricorn Municipal Development Guideline Drawings) may be accepted in place of the 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.

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS/QUESTIONS

Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting.

12 CLOSED SESSION

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

RECOMMENDATION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

13.1 Enforcement Proceedings for Development Offences

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

13 CONFIDENTIAL REPORTS

13.1 ENFORCEMENT PROCEEDINGS FOR DEVELOPMENT OFFENCES

File No: 8431

Attachments:

1. Locality Plan
2. Site Photo (1)
3. Site Photo (2)
4. Site Photo (3)
5. D/141-2013 Approved Access & Parking Plan

Authorising Officer: Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Judith Noland - Development Compliance Officer

This report is considered confidential in accordance with section 275(1)(g), of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

SUMMARY

This report discusses the continuing unlawful use of a premise in North Rockhampton contrary to the conditions of a Development Permit for a Home Based Business.

14 CLOSURE OF MEETING