



PLANNING & DEVELOPMENT COMMITTEE MEETING

AGENDA

26 MAY 2015

Your attendance is required at a meeting of the Planning & Development Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 26 May 2015 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
19 May 2015

Next Meeting Date: 09.06.15

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 G A Belz
Councillor S J Schwarten
Councillor A P Williams
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Cherie Rutherford - Leave of Absence from 25 May 2015 to 29 May 2015
Councillor Rose Swadling - Leave of Absence from 26 May 2015 to 28 May 2015

4 CONFIRMATION OF MINUTES

Minutes of the Planning & Development Committee held 28 April 2015

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE

File No: 10097

Attachments: 1. Business Outstanding Table for Planning and Development Committee

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

SUMMARY

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

OFFICER'S RECOMMENDATION

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

BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE

Business Outstanding Table for Planning and Development Committee

Meeting Date: 26 May 2015

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
28 April 2015	Montgomerie Street	THAT previous reports regarding Montgomerie Street be presented to the next Planning and Development Committee meeting for Councillors information.	Robert Holmes	12/05/2015	

7 PUBLIC FORUMS/DEPUTATIONS

7.1 D/33-2014 AND D/189-2014 - DEPUTATION - DEVELOPMENT COMPLIANCE IN ROCKHAMPTON CITY

File No: 8038 /4781 / 8431
Attachments: Nil
Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services
Author: Judith Noland - Development Compliance Officer

SUMMARY

At the Planning and Development Committee meeting on 28 April 2015 Council resolved that the owners of the property (the subject of non-compliant development at a property in Rockhampton City) be invited to a Planning and Development Committee meeting to discuss their development.

OFFICER'S RECOMMENDATION

THAT the deputation by owners and the occupant operators of the subject property be received.

BACKGROUND

A confidential report was presented to the Planning and Development Committee on 28 April 2015 outlining a number of conditions of Development permit D/33-2014 that remain non-complainant.

That report is included in the confidential agenda for this Committee meeting.

8 OFFICERS' REPORTS

8.1 D/84-2014 - DEVELOPMENT APPLICATION FOR A PRELIMINARY APPROVAL TO VARY THE EFFECT OF THE PLANNING SCHEME FOR A MATERIAL CHANGE OF USE FOR RESIDENTIAL PURPOSES AND A DEVELOPMENT PERMIT FOR RECONFIGURING A LOT (THREE LOTS INTO 201 LOTS AND PUBLIC USE LAND)

File No: D/84-2014

Attachments:

1. Locality Plan
2. Subdivision Plan
3. Landscaping Plan

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services

Author: Anton de Klerk - Planning Officer

SUMMARY

Development Application Number: D/84-2014

Applicant: Glenmore Holdings (Aust) Pty Ltd C/- Adams and Sparks Town Planning

Real Property Address: Lot 2 on RP609985, Lot 102 on RP860099 and Lot 129 on PL4021, Parish of Murchison

Common Property Address: 46-48, 54-102 and 263 Belmont Road, Parkhurst

Area of Site: 59.021 hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Parkhurst Rural Area

Planning Scheme Overlays: Flood Prone Land (floodway high hazard); Airport Obstacle Height Limitation (no buildings over 45 metres); Environmentally Sensitive Location (remnant vegetation)

Existing Development: Glenmore Homestead (heritage site) and grazing

Existing Approvals: Nil

Approval Sought: Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential Purposes and a Development Permit for Reconfiguring a Lot (three lots into 201 lots and public use land)

Level of Assessment: Impact Assessable

Submissions: One (1) submission received

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

Adopted Infrastructure Charges Area: Charge Area 3

Application Progress:

<i>Application Lodged:</i>	3 April 2014
<i>Application Properly Made</i>	2 May 2014

<i>Acknowledgment Notice issued:</i>	<i>12 May 2014</i>
<i>Request for Further Information issued:</i>	<i>22 May 2014</i>
<i>Applicant request an extension to the Information Response period (until 22 February 2015):</i>	<i>10 November 2014</i>
<i>Request for Further Information response received:</i>	<i>12 January 2015</i>
<i>Submission period commenced:</i>	<i>15 January 2015</i>
<i>Submission period ended:</i>	<i>27 February 2015</i>
<i>Council request for additional time (until 1 May 2015):</i>	<i>30 March 2015</i>
<i>Council request for additional time (until 26 May 2015):</i>	<i>29 April 2015</i>
<i>Government Agency Response:</i>	<i>27 January 2015</i>
<i>Last receipt of information from applicant (Landscape Plans):</i>	<i>27 March 2015</i>
<i>Statutory determination due date:</i>	<i>26 May 2015</i>

OFFICER'S RECOMMENDATION

RECOMMENDATION A1

THAT in relation to the application for a Development Application for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential Purposes and a Development Permit for Reconfiguring a Lot (three lots into 201 lots and public use land), made by Glenmore Holdings (Aust) Pty Ltd C/- Adams and Sparks Town Planning, on land described as Lot 2 on RP609985, Lot 102 on RP860099 and Lot 129 on PL4021, Parish of Murchison, located at 46-48, 54-102 and 263 Belmont Road, Parkhurst, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision:

- 1) The surrounding character and amenity supports the scale of development proposed and it is considered a logical progression of the surrounding residential development on individual lots in the locality.
- 2) This proposal represents an orderly expansion of Rockhampton towards the north.
- 3) All new residential allotments forming part of this application will not be affected by the one (1) in one hundred (100) year flood event.
- 4) The site is able to connect to services and infrastructure to provide an appropriate level of service consistent with the intended use and surrounding locality.
- 5) The site and the adjoining rural properties are not of a sufficient size or agricultural land quality to support intensive agricultural uses, therefore, the proposed development will not impinge on existing economic values of any natural resources.
- 6) The proposed use does not compromise the achievement of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- 7) 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
- 8) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION A2

That in relation to the application for a Development Application for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential Purposes and a Development Permit for Reconfiguring a Lot (three lots into 201 lots and public use land), made by Glenmore Holdings (Aust) Pty Ltd C/- Adams and Sparks Town Planning, on land described as Lot 2 on RP609985, Lot 102 on RP860099 and Lot 129 on PL4021, Parish of Murchison, located at 46-48, 54-102 and 263 Belmont Road, Parkhurst, Council resolves to Approve the application subject to the following conditions:

PART A – PRELIMINARY APPROVAL VARYING THE EFFECT OF THE PLANNING SCHEME FOR RESIDENTIAL DEVELOPMENT**1.0 DEFINITIONS AND INTERPRETATION****1.1 In this approval:**

- 1.1.1 **Applicant** means Glenmore Holdings (Aust) Pty Ltd C/- ADAMS and SPARKES Town Planning and Development being the applicant for the application for preliminary approval with respect to the Subject Land.
- 1.1.2 **Approval** means the approval of the Application by the Council on 26 May 2015.
- 1.1.3 **Application** means the Application made by the Applicant to Council dated 3 April 2014 over the Subject Land for Preliminary Approval varying the effect of Council's Planning Scheme and Reconfiguring a Lot (three lots into two hundred and one lots).
- 1.1.4 **Conditions** mean the conditions of this approval including any attachment referred to in these conditions.
- 1.1.5 **Council** means Rockhampton Regional Council. Where 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.
- 1.1.6 **Developer** means the Glenmore Holdings (Aust) Pty Ltd or the registered proprietor and any occupier of the Subject Land.
- 1.1.7 **Environmental Management Plan** means a plan prepared and approved in accordance with Condition 21.0.
- 1.1.8 **Infrastructure** means infrastructure reasonably required to service the proposed development including roads (internal, external and access), parks, open space and conservation areas, water and sewerage services, stormwater, drainage and community facilities.
- 1.1.9 **Sustainable Planning Act 2009** means the *Sustainable Planning Act 2009* as amended from time to time.
- 1.1.10 **Subject Land** means Lot 2 on RP609985, Lot 102 on RP860099 and Lot 129 on PL4021, Parish of Murchison, situated at 46-48, 54-102 and 263 Belmont Road, Parkhurst, having a total area of 59.021 hectares.
- 1.1.11 **Planning Scheme** means *Rockhampton City Plan 2005* as amended from time to time, or any other subsequent replaced planning scheme.
- 1.1.12 **Preamble** means an introduction which provides guidance and background to a condition. While a preamble does not form part of the condition it can be used for the purpose of understanding and interpreting a condition.
- 1.1.13 **Master Plan Development Document** means the Riverside Estate Development Document which includes the assessment table, definitions and development codes being a plan of the proposed development for a material

change of use which affects Council's Planning Scheme with respect to the subject land which in particular:

- (i) states what development is:
 - (a) Assessable Development (requiring code or impact assessment); or
 - (b) Self-assessable Development; or
 - (c) Exempt Development; and
- (ii) Identifies codes for the development.

2.0 ADMINISTRATION

- 2.1 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.
- 2.2 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 2.3 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.

3.0 APPROVED PLANS AND DOCUMENTS

- 3.1 This is a preliminary approval for a Material Change of Use to vary the affect of Council's Planning Scheme under section 242 of the *Sustainable Planning Act 2009* for Residential development, on the subject land, generally in accordance with the following plans and documents, except where amended by the Conditions of this permit:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Concept Plan (201 Lots + Public Use Land)	5892-01-CPT Revision G Sheet 1 of 1	10 December 2013
Riverside Estate Development Document – Preliminary Approval for a Material Change of Use for Residential Purposes	Revision B	December 2014

- 3.2 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.

4.0 PLANNING FRAMEWORK

- 4.1 All development must be in accordance with the Riverside Estate Development Document (refer to condition 2.1) unless otherwise conditioned.
- 4.2 To remove any doubt:
 - 4.2.1 any development on the Subject Land, which is not identified in the Riverside Estate Development Document must be:
 - (i) if it is a Material Change of Use – impact assessable (pursuant to the Level of Assessment Table in the Master Plan Development Document); or

- (ii) for all other forms of development – subject to the level of assessment established in the Planning Scheme; and
- 4.2.2 any development on the Subject Land, which is identified in the Riverside Estate Development Document and which conflicts with the purpose of the applicable codes or conditions of this Approval, must be:
 - (i) if it is a Material Change of Use – impact assessable; or
 - (ii) for all other forms of development – subject to the level of assessment established in the Planning Scheme.
- 4.3 An amended Development Document for Riverside Estate must be lodged for Council's consideration and approval prior to the first Operational Works permit.
- 5.0 RELEVANT PERIOD
- 5.1 The standard relevant periods stated in section 341 and 343 of the *Sustainable Planning Act 2009* apply to each aspect of development in this approval.
- 6.0 ASSET MANAGEMENT
- 6.1 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 the full cost to the Developer.
- 6.2 Any damage to existing 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.
- 6.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the commencement of the use. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

PART B – RECONFIGURING A LOT (THREE LOTS INTO 201 LOTS)

- 7.0 ADMINISTRATION
- 7.1 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.
- 7.2 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.
- 7.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 7.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 7.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 7.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 7.6.1 Operational Works:
 - (i) Road Works;

- (ii) Access Works;
- (iii) Sewerage Works;
- (iv) Water Works;
- (v) Stormwater Works;
- (vi) Inter-allotment Drainage Works;
- (vii) Site Works; and
- (viii) Landscaping Works

7.6.2 Building Works; and

7.6.3 Plumbing and Drainage Works.

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

7.8 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.

8.0 APPROVED PLANS AND DOCUMENTS

8.1 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 Reference</u>	<u>Dated</u>
Concept Plan (201 Lots + Public Use Land)	5892-01-CPT Revision G Sheet 1 of 1	10 December 2013
Proposed Staging Plan	R12394 - Staging	Undated
Landscape Concept Plan	S1501822 Dwg No 1 of 3	27 March 2015
Landscape Concept Plan – Park Detail	S1501822 Dwg No 2 of 3	27 March 2015
Landscape Concept Plan – Northern Shelter and Active Play Park Area Detail	S1501822 Dwg No 3 of 3	27 March 2015
Riverside Estate Development Document – Preliminary Approval for a Material Change of Use for Residential Purposes	Revision B	December 2014
Stormwater Management Report – Riverside Estate	R12394, Issue C	December 2014
Infrastructure Report – Riverside Estate	R1294 – Revision C	December 2014
Traffic Impact Assessment Report	R12394, Issue A	12 December 2014
Water and Sewer Network Analysis report	1335	16 January 2015

8.2 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.

8.3 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.

9.0 STAGED DEVELOPMENT

9.1 This approval is for a development to be undertaken in fourteen (14) discrete stages, namely:

9.1.1 Lot 1, 2, 18, 19, 53 to 58, and Lot 94 to 97 (Stage 9A);

9.1.2 Lot 59 to 64, and Lot 81 to 93 (Stage 9B);

9.1.3 Lot 3 to 9, and Lot 13 to 17 (Stage 10);

9.1.4 Lot 20, 39, 40, and Lot 46 to 52 (Stage 11A);

9.1.5 Lot 65 to 80 (Stage 11B);

9.1.6 Lot 21 to 25, Lot 34 to 38, Lot 41 to 45, and Public Use Land (Stage 12A);

9.1.7 Lot 10 to 12, Lot 26 to 33, and Public Use Land (Stage 12B);

9.1.8 Lot 98 to 101, Lot 121 to 128, Lot 137 to 140, and Public Use Land (Stage 13);

9.1.9 Lot 156, 157, and Lot 181 to 191 (Stage 14A);

9.1.10 Lot 142 to 145, Lot 152 to 155, Lot 158 to 161, Lot 192 to 194, and Public Use Land (Stage 14B);

9.1.11 Lot 102 to 109, and Lot 117 to 120 (Stage 15A);

9.1.12 Lot 110 to 116, Lot 129 to 136, and Lot 171 to 174 (Stage 15B);

9.1.13 Lot 146 to 151, Lot 167 to 170, and Lot 175 to 178 (Stage 16A);

9.1.14 Lot 162 to 166, Lot 179, 180, and Lot 195 to 201 (Stage 16B);

Staging must take place in a coordinated and a planned manner having regard to the orderly sequence in provision of access and infrastructure and having regard to condition 12.7.

9.2 Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

9.3 The "Public Use Land" must be dedicated as "Drainage Reserve/Public Use Land" on the Survey Plan for Stage 12A, 12B, 13 and 14B.

10.0 ROAD WORKS

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

10.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 7.1), *Capricorn Municipal Development Guidelines*, relevant Australian Standards and the provisions of a Development Permit for Operational Works (road works).

10.3 Any application for a Development Permit for Operational Works (road works) must demonstrate that all new roads and road reserves included in the application connect with existing constructed road(s) within and road reserve(s) at the time of making the application.

10.4 Belmont Road must be designed and constructed to a Major Urban Collector standard, with half road construction along the development side and having a

- minimum width of ten (10) metres of the carriageway width. Kerb and channel, pedestrian pathways and drainage infrastructure must be included. This non-trunk infrastructure is conditioned under section 665 of the *Sustainable Planning Act 2009*.
- 10.5 All new roads shown on the approved plans (refer to condition 7.1), must comply with all requirements for road classification of “Access Place” or a “Access Street” or a “Minor Collector” in accordance with the requirements of the *Capricorn Municipal Development Guidelines*. All roads must be above Q100 flood inundation level.
- 10.6 A turning area must be provided at the road end at the boundary of each stage(s) prior to the commencement of the use for such stage(s). Details of the turning areas, including practical vehicular and pedestrian access to lots, parking for adjacent lots and manoeuvring for a Council refuse collection vehicle must be demonstrated in any application for a Development Permit for Operational Works (road works).
- 10.7 Construct a roundabout at the intersection of Belmont Road, Samuel Crescent and Road A in accordance with the requirements of the *Capricorn Municipal Development Guidelines* and the *Main Roads Planning and Design Manual*. This non-trunk infrastructure is conditioned under section 665 of the *Sustainable Planning Act 2009*.
- 10.8 Construct a roundabout at the intersection of Road A, Road B and Road C in accordance with the requirements of the *Capricorn Municipal Development Guidelines* and the *Main Roads Planning and Design Manual*. This non-trunk infrastructure is conditioned under section 665 of the *Sustainable Planning Act 2009*.
- 10.9 Additional land area must be dedicated along the Belmont Road development side to be able to provide a minimum verge width of five (5) metres between property boundaries and the edge of the carriageway. The alignment must be determined in consultation with Council and location details must be demonstrated in any application for a Development Permit for Operational Works (road works).
- 10.10 All pathways must incorporate kerb ramps at all road crossings.
- 10.11 Traffic calming devices must be provided to control vehicle speeds within the Minor Collector and Access Streets. Details of traffic calming devices and practical access to adjacent allotments must be demonstrated in any application for a Development Permit for Operational Works (road works).
- 10.12 A bus set-down area, including all weather shelter must be designed and constructed in accordance with the *Public Transport Infrastructure Manual*. The bus set-down area must be located within Belmont Road. Details of the bus set-down area must be provided with any application for a Development Permit for Operational Works (road works).
- 10.13 All new traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland* and where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.
- 10.14 Any application for a Development Permit for Operational Works (road works) must include details of the Council approved road names for all new roads.
- 10.15 Any retaining structures within road reserves must not be constructed unless approved as part of a Development Permit for Operational Works (road works). Retaining walls must be wholly contained within the proposed private allotments and not be constructed as Council-owned infrastructure.
- 11.0 ACCESS WORKS
- 11.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 11.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 7.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 “Off Street Car Parking”* and the provisions of a Development
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Permit for Operational Works (access works).

- 11.3 All vehicular access to and from proposed Lot 1 to 9, Lot 88 to 107 and Lot 116 (inclusive) must be obtained via the proposed new internal roads only. Direct vehicular access to Belmont Road is prohibited. A property note to this effect will be entered against Lot 1 to 9, Lot 88 to 107 and Lot 116 (inclusive).
- 11.4 Vehicular access to and from proposed Lot 1 and 18 must be via the proposed Road C and for Lot 55 and 97 must be via the proposed Road B.
- 11.5 Access to proposed Lot 1, 18, 55, 72, 73, 87, 88, 97 and 107 must be constructed to a sealed or equivalent standard.

12.0 SEWERAGE WORKS

- 12.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the site.
- 12.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 7.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (sewerage works).
- 12.3 All lots within the development must be connected to Council's reticulated sewerage network.
- 12.4 The initial three stages (stage 9A, 9B and 10) of the development must be serviced via a gravity sewerage main and the connection to the existing reticulated sewerage network must be at the northern side of the Belmont Road Sewerage Pump Station (SP038) in accordance with the Sewerage Network Analysis report (refer to condition 7.1).
- 12.5 A non-trunk sewerage pump station within the site and associated 100 millimetre diameter non-trunk sewerage rising main within the development must be constructed to discharge to the proposed gravity sewerage network under stage 9A, 9B and 10. The remaining eleven stages (stage 11A, 11B, 12A, 12B, 13, 14A, 14B, 15A, 15B, 16A and 16B) must be connected to the reticulated sewerage network via this sewerage pump station in accordance with Sewerage Network Analysis report (refer to condition 7.1). This non-trunk infrastructure is conditioned under section 665 of the *Sustainable Planning Act 2009*.
- 12.6 A twenty (20) metre by twenty (20) metre freehold allotment area for a sewerage pump station site and adequate access easement for the sewerage pump station site must be dedicated in favour of Council.
- 12.7 In accordance with the Sewerage Network Analysis report (refer to condition 7.1), the final sewerage strategy must be as follows:
 - 12.7.1 a limit of ninety (90) allotments can be connected while the Edenbrook development remains connected to the Belmont Road Sewerage Pump Station network.
 - 12.7.2 an additional sixty-one (61) allotments can be connected once the Edenbrook development is disconnected.
 - 12.7.3 the final fifty (50) allotments can be connected once the Belmont Road rising main has been redirected to the Edenbrook Sewerage Pump Station.
- 12.8 In accordance with the Sewerage Network Analysis report (refer to condition 7.1), the last fifty (50) allotments of the development must complete the following works to ultimately redirect the Belmont Road Sewerage Pump Station to the Edenbrook Sewerage Pump Station:
 - 12.8.1 a new section of 100 millimetre diameter sewerage rising main must be constructed from the Belmont Road Sewerage Pump Station to the discharge chamber of the existing Edenbrook rising main.

- 12.8.2 a new discharge chamber must be constructed in Edenbrook Drive to discharge into the Edenbrook gravity sewerage network.
- 12.9 Sewerage infrastructure must be provided to the development boundary for connectivity.
- 12.10 Any proposed sewerage access chambers located within a park or reserve, or below a Q100 flood event, must be provided with bolt down lids.
- 12.11 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 13.0 WATER WORKS
- 13.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works on the site.
- 13.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 7.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act* and the provisions of a Development Permit for Operational Works (water works).
- 13.3 All lots within the development must be connected to Council's reticulated water network.
- 13.4 A non-trunk water main not less than 200 millimetres in diameter must be constructed along the Belmont Road road reserve at the development side from the Belmont Road and Bellbird Drive intersection to the Belmont Road and Samuel Crescent intersection to service the development (in accordance with the Water Network Analysis report (refer to condition 7.1)). The connection point must be from the 200 millimetre water main at the intersection of Belmont Road and Bellbird Drive. This non-trunk infrastructure is conditioned under section 665 of the *Sustainable Planning Act 2009*.
- 13.5 The final sizes of the internal water mains must not be less than those detailed in the water supply network analysis report (refer to condition 7.1).
- 13.6 Water infrastructure must be provided to the development boundaries for connectivity.
- 13.7 All proposed water reticulation mains within the development site must be interconnected to eliminate dead ends and looped mains are permitted in cul-de-sacs.
- 13.8 Easements must be provided over all water supply infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.
- 14.0 STORMWATER WORKS
- 14.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works on the site.
- 14.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 7.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 14.3 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.
- 14.4 The Operational Works (stormwater works) application must include an assessment of how the development meets the water quality objectives of the *State Planning*
-

Policy 2014.

- 14.5 The proposed development must not increase peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.
- 14.6 Each allotment must be designed so as to be flood free in a one in one hundred year flood event (100 year Average Recurrence Interval).
- 14.7 Easements must be provided over all land assessed to be within the one in one hundred year rainfall event (100 year Average Recurrence Interval) inundation area.
- 14.8 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by a Stormwater Drainage Report, prepared and certified by a Registered Professional Engineer of Queensland, which as a minimum includes:
 - 14.8.1 identification of drainage catchment and drainage sub-catchment areas for the pre-development and post-development scenarios including a suitably scaled stormwater master plan showing the aforementioned catchment details and lawful point(s) of discharge that comply with the requirements of the *Queensland Urban Drainage Manual*;
 - 14.8.2 an assessment of the peak discharges for all rainfall events up to and including the one in one hundred year rainfall event (100 year Average Recurrence Interval) for the pre-development and post-development scenarios;
 - 14.8.3 details of any proposed on-site detention / retention systems and associated outlet systems required to mitigate the impacts of the proposed development on downstream lands and existing upstream and downstream drainage systems;
 - 14.8.4 identification and conceptual design of all new drainage systems, and modifications to existing drainage systems required to adequately manage stormwater collection and discharge from the proposed development;
 - 14.8.5 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*;
 - 14.8.6 identification of the area of land inundated as a consequence of the minor and major design storm events in the catchment for both the pre-development and post-development scenarios;
 - 14.8.7 identification of all areas of the proposed development, and all other land (which may include land not under the control of the developer), which needs to be dedicated to, or encumbered in favour of Council or another statutory authority, in order to provide a lawful point of discharge for the proposed development. The areas identified must satisfy the requirements of the *Queensland Urban Drainage Manual*. All land proposed as major overland flow paths must include appropriate freeboard, access and maintenance provisions consistent with the *Queensland Urban Drainage Manual*; and
 - 14.8.8 details of all calculations, assumptions and data files (where applicable).
- 14.9 Proposed Public Use Lands and Stormwater Channels as identified on the approved plans (refer to condition 7.1) must be dedicated as detention basin and must be landscaped in accordance with Council's requirements. Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by detailed plans and specifications for proposed Stormwater Channels and Bio-retention basins and the design must:
 - 14.9.1 be suitable to the climate and incorporate predominately native species;

- 14.9.2 maximise areas suitable for on-site infiltration of stormwater;
- 14.9.3 incorporate shade trees; and
- 14.9.4 demonstrate that all areas apart from garden beds are fully turfed or hydromulched.

The detailed design of the detention basins must include all required safety measures and facilities (for example child proof fences) to ensure the safety of the public and/or tenants (in particular young children). A management plan for the proposed detention basin system must be submitted as part of any application for a Development Permit for Operational Works (stormwater works).

15.0 INTER-ALLOTMENT DRAINAGE

- 15.1 A Development Permit for Operational Works (inter-allotment drainage works) must be obtained prior to the commencement of any drainage works on the site.
- 15.2 All inter-allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 7.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, and sound engineering practice and the provisions of a Development Permit for Operational Works (inter-allotment drainage works).
- 15.3 Inter-allotment drainage, must be designed and constructed in accordance with the *Queensland Urban Drainage Manual* and must be provided to any lot where it cannot be satisfactorily demonstrated that roof and allotment runoff associated with building construction on that lot, could not reasonably be directed to the frontage kerb and channel or alternative lawful point of discharge.
- 15.4 Inter-allotment drainage systems and overland flow paths must be wholly contained within a Council easement, with a minimum width of three (3) metres. Easement documents must accompany the plan for endorsement by Council prior to the issue of the Compliance Certificate for the Survey Plan.

16.0 SITE WORKS

- 16.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works.
- 16.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks' plan which clearly identifies the following:
 - 16.2.1 the location of cut and/or fill;
 - 16.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 16.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 16.2.4 details of any proposed access routes to the site which are intended to be used to transport fill to or from the site; and
 - 16.2.5 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.
- 16.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 16.4 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.
- 16.5 The structural design of all retaining walls above one (1) metre in height must be separately and specifically certified by a Registered Professional Engineer of Queensland as part of the Operational Works submission. A Registered Professional Engineer of Queensland must on completion certify that all works are compliant with

the approved design.

- 16.6 Vegetation must not be cleared unless and until written approval has been provided by Council. A Development Permit for Operational Works constitutes written approval, only for the purposes of clearing vegetation directly pertinent to the operational works which are the subject of the Development Permit.
- 16.7 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.
- 16.8 All site works must be undertaken to ensure that there is:
- 16.8.1 no increase in upstream or downstream flood levels for all levels of immunity up to Q100;
 - 16.8.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
 - 16.8.3 a lawful point of discharge to which the developed flows from the land drain. Easements will be required over any other land to accommodate the flows.

17.0 LANDSCAPING

- 17.1 Development permit for Operational Works (landscaping works) will be required to be lodged prior to the commencement of any landscaping works on this site.
- 17.2 The proposed development must have a minimum total area of at least 2.9 hectares dedicated to being suitable parkland as defined by *Planning Policy 5 – Open Space Infrastructure Policy* and must be generally in accordance with the approved plan (refer to condition 7.1). Any application for a Development Permit for Operational Works (landscaping works) must be accompanied by detailed plans and all public land along Ramsay Creek must comply with the following:
- 17.2.1 no development must occur within fifty (50) meters of the river bank. The riverbank is to be maintained as public open space and natural riparian wetland in accordance with state development conditions.
 - 17.2.2 be maintained to encourage nature regeneration of native forbs and grasses with small to medium trees and shrubs. Mature riparian canopy species are to be retained wherever possible to assist in maintaining the scenic amenity of this residential estate.
 - 17.2.3 all grassed open spaces must be accessible for maintenance purposes. Service access/s must be at least three (3) metres wide and secured by a lockable gate or pole.
- 17.3 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 7.1) and must include, but is not limited to, the following:
- 17.3.1 A plan documenting the “Extent of Works” and supporting documentation which includes:
 - (i) location and name of existing trees, including those to be retained (the location of the trees shall be overlayed or be easily compared with the proposed development design);
 - (ii) the extent of soft and hard landscape proposed;
 - (iii) important spot levels and/or contours. The levels of the trees to be

retained shall be provided in relation to the finished levels of the proposed buildings and works;

- (iv) underground and overhead services;
- (v) typical details of critical design elements (stabilisation of batters, retaining walls, podium/balcony planters, trees in car park areas, fences);
- (vi) details of landscape structures including areas of deep planting; and
- (vii) specification notes on mulching and soil preparation.

17.3.2 A "Planting Plan" and supporting documentation which includes:

- (i) trees, shrubs and groundcovers to all areas to be landscaped;
- (ii) position and canopy spread of all trees and shrubs;
- (iii) the extent and type of works (inclusive but not limited to paving, fences and garden bed edging). All plants shall be located within an edged garden; and
- (iv) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting.

17.4 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.

17.5 Large trees must not be planted within one (1) metre of the centreline of any sewerage infrastructure. Small shrubs and groundcover are acceptable.

17.6 The establishment of the park and all landscaping must be constructed and or established, in accordance with the requirements of the Development Permit for Operational Works (landscaping works), prior to the issue of the Compliance Certificate for the Survey Plan applicable to that stage.

17.7 The landscaped areas must be subject to an ongoing maintenance and replanting programme to be provided in writing prior to the sealing of plans.

17.8 The Children's Play Equipment Area with additional Park Amenities must be constructed within the dedicated Active Park Area as illustrated within the Landscaping Plans (refer to condition 7.1). The Active Park and the Children's Play Equipment Area must comply with the following:

- 17.8.1 a playground area is constructed in accordance with revised Landscape Concept Plan (refer to condition 7.1);
- 17.8.2 the playground is suitable for children between the ages of two (2) and twelve (12) and constructed in accordance with a local destination play space as defined by the Rockhampton Regional Council Playground Strategy;
- 17.8.3 the active recreational playground area must be turfed and equipped with an installed irrigation system;
- 17.8.4 additional park amenities be provided, for example picnic shelters, tables and benches;
- 17.8.5 adequate vehicle parking must be provided (for consideration by Council at Operational Works stage);
- 17.8.6 the playground area must be wheel chair accessible and have a grade no greater than one (1) in twenty (20) slope for eighty per cent (80%) of the

area.

Note: Council may consider a cash contribution to be negotiated in lieu of construction of a Children's Play Equipment area with additional Park Amenities.

- 17.9 Vehicle barriers must be constructed around all areas of public land with road frontage.
- 17.10 All allotments bordering onto Belmont Road (Lot 1 to 9, Lot 88 to 107 and Lot 116) must have a minimum two (2) metre high, double lapped and capped acoustic timber fence (having a minimum surface area density of ten (10) kilograms per square metre) along the full frontage of Belmont Road.
- 17.10.1 A minimum 0.75 metre wide landscaped strip must be provided for the full frontage of the acoustic fence facing Belmont Road to reduce the visual impact of the fence. The landscaped strip must be established within six (6) months of the approved operational works applicable to that stage.
- 17.11 The bike and pedestrian paths and the public open space area located in the main stormwater drain corridor must be generally in accordance with the approved plans (refer to condition 7.1).
- 17.12 All grassed landscaped areas must be established within six (6) months of the approved operational works applicable to that stage.
- 17.13 Bike and pedestrian paths must not be constructed on land that is susceptible to inundation by floodwaters.

Note: If the bike and pedestrian path along Ramsay Creek on the north-western portion of the development is susceptible to inundation by floodwaters, it must follow Road G, connecting onto the bike and pedestrian path within Road I.

- 17.14 The proposed northern picnic shelter is not approved due the access pathway being susceptible to inundation by floodwaters. Alternative and/or additional picnic shelter locations (including public benches) must be demonstrated in the application for a Development Permit for Operational Works (landscaping works).

18.0 PUBLIC LAND:

- 18.1 All public land must be designed and constructed generally in accordance with the approved plans (refer to condition 7.1).
- 18.2 Eighty per cent (80%) of all natural grass cover and other designated grassed area must be covered within six (6) months of the subdivision works being placed on maintenance.
- 18.3 The owner of land will be required to provide a maintenance bond to be decided under an operational works permit to be held for the maintenance and establishment of the public open space for twelve (12) months after the sealing of any plans relating to Lots 102 on RP860099 and Lot 129 on PL4021.

19.0 ELECTRICITY AND TELECOMMUNICATIONS

- 19.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 19.2 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 issue of the Compliance Certificate for the Survey Plan.

20.0 ASSET MANAGEMENT

- 20.1 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.

20.2 Any damage to existing 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.

20.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Manual for Submission of Digital As Constructed Information.

21.0 ENVIRONMENTAL

21.1 Any application for a Development Permit for Operational Works must be accompanied by a detailed Environmental Management Plan, which addresses, but is not limited to, the following matters:

- (i) water quality and drainage;
- (ii) erosion and silt/sedimentation management;
- (iii) acid sulphate soils;
- (iv) fauna management;
- (v) vegetation management and clearing;
- (vi) top soil management;
- (vii) interim drainage plan during construction;
- (viii) construction programme;
- (ix) geotechnical issues;
- (x) weed control;
- (xi) bushfire management;
- (xii) emergency vehicle access;
- (xiii) noise and dust suppression; and
- (xiv) waste management.

21.2 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location / topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) staged implementation, for the construction and post construction phases of work.

- 21.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 21.4 The 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.
- 22.0 OPERATING PROCEDURES
- 22.1 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 Council owned roadways.
- 23.0 INFRASTRUCTURE COSTS
- 23.1 The development is located completely outside the priority infrastructure area. As per section 650 of the *Sustainable Planning Act 2009* Council requires additional trunk infrastructure costs. As the development is adjacent to and will be serviced to the desired standard of service for charge area 1, as outlined in the *Adopted Infrastructure Charges Resolution, 2014 (No. 4)*, the calculation of the establishment cost of trunk infrastructure for charge area 1 applies. An additional charge of \$14,000.00 per lot is required and is payable to Council prior to the issue of the Compliance Certificate for the Survey Plan for each stage.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act*, 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 Environment and Resource Management website www.derm.qld.gov.au

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. Property Notes

- (i) All vehicular access to and from proposed Lot 1 to 9, Lot 88 to 107 and Lot 116 (inclusive) must be obtained via the proposed new internal roads only. Direct vehicular access to Belmont Road is prohibited.
- (ii) All allotments bordering onto Belmont Road (Lot 1 to 9, Lot 88 to 107 and Lot 116) must have a minimum two (2) metre high, double lapped and capped acoustic timber fence (having a minimum surface area density of ten (10) kilograms per square metre) along the full frontage of Belmont Road.

This must be constructed by the developer and maintained by the owner of each applicable allotment.

NOTE 5. Adopted Infrastructure Charges Notice

This application is subject to infrastructure contributions in accordance with Council policies. The contributions are presented on an Infrastructure Charges Notice which has been supplied with this decision notice.

RECOMMENDATION A3

That in relation to the application for a Development Application for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential Purposes and a Development Permit for Reconfiguring a Lot (three lots into 201 lots and public use land), made by Glenmore Holdings (Aust) Pty Ltd C/- Adams and Sparks Town Planning, on land described as Lot 2 on RP609985, Lot 102 on RP860099 and Lot 129 on PL4021, Parish of Murchison, located at 46-48, 54-102 and 263 Belmont Road, Parkhurst, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$1,386,000.00**.

OR

RECOMMENDATION B

That in relation to the application for a Development Application for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential Purposes and a Development Permit for Reconfiguring a Lot (three lots into 201 lots and public use land), made by Glenmore Holdings (Aust) Pty Ltd C/- Adams and Sparks Town Planning, on land described as Lot 2 on RP609985, Lot 102 on RP860099 and Lot 129 on PL4021, Parish of Murchison, located at 46-48, 54-102 and 263 Belmont Road, Parkhurst, Council resolves to Refuse the application on the following grounds:

- a) The proposed development is inconsistent with the intent of the existing *Rockhampton City Plan 2005* (and the new Planning Scheme) as the subject site is located within the rural designation under the strategic framework. Rural land is to be protected for its productive, landscape and natural resource values.
- b) The planning scheme has identified sufficient land supply for future greenfield development up to the year 2026. The proposed development is located outside the settlement pattern designed within the strategic framework and no further residential development is to occur beyond the designated urban and new urban areas before 2026.
- c) The proposed development is out of sequence (and therefore inconsistent) with the intended growth areas outlined within the Priority Infrastructure Area and planning assumptions model of the *Rockhampton City Plan 2005* and *Adopted Infrastructure Charges Resolution (No 4) 2014*.
- d) The application did not provide a 'Needs Analysis' and/or actual population growth rates as further justification for allowing rural land to be developed for urban purposes.
- e) Council needs to continue to encourage the redevelopment of existing infill areas, while also recognising current approvals and existing development rights, particularly when a proposal is in conflict with the planning scheme. This will ultimately reduce residential sprawling and reduce constraints on Council's infrastructure network.

BACKGROUND

PROPOSAL IN DETAIL

The subject land is located at 46-48, 54-102 and 263 Belmont Road, Parkhurst and is located within the Parkhurst Rural Area. The applicant seeks Council approval for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential Purposes and a Development Permit for Reconfiguring of a Lot (three lots into 201 lots and public use land). The intent is to subdivide three (3) rural allotments and creating a new residential estate consisting of 201 residential lots and public use land.

The proposed estate will remain sensitive to and reflective of the surrounding area, promoting the existing and emerging residential character of Parkhurst. A range of residential accommodation uses (such as a single dwelling houses, dual occupancies, home based businesses and sales offices) are encouraged, contributing towards a mix of dwelling types and densities. Single dwelling houses (with a maximum height of 8.5 metres or two storeys) are, however, to be the dominant residential form within the estate with limited provisions available for dual occupancies.

Development and stages

The proposal will consist of fourteen (14) different stages, being an extension of the existing Riverside Estate (stages 1 to 8) located south of the site along Alexandra Street. Lot 2 on RP609985 and Lot 102 on RP860099 will accommodate the initial stages of the estate, with stage 11B comprising the Glenmore Homestead, which is to be retained on an allotment measuring approximately 6.574 hectares. The proposed residential estate has been designed to integrate with the existing residential areas in proximity to the subject site, particularly the initial stages of the Riverside Estate. The proposed fourteen (14) stages for this estate (Riverside Estate) will be broken down as follows:

Stage	Number of Lots in the Stage	Lot Description
9A	14 lots	Lot 1, 2, 18, 19, 53 to 58, and 94 to 97
9B	19 lots	Lot 59 to 64, and 81 to 93
10	12 lots	Lot 3 to 9, and 13 to 17
11A	10 lots	Lot 20, 39, 40, and 46 to 52
11B	16 lots	Lot 65 to 80
12A	15 lots and public use land	Lot 21 to 25, 34 to 38, 41 to 45 and public use land
12B	11 lots and public use land	Lot 10 to 12, 26 to 33 and public use land
13	16 lots	Lot 98 to 101, 121 to 128, and 137 to 140
14A	14 lots	Lot 141, 156, 157, and 181 to 191
14B	15 lots and public use land	Lot 142 to 145, 152 to 155, 158 to 161, 192 to 194 and public use land
15A	12 lots	Lot 102 to 109, and 117 to 120
15B	19 lots	Lot 110 to 116, 129 to 136, and 171 to 174
16A	14 lots	Lot 146 to 151, 167 to 170, and 175 to 178
16B	14 lots	Lot 162 to 166, 179, 180, and 195 to 201

The allotment sizes in the proposed development will range from 1,000 square metres to 3,032 square metres with the remainder of the Glenmore Homestead being 6.574 hectares. Approximately 14.12 hectares (23.9 per cent) of the development will be dedicated as being Public Use Land, which will incorporate a combination of stormwater drainage areas, flood prone land (below the Q10 flood line) and public open space for recreational purposes (park land). It is anticipated that 2.9 hectares of the Public Use Land will be designated in being developable park land.

Access/Traffic

Access into the development will be obtained from Belmont Road via two (2) roundabouts, creating an intersection with Samuel Crescent and William Palfrey Drive. A preliminary traffic impact assessment analysis has been carried out by Calibre Consulting Engineering, which indicates that the proposed intersections can efficiently function beyond the year 2035. The

proposed internal road network will provide a hierarchy of streets consistent with the stages of the estate. Further connections to this estate can be obtained towards the north, should the vacant property on the north ever be developed. The Glenmore Homestead will form the southern boundary of the development (abutting the Fitzroy River Water treatment plant), with no further access connections towards the south.

Stormwater Drainage

The proposed development proposes a major open stormwater channel traversing the development from Belmont Road towards Ramsay Creek, located within public use land, flowing into a 700 square metre detention basin. Two (2) additional detention basins measuring 800 and 400 square metres are also proposed along Ramsay Creek, all located within public use land. A Stormwater Management Report was provided as part of this application, which demonstrates that all allotments within this estate will not be negatively affected by a one in one hundred year flood event (100 year Average Recurrence Interval) within the local catchments.

Flood level

The Q100 Fitzroy River flood level for the site is between the 11 metre and 11.5 metre Australian Height Datum. Some of the lower parts of the site closest to Ramsay Creek will require some filling to ensure that all allotments and access roads are flood free.

SITE AND LOCALITY

The subject site comprises of three (3) allotments with a total area of 59.021 hectares. The subject site is located on the north-western periphery of Rockhampton, abutting Ramsay Creek and forms part of the Glenmore Homestead (heritage site). The site is surrounded by other low density residential development, being Edenbrook and the proposed Ellida estate to the northeast and east and the first stages of Riverside Estate to the south. The subject site is bounded by Belmont Road on the eastern boundary with a vacant rural allotment on the north and Ramsay Creek on the west. A Fitzroy River Water treatment facility bounds the site on the south.

The subject site is relatively flat with a natural fall to the west towards Ramsay Creek and is partly constrained by matters of environmental significance, in particular, remnant vegetation, watercourses and wetlands.

The subject site is located outside the current Priority Infrastructure Area (dated 28 March 2012) and is not located within the water supply and sewerage service area of the Rockhampton Region.

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 – 6 February 2015

Support, subject to conditions.

Infrastructure Operations Unit's (sewer and water) Comments – 6 February 2015

Support, subject to conditions.

Public and Environmental Health Comments – 6 January 2015

Support, subject to conditions.

Parks and Open Space Comments – 31 March 2015

Support, subject to conditions.

Strategic Planning Unit's Comments – 13 May 2014 and 22 April 2015

Recommending a refusal.

The proposed development is inconsistent with the intent of the existing *Rockhampton City Plan 2005* (and the proposed Planning Scheme) as the subject site is located within the rural designation under the strategic framework.

Sufficient land already exists to accommodate future residential growth in Parkhurst and the broader local government jurisdiction, up to and beyond the planning horizon of the proposed planning scheme (i.e. for the next 20 years and beyond). The proposed planning scheme specifies that no further residential development is to occur beyond the areas designated as urban and new urban as shown on the strategic framework map. It is important that Council achieves an orderly and efficient expansion of urban development. The current settlement pattern has been established in consideration of social wellbeing, efficient infrastructure delivery, identified natural hazards, sustainability generally and formally adopted growth forecasts. There is also an increasing community and market interest in infill development within the existing urban footprint. The planned development of the CQU Priority Development Area within the planning horizon also defers any need for additional greenfield development. Parts of the area are also flood prone.

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 on 2 December 2013 (amended 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

Complies. The proposal is for the creation of 201 new residential allotments and public use land. The proposed development (residential estate) will remain sensitive to and reflective of the surrounding area, promoting the existing and emerging residential character of Parkhurst. A range of residential uses are encouraged, contributing towards a mix of dwelling types and densities. The proposal will also include active public open spaces like pedestrian and bicycle paths including a local play park area.

Agriculture

Complies. Agricultural land with a Land Classification of Class A and/or Class B should be protected and be used for sustainable agricultural uses. The subject rural allotments are not suitable for practicing sustainable agricultural uses due to a number of constraints such as the topography, flood prone land, remnant vegetation and surrounding residential uses. The proposal, therefore, does not compromise any valuable agricultural land.

Mining and extractive resources

Not Applicable.

Biodiversity

Complies. The subject site comprises matters of environmental significance with regard to biodiversity and in particular, remnant vegetation, watercourses and wetlands. The proposed development proposes public use land adjoining the creek and over significant vegetation in

order to maintain these areas and balance any impacts associated with the proposed development. Furthermore, should this development be supported, appropriate conditions can be conditioned to ensure protection of remnant vegetation, watercourses and wetlands.

Coastal environment

Not Applicable.

Water quality

Not Applicable.

Natural hazard, risk and resilience

Complies. A portion of the subject site is affected by flooding (including erosion prone area and medium and high storm tide inundation areas). A Stormwater Management Report formed part of the application and demonstrates that all proposed residential allotments will achieve a flood free post development outcome. All residential allotments will be immune from a Q100 flood event.

Emissions and hazardous activities

Not Applicable.

State transport infrastructure

Not Applicable.

Strategic airports and aviation facilities

Not Applicable.

Rockhampton City Plan 2005

Rockhampton City Plan Strategic Framework

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 proposal is for a residential subdivision, which adjoins an area which is intended for future residential development. The proposal is considered to achieve the intent of this outcome by creating a new residential estate.

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

Complies. The proposed development will have no impact on the water quality in the barrage.

- (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.

Complies. Remnant vegetation will be retained as part of public use land and maintained under a vegetation management plan. Furthermore, stormwater management is designed around open space features and structures, such as walkways, seating and landscaping.

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

Complies. Remnant vegetation will be protected by the implementation of a vegetation management plan. In addition, the impacts of flooding, bushfire and landslide will also be managed to ensure that each proposed allotment will be provided with flood immunity and does not cause harm to people or property.

- (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. No commercial development is proposed as part of this application.

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

Not Applicable. No commercial development is proposed as part of this application.

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

Not Applicable. No industrial development is proposed as part of this application.

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

Complies. The Glenmore Homestead is not being affected by this development application and will be retained on an allotment measuring approximately 6.574 hectares.

- (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.

Complies. The proposed development (residential estate) will remain sensitive to and reflective of the surrounding area, promoting the existing and emerging residential character of Parkhurst. A range of residential accommodation uses (such as a single dwelling houses, dual occupancies, home based businesses and sales offices) are encouraged, contributing towards a mix of dwelling types and densities. Single dwelling houses (with a maximum height of 8.5 metres or two storeys) are, however, to be the dominant residential form within the estate with limited provisions available for higher densities like dual occupancies.

- (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. No community uses or health care facilities are proposed as part of this development.

- (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.

Justified. The subject site is located within the Parkhurst Rural Area under the *Rockhampton City Plan 2005* and the proposed 201 lot subdivision is regarded as being inconsistent with the intent of this area. However, the proposed residential estate can be seen as a natural expansion of the existing Riverside Estate to the south and Edenbrook Estate to the east. The proposal will integrate with these established and proposed residential areas to the east of the site. The proposed additional residential allotments will also be developed in an effective and logical sequence and be adequately connected to all applicable infrastructure services.

- (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. The proposed development will connect to all applicable services without impacting on the surrounding developments. Efficient design strategies for traffic and access, stormwater drainage, sewerage reticulation, water supply, electricity and telecommunications can be provided. A preliminary review of the existing sewerage network confirms that proposed stage 9A, 9B and 10 can be serviced without constructing an internal sewerage pump station. A sewerage pump station will, however, be constructed as part of the other stages (after stage 10) in order to cater for the rest of the proposed 201 lot development.

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

Complies. A safe and efficient transport network will form part of this development, creating two (2) new roundabout intersections along Belmont Road, intersecting with Samuel Crescent and William Palfrey Drive. Furthermore, the proposed internal road network will provide a hierarchy of streets consistent with the stages of the proposed development in a safe, accessible and efficient manner.

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

Complies. A combination of active and passive recreational public open spaces will be created throughout the development. Some public open spaces will be dedicated to stormwater treatment and other areas will be reserved for public recreation by walkways and play area.

The performance assessment of the proposal demonstrates that the development will not compromise the *Rockhampton City Plan 2005* Desired Environmental Outcomes, and where there is deviation from the Desired Environmental Outcomes, sufficient justification has been provided.

Parkhurst Rural Area Intent

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

"It is intended that the Area retain its rural character, consequently, it is not intended that land in the Area be subdivided and developed for urban purposes, except for land identified in the Residential Precinct, known as the Parkhurst Rural Residential Precinct."

The proposal cannot be considered to be consistent with the intent to the Parkhurst Rural Area as it will not retain the rural character and it will not meet the minimum recommended allotment sizes. It should, however, be noted that the intent is to apply for a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential Purposes, changing the existing rural character to residential.

Rockhampton City Plan Codes

The following codes are applicable to this application:

- Reconfiguration of Lot Code;
- House Code;
- Multi Unit Dwelling, Accommodation Building and Duplex Code;
- Biodiversity and Nature Conservation Code;
- Bushfire Risk Minimisation Code;
- Crime Prevention Through Environmental Design Code;
- External Works and Servicing Code;
- Filling or Excavation Code;
- Flood Prone Land Code;
- Heritage Place Code;
- Landscape Code; and
- Parking and Access Code.

An assessment has been made against the requirements 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
P2	<p>The subdivision is responsive to, and takes into proper consideration, the characteristics, features, constraints, and location of the site including:</p> <ul style="list-style-type: none"> (a) Integration and/or buffering to surrounding land uses; and (b) Topography (including the protection of steep slopes and scenic views); and (c) Minimising risk associated with or caused by natural hazards such as bushfire, flooding and landslip; and (d) Protection of areas of ecological significance. 	<p>Justified</p> <p>A portion of the subject site (along Ramsay Creek) is affected by the one (1) in one hundred (100) year flood event and contains some remnant vegetation. The proposed development will incorporate some cut and fill, which will ensure that all newly created residential allotments are located outside areas effected by inundation by the one (1) in an one hundred (100) year flood event. A Stormwater Management Plan formed part of the proposed development, which demonstrates minimal effects onto neighbouring allotments. The remnant vegetation will also form part of the public use land within the proposed layout and maintained under a vegetation management plan.</p>
P4	<p>Subdivision design creates neighbourhoods and allotments that incorporate and respond to;</p> <ul style="list-style-type: none"> (a) the natural features of the site such as topography and areas of ecological value; and (b) any identified heritage values of the site. 	<p>Justified</p> <p>The entire western boundary of the subject site is affected by the one (1) in one hundred (100) year flood event, following Ramsay Creek, which also forms the legal point of discharge of stormwater. The proposed development will require some cut and fill to ensure all allotments be located outside the one (1) in one hundred (100) year flood event area. This will, however, require some portions of the natural drainage systems (waterways) to be altered. The proposal will, however, incorporate and respond to the site's natural features by incorporating a drainage strategy (system) throughout the site via public use land. No development will be located within the flood area along Ramsay Creek, preserving the natural values.</p>
P8	<p>In a subdivision, the allotment design and layout enhances personal safety and minimises the potential for crime, vandalism and</p>	<p>Justified</p> <p>The proposed development is to create 201 residential allotments of</p>

	fear through the achievement of casual surveillance by those living or working at each allotment, drivers of passing vehicles and pedestrians.	which only two (2) will be hatchet allotments due to the layout and topography of the site. The two (2) hatchet allotments will be of efficient size to be able to accommodate a house on each and comply with Appendix 4 of the Reconfiguring a Lot Code.
P9	<p>Lots are of an area and dimension that provides for;</p> <p>(a) the efficient development of land for its intended use; and</p> <p>(b) on site services and/or facilities such as septic trenches, private open space; vehicle garages, fire fighting water supplies, etc; and</p> <p>(c) good accessibility with road reserve wide enough to provide that degree of accessibility; and</p> <p>(d) the accommodation of a building location envelope.</p>	<p>Justified</p> <p>The recommended minimum lot size within the Parkhurst Rural Area is ten (10) hectares. The proposal is to create 201 lots measuring between 1,000 square metres and approximately 3,000 square metres. It should, however, be noted that the proposal also includes a Preliminary Approval to override the Planning Scheme for a Material Change of Use for Residential purposes. Therefore, the proposed subdivision will be consistent with residential sized allotments.</p>

House Code		
Performance Criteria		Officer's Response
P5	<p>The house and ancillary structures are protected from adverse flooding and do not:</p> <p>(a) significantly interfere with the passage, storage or quality of stormwater or the natural functions of a waterway; or</p> <p>(b) put loss of life at risk; or</p> <p>(c) put life at risk of injury; or</p> <p>(d) put damage to property at high risk, and complies with the Flood Prone Land Code.</p>	<p>Justified</p> <p>The entire western boundary of the subject site (along Ramsay Creek) is affected by the one (1) in one hundred (100) year flood event. It must be noted that although a portion of the proposed allotments will be located within the mapped Q100 Flood area, the development will entail some cut and fill, which will prevent any new residential allotment from being affected by the one (1) in one hundred (100) year flood event. The flood line and stormwater drainage system are sufficiently addressed within the Stormwater Management Plan forming part of this application.</p>
P6	<p>Habitable rooms, non habitable areas (e.g. 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>Justified</p> <p>The entire western boundary of the subject site (along Ramsay Creek) is affected by the one (1) in one hundred (100) year flood event. It must be noted that although a portion of the proposed allotments</p>

		will be located within the mapped Q100 Flood area, the development will entail some cut and fill, which will prevent any new residential allotment from being affected by the one (1) in one hundred (100) year flood event. The flood line and stormwater drainage system are sufficiently addressed within the Stormwater Management Plan forming part of this application.
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Multi Unit Dwelling, Accommodation Building and Duplex Code		
Performance Criteria		Officer's Response
P19	<p>Multi unit dwelling, accommodation buildings and Duplexes are protected from adverse flooding and does not:</p> <p>(a) significantly interfere with the passage, storage or quality of stormwater or the natural functions of a waterway; or</p> <p>(b) put loss of life at risk; or</p> <p>(c) put life at risk of injury; or</p> <p>(d) put damage to property at high risk.</p>	<p>Justified</p> <p>The entire western boundary of the subject site (along Ramsay Creek) is affected by the one (1) in one hundred (100) year flood event. It must be noted that although a portion of the proposed allotments will be located within the mapped Q100 Flood area, the development will entail some cut and fill, which will prevent any new residential allotment from being affected by the one (1) in one hundred (100) year flood event. The flood line and stormwater drainage system are sufficiently addressed within the Stormwater Management Plan forming part of this application.</p>
P20	<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.</p>	<p>Justified</p> <p>The entire western boundary of the subject site (along Ramsay Creek) is affected by the one (1) in one hundred (100) year flood event. It must be noted that although a portion of the proposed allotments will be located within the mapped Q100 Flood area, the development will entail some cut and fill, which will prevent any new residential allotment from being affected by the one (1) in one hundred (100) year flood event. The flood line and stormwater drainage system are sufficiently addressed within the Stormwater Management Plan forming part of this application.</p>

Flood Prone Land Code		
Performance Criteria		Officer's Response
P1	The capacity and function of floodways and flood storage areas are preserved in high and low hazard areas.	Justified A portion of the subject site is affected by High Hazard Flood ways (as defined within the <i>Rockhampton City Plan 2005</i>). The proposal will, however, entail some cut and fill which will prevent any new residential allotment from being impacted by any flooding. A Stormwater Drainage strategy also forms part of this application demonstrating efficient stormwater control.
P9	New residential buildings and re-classifications of buildings or parts of a building from a non-residential use to a residential use do not exacerbate the impacts and consequences caused by flooding.	Justified All new proposed residential allotments will be located outside the one (1) in one hundred (100) year flood event areas due to some cut and fill. A Stormwater Drainage strategy also forms part of this application, demonstrating all proposed residential allotments to be located outside the Q100 flood area.

Biodiversity / Nature Conservation Code		
Performance Criteria		Officer's Response
P2	Development maintains, enhances or contributes to the existence of viable and functional; (a) networks of ecological corridors; and (b) significant habitats.	Justified The subject site contains matters of environmental significance with regard to biodiversity, in particular, remnant vegetation, watercourses and wetlands. The proposed development proposes public use land along the creek and over significant vegetation, which will not only act as a buffer, but also protect these areas and balance any impacts associated with the proposed development. A public use land corridor supporting stormwater drainage will also traverse the development from Belmont Road, connecting with the wetlands and remnant vegetation along Ramsay Creek. Furthermore, should this development be supported, additional protection to remnant vegetation, watercourses and wetlands will be appropriately conditioned.

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

Sufficient Grounds

The proposed development cannot be considered consistent with the *Rockhampton City Plan 2005*. Council should note, however, that pursuant to section 329(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 surrounding character and amenity supports the scale of development proposed and it is considered a logical progression of the surrounding residential development on individual lots in the locality.
- b) This proposal represents an orderly expansion of Rockhampton towards the north.
- c) All new residential allotments forming part of this application will not be affected by the one (1) in one hundred (100) year flood event.
- d) The site is able to connect to services and infrastructure to provide an appropriate level of service consistent with the intended use and surrounding locality.
- e) The site and the adjoining rural properties are not of a sufficient size or agricultural land quality to support intensive agricultural uses, therefore, the proposed development will not impinge on existing economic values of any natural resources.
- f) The proposed use does not compromise the achievement of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- g) 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
- h) The proposed development does not compromise the relevant 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, pursuant to section 326(1)(b) of *Sustainable Planning Act 2009*, 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 Reconfiguring a Lot applies to the application and it falls within Charge Area 3. The Infrastructure Charges are as follows:

Column 1 Charge Area	Column 2 Infrastructure Charge (\$/lot)	Column 3 Unit	Calculated Charge
Charge Area 3	7,000	per lot (201 lots)	\$1,407,000.00
Total			\$1,407,000.00
Less credit			\$21,000.00
TOTAL CHARGE			\$1,386,000.00

Note: This charge only accounts for development at rural standards (as planned for within Charge Area 3), whereas the development constitutes urban residential development at densities equal to or greater than those within most areas of Charge Area 1. The impact from such urban residential development is significantly greater than rural development, as the higher density of development results in a substantially greater number of persons/vehicles utilising Council infrastructure. As this places a greater demand on the upgrade/construction of infrastructure to service the increased population, it is necessary to ensure that developments pay the appropriate sum of money, rather than the sum of \$7,000.00 per lot that would ordinarily be required within Charge Area 3 (for which urban scale development is not planned/costed).

The difference in cost impact on Council between Charge Areas 1 and 3 is \$14,000.00 per lot. This can be recovered under section 650(1) of the *Sustainable Planning Act 2009*, which states in part:

A local government may impose a condition requiring the payment of additional trunk infrastructure costs only if the development—

(a) is—

(i) inconsistent with the assumptions about the type, scale, location or timing of future development stated in the priority infrastructure plan; or

(ii) for premises completely or partly outside the priority infrastructure area; and

(b) would impose additional trunk infrastructure costs on the infrastructure provider after taking into account either or both of the following—

(i) infrastructure charges, regulated infrastructure charges or adopted infrastructure charges levied for the development;

As the proposed development satisfies all of the tests outlined above for Council's recovery of infrastructure costs, it is proposed that:

- An Infrastructure Charges Notice be issued based on a charge rate of \$7,000.00 per lot; and
- A condition of approval be included to ensure the sum of \$14,000.00 per lot is paid to account for additional infrastructure cost impacts from the development, in excess of those accounted for within the Infrastructure Charges Notice

Utilising this methodology and accounting for an infrastructure credit of \$7,000.00 which is available for the existing allotment, the requisite infrastructure charges will be reflected in:

1. An Infrastructure Charges Notice totalling **\$1,386,000.00** (at a rate of \$7,000 per lot for 201 lots, less \$21,000.00 credit for the existing three (3) allotments); and
2. A condition of approval requiring the payment of \$2,940,000.00 (at a rate of \$14,000.00 per lot for 201 lots).

CONSULTATION

The proposal was the subject of public notification between 15 January 2015 and 27 February 2015, as per the requirements of the *Sustainable Planning Act 2009*, and one (1) properly made submission (in support of the proposal) was received.

The following is a summary of the submission lodged, with Council officer comments:

Comments:	Officer's Response
The proposed development for rural residential lots will cater for the expected future population growth in the Rockhampton Region. It is believed that the proposal also meets key strategic outcomes for the Parkhurst area, as	These comments are noted and further discussed within the assessment of this application.

Comments:	Officer's Response
<p>outlined within the first <i>Draft Rockhampton Planning Scheme</i> (as on 27 January 2015) and <i>Central Queensland Regional Plan 2013</i>, with the establishment of large rural style allotments ranging from 1,000 square metres to 3,000 square metres.</p> <p>The proposal is compatible with the existing rural setting and amenity of the area and provides a diversity of housing choice and product.</p>	

REFERRALS

The application was referred to Department of State Development, Infrastructure and Planning for clearing of vegetation, land being in or near a wetland and development impacting on state transport infrastructure. A response (with conditions) from the Department of State Development, Infrastructure and Planning was received on 27 January 2015.

CONCLUSION

The proposed development for creating 201 residential allotments and public use land is considered to be inconsistent with the intent of the Parkhurst Rural Area. However, this application also includes a Preliminary Approval to vary the effect of the Planning Scheme for a Material Change of Use for Residential purposes, which will make the proposed subdivision consistent with residential developments. Furthermore, sufficient justification (as listed under Recommendation A) could also be provided despite the conflicts.

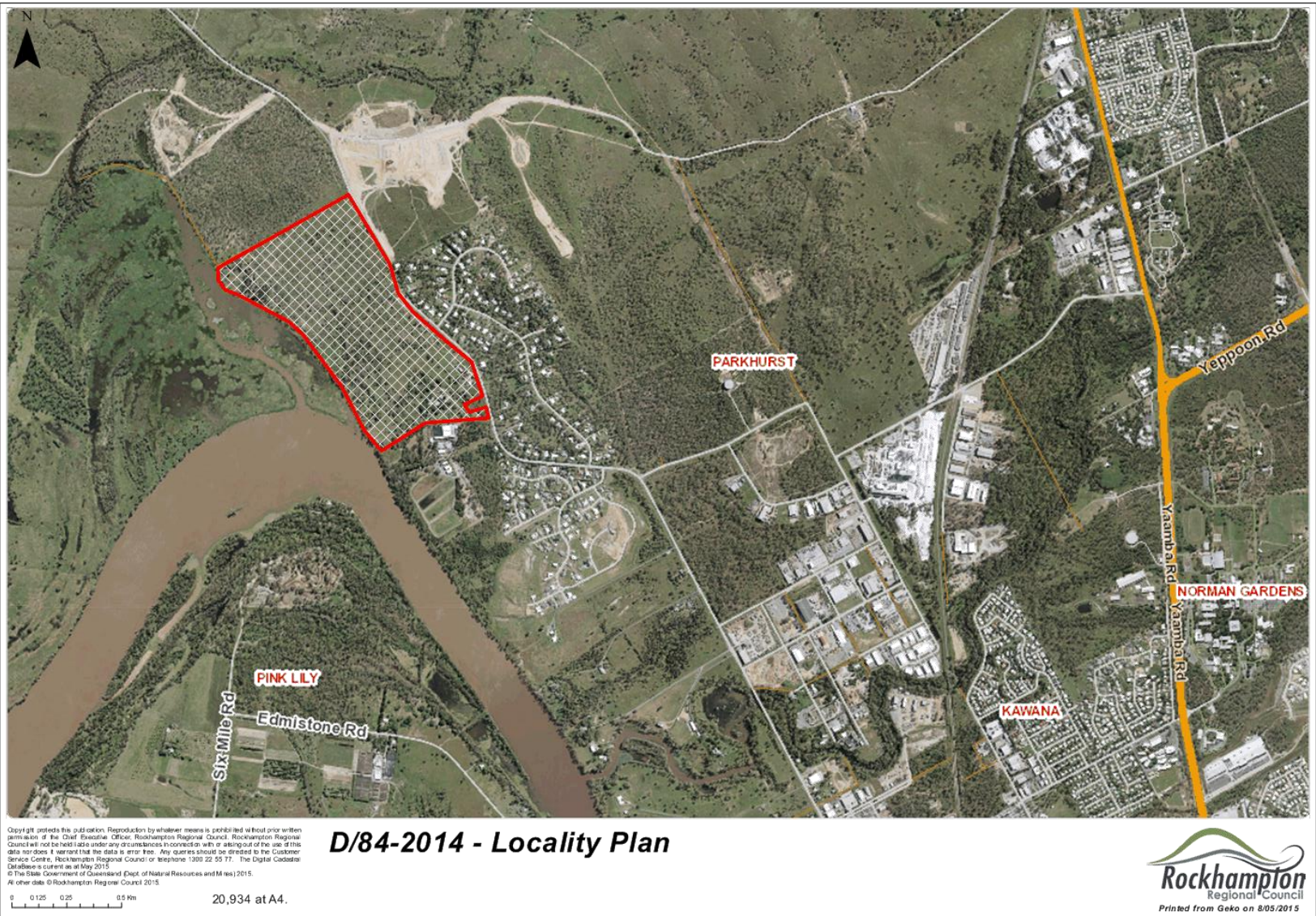
The proposal is, therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.

**D/84-2014 - DEVELOPMENT
APPLICATION FOR A PRELIMINARY
APPROVAL TO VARY THE EFFECT OF
THE PLANNING SCHEME FOR A
MATERIAL CHANGE OF USE FOR
RESIDENTIAL PURPOSES AND A
DEVELOPMENT PERMIT FOR
RECONFIGURING A LOT (THREE LOTS
INTO 201 LOTS AND PUBLIC USE
LAND)**

Locality Plan

Meeting Date: 26 May 2015

Attachment No: 1

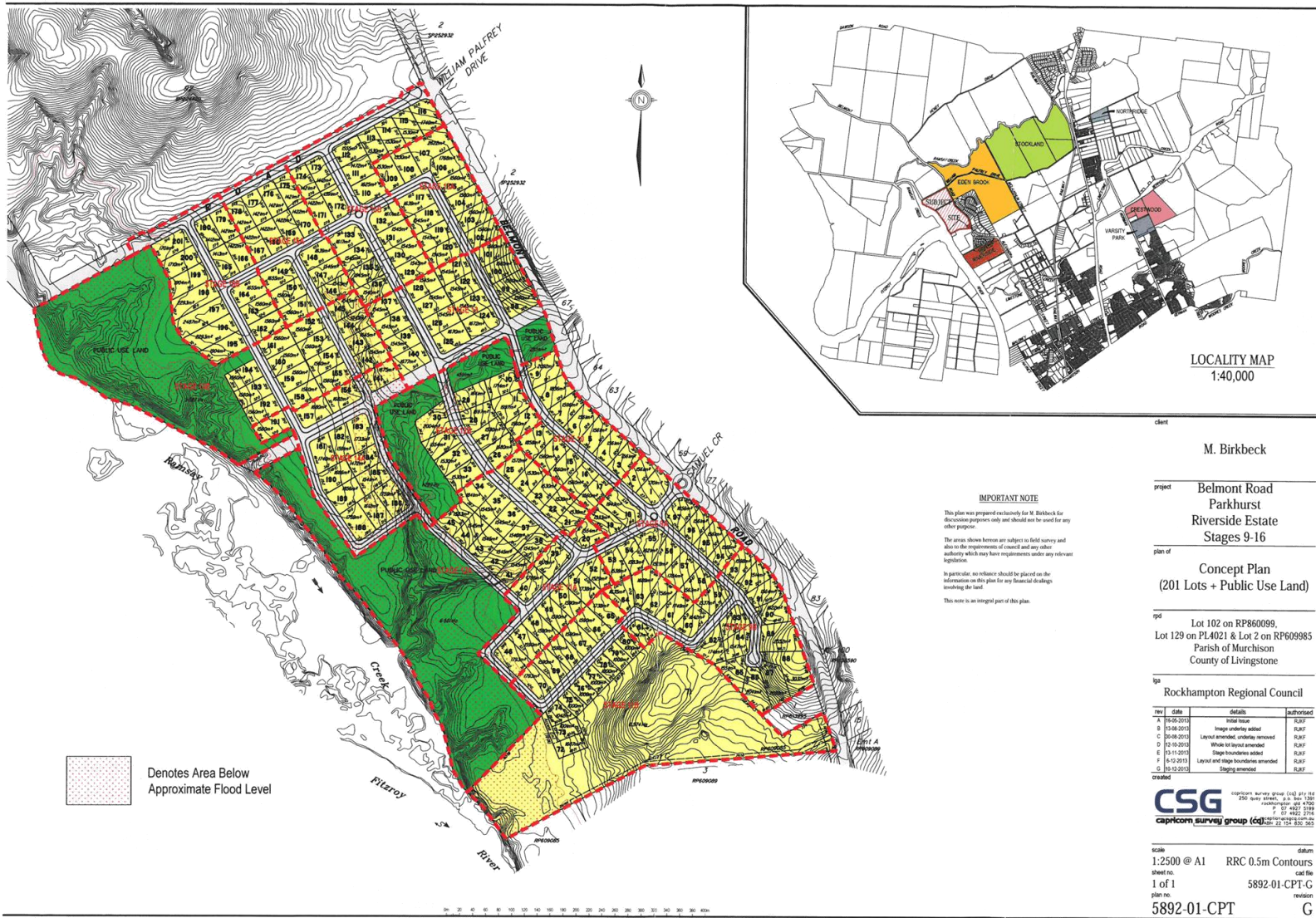


**D/84-2014 - DEVELOPMENT
APPLICATION FOR A PRELIMINARY
APPROVAL TO VARY THE EFFECT OF
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RESIDENTIAL PURPOSES AND A
DEVELOPMENT PERMIT FOR
RECONFIGURING A LOT (THREE LOTS
INTO 201 LOTS AND PUBLIC USE
LAND)**

Subdivision Plan

Meeting Date: 26 May 2015

Attachment No: 2



**D/84-2014 - DEVELOPMENT
APPLICATION FOR A PRELIMINARY
APPROVAL TO VARY THE EFFECT OF
THE PLANNING SCHEME FOR A
MATERIAL CHANGE OF USE FOR
RESIDENTIAL PURPOSES AND A
DEVELOPMENT PERMIT FOR
RECONFIGURING A LOT (THREE LOTS
INTO 201 LOTS AND PUBLIC USE
LAND)**

Landscaping Plan

Meeting Date: 26 May 2015

Attachment No: 3

RIVERSIDE ESTATE

STAGES 9-16, BELMONT ROAD, PARKHURST, QUEENSLAND

LANDSCAPE CONCEPT PLAN

MARCH 2015



LANDSCAPE CONCEPTS KEY

1. ENTRY - Landscaped project entry roundabout with feature flowering accent tree.
2. ENTRY FEATURE WALL - Stone clad entry wall with project signage and feature garden at base all within lot.
3. FLOWERING ACCENT TREES - To frame entry
4. LANDSCAPED ROUNDABOUT - with feature flowering accent tree
5. EVERGREEN THEME TREE - To provide character and identification for the estate
6. TURFED ROAD RESERVE AREAS - For erosion control and character
7. FOOTPATH - 1.2m wide footpath as per civil engineer
8. FLOWERING ACCENT TREE - For through streets in the estate aligned east-west
9. FLOWERING TREE - For north-south align estate streets
10. SEEDED OPEN SPACE AREAS & BATTERS - To be slashed as required
11. EXISTING VEGETATION TO REMAIN
12. VEGETATED STORMWATER MANAGEMENT DEVICE
13. PARK AREA EVERGREEN SHADE TREES - to provide amenity and microclimate control
14. POSSIBLE CHILDREN'S PLAY EQUIPMENT AREA - Area to be above Q100 (elevations to be confirmed with civil engineer)
15. POSSIBLE SHELTER, PICNIC TABLE & BENCHES - Area to be above Q100 (elevations to be confirmed with civil engineer)
16. ADDITIONAL PARK AMENITIES - Possible bubbler, bike rack, bins with enclosures, stone clad feature seatwalls, dog bag dispenser
17. ACTIVE PARK WITH TURFED OPEN PLAY KICK & THROW AREA
18. POSSIBLE SHELTER WITH PICNIC TABLE & BENCHES - Locations (2) to be confirmed
19. 'RIVERWALK PATHWAY' - 1.8m wide concrete pathway to begin at Active Park Shelter, head north within road reserve then down into and through open space areas, towards Ramsay Creek natural overlook points to Cul-du-sac at Lot 201 where it tapers down to a 1.2m wide concrete path heading up to Belmont Road and Lot 116. There is an opportunity for future developments to the north and south of the site to link up to the 'Riverwalk Pathway'. Excavated side boulders can be sited at key areas along the path to provide informal seating and rest areas.
20. VEGETATED STORMWATER CHANNEL
21. 1.2m WIDE OPEN SPACE AREA PATHWAY - To link to Active Park and other estate pathways
22. VEGETATED BATTER
23. 1.2m WIDE FOOTPATH - In addition to proposed civil engineer pathways to provide additional connectivity

GLENMORE HOLDINGS PTY LTD

Landscape Concept Plan



JOB No. 8101802
FILE No. 10114-RES-16-LCP-A DATE: 05.03.15, Revised 27.03.15
DWG No. 1 of 3
SCALE: 1:200 @ A1 1:500 @ A3

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8.2 D/188-2014 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR AN EDUCATIONAL ESTABLISHMENT

File No: D/188-2014

Attachments:

1. Locality Plan
2. Site Plan
3. Floor Plan - Kindy
4. Elevation Plan - Kindy
5. Floor Plan - Prep
6. Elevation Plan - Prep

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services

Author: Corina Hibberd - Planning Officer

SUMMARY

INTRODUCTION

Development Application Number: D/188-2014

Applicant: Roman Catholic Trust Corporation for the Diocese of Rockhampton

Real Property Address: Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945, Parish of Murchison

Common Property Address: 390 Feez Street, Norman Gardens

Area of Site: 6.8311 hectares

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Richardson Road Residential Area

Planning Scheme Overlays: Nil

Existing Development: Church and Primary School

Existing Approvals: Town Planning Consent 912 for a School, Primary School and Administration Block: granted 3 December 1980; Town Planning Consent 42 for Rezoning land from Residential A to Special Purpose: granted 21 November 1988; and various associated building and plumbing approvals

Approval Sought: Development Permit for a Material Change of Use for an Educational Establishment

Level of Assessment: Impact Assessable

Submissions: Five (5) properly made submissions and one (1) not properly made submission.

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	31 July 2014
<i>Acknowledgment Notice issued:</i>	26 August 2014
<i>Request for Further Information sent:</i>	1 September 2014

<i>Request for Further Information responded to:</i>	<i>22 October 2014</i>
<i>Submission period commenced:</i>	<i>30 October 2014</i>
<i>Submission period end:</i>	<i>20 November 2014</i>
<i>Notice of Compliance received:</i>	<i>21 November 2014</i>
<i>Council request for additional time:</i>	<i>21 November 2014 (extended to 20 January 2015)</i>
<i>Council request for additional time:</i>	<i>11 December 2014 (extended to 27 January 2015)</i>
<i>Council request for additional time:</i>	<i>18 December 2014 (extended to 30 April 2015)</i>
<i>Council request for additional time:</i>	<i>14 April 2015 (extended to 28 May 2015)</i>
<i>Planning and Development Committee date:</i>	<i>12 May 2015</i>
<i>Statutory due determination date:</i>	<i>28 May 2015</i>

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for an Educational Establishment, made by the Roman Catholic Trust Corporation for the Diocese of Rockhampton, on Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945, Parish of Murchison, located at 390 Feez Street, Norman Gardens, 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 proposed development is considered appropriately located and is designed to mitigate any impacts such as noise, ensuring that the amenity of the surrounding residents is not adversely affected.
- b) Assessment of the development against the relevant area intent, planning scheme codes and planning scheme policies demonstrates that the proposed development, subject to conditions, will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity;
- c) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*; 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 an Educational Establishment, made by the Roman Catholic Trust Corporation for the Diocese of Rockhampton, on Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945, Parish of Murchison, located at 390 Feez Street, Norman Gardens, 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 Operational Works:
 - (i) Access and Parking Works;
 - (ii) Stormwater Works; and
 - (iii) Roof and Allotment Drainage Works
 - 1.6.2 Plumbing and Drainage Works; and
 - 1.6.3 Building Works.
- 1.7 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 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.
- 1.10 Lot 45 on RP615945, Lot 7 on RP618703 and Lot 6 on SP123558 must be amalgamated and registered as one lot prior to the commencement of the use.

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>
Proposed Overall Site Plan	1988 SK-02	November 2013
Existing Main Carpark	1988 SK-03	November 2013
Proposed Main Carpark	1988 SK-04	November 2013
Existing Staff Carpark and Kindy	1988 SK-05	November 2013
Proposed Staff Carpark and Kindy	1988 SK-06	November 2013
Existing Prep and Carpark	1988 SK-07	November 2013
Proposed Prep and Carpark	1988 SK-08	November 2013
Plan/Document Name	Plan/Document Number	Dated
Proposed Floor Plan	1988 SK-09	December 2013

Proposed Floor Plan	1988 SK-11	December 2013
Elevations – Kindergarten	1988 SK-10	December 2013
Elevations – New Prep	1988 SK-12	December 2013
Noise Impact Assessment St Anthony's School 390 Feez Street, Norman Gardens	SP0578-0, Revision 0	9 April 2015
St Anthony's Catholic Primary School – Transport Impact Assessment	14B1125000, Issue A	13 October 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 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 spaces, access driveway(s), and vehicular manoeuvring areas associated with this proposed development must be concrete paved or asphalted.

3.4 The car parking areas must include traffic calming measures to reduce the noise level and speed of vehicles within the car park.

3.5 The existing access from Bruigom Street to the development must be widened to allow unimpeded two-way access / egress to and from the site without any queuing occurring in Bruigom Street.

3.6 All vehicles must ingress and egress the development in a forward gear.

3.7 Universal access parking spaces must be provided in accordance with *Australian Standard AS2890.6 "Parking Facilities - Off-Street parking for people with disabilities"*.

3.8 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"* and *Australian Standard AS2890.1 "Parking Facilities – Off-street Car Parking"*.

3.9 Road signage and pavement markings must be installed in accordance with the *Australian Standard AS1742.1 "Manual of Uniform Traffic Control Devices"*.

3.10 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for Access and Mobility"*.

4.0 PLUMBING AND DRAINAGE 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*, the *Plumbing and Drainage Act*.

- 4.2 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.
- 4.3 The development must be connected to Council's reticulated water network and sewerage network.
- 4.4 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 4.5 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 4.6 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.
- 4.7 Alteration or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.

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*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 5.3 Any application for a Development Permit for Operational Works (stormwater works) must include a revised stormwater strategy that incorporates some form of detention such that there is no increase in peak runoff to Bruigom Street.
- 5.4 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.
- 5.5 Any application for a Development Permit for Operational Works (stormwater works) must include an assessment of how the development meets the water quality objectives of the *State Planning Policy*.
- 5.6 The proposed development must achieve no increase in peak stormwater runoff for a selected range of storm events up to and including the one in one hundred year storm event (100 year Average Recurrence Interval) for the post development condition.

6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 6.1 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.
- 6.2 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 6.3 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.

7.0 SITE WORKS

- 7.1 All earthworks must be undertaken in accordance with *Australian Standards, AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 7.2 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.

8.0 BUILDING WORKS

- 8.1 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view to Council's satisfaction.
- 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 External privacy screening must be applied to the windows of the proposed classrooms which face to the south-east boundary to prevent overlooking into the private open space of the adjoining residential dwellings.
- 8.4 All windows facing onto the adjoining residential properties must be properly glazed or screened to not intrude on the privacy of residents.
- 8.5 Provide a 2.1 metre high acoustic screen fence along the common boundary of the subject site and any adjoining residential properties.
- 8.6 All waste storage areas must be aesthetically screened from any frontage or adjoining property.
- 8.7 Impervious paved and drained washdown areas to accommodate all refuse containers must be provided. The areas must be aesthetically screened from any road frontage or adjoining property.

9.0 LANDSCAPING WORKS

- 9.1 Landscaping must be provided between and around the buildings and new car parking areas, particularly toward the south east boundary. The planting must be designed to specifically reduce the perceived scale of the buildings and must include advanced plant stock, to create an immediate effect.
- 9.2 All landscaping must be constructed and or established prior to the commencement of the use.
- 9.3 The landscaped areas must be subject to an ongoing maintenance and replanting programme (if necessary).

10.0 ELECTRICITY AND TELECOMMUNICATIONS

- 10.1 Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
- 10.2 Evidence must be provided of a Telecommunications Infrastructure Provisioning Confirmation and Certificate of Electricity Supply with the relevant service providers to provide the use with telecommunication and live electricity connections, in accordance with the requirements of the relevant authorities prior to the commencement of the use.

11.0 ASSET MANAGEMENT

- 11.1 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.

- 11.2 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.

12.0 ENVIRONMENTAL

- 12.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan which addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location / topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) implementation, for the construction and post construction phases of work.

- 12.2 Implement and maintain the 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.

13.0 OPERATING PROCEDURES

- 13.1 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 Bruigom Street, Feez Street, Langford Street or Agnew Avenue.

- 13.2 Noise from the activity must not cause an environmental nuisance.

- 13.3 Noise mitigation measures must be implemented in accordance with the recommendations in the Noise Impact Assessment (refer to condition 2.1). Should the development be found to be creating a noise nuisance, then the report must be revised by the owner/operator within three (3) months and submitted to Council for approval with additional mitigation measures. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes.

- 13.4 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 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*.

- 13.5 The air-conditioning plant for the proposed Preparatory and Kindergarten buildings must be selected and installed to meet a combined noise level of 47dBA at the nearby residential dwellings at point R1 as shown on *Appendix A- Figures within the Noise Impact Assessment (Figure 1: Aerial photograph of site, Revision 0 – 9 April 2015, by Savery and Associates Pty Ltd)*. Noise testing is recommended to ascertain the noise emissions from the air-conditioning plants after installation. Acoustic enclosures or barriers may be required in case the noise exceeds the limit.
- 13.6 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. Asbestos Removal

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

NOTE 3. 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 4. 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 5. Property Notes

All vehicular access to and from the development must be via the Bruigom Street and Feez Street only. Direct vehicular access to Langford Street and Agnew Avenue is prohibited.

NOTE 6. 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 an Educational Establishment, made by the Roman Catholic Trust Corporation for the Diocese of Rockhampton, on Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945, Parish of Murchison, located at 390 Feez Street, Norman Gardens, Council resolves to issue an Infrastructure Charges Notice for the amount of \$60,066.00.

BACKGROUND**PROPOSAL IN DETAIL**

The proposal is for an extension to an existing educational establishment. The extension will involve the construction of a new prep building comprising of four (4) classrooms and covers 522 square metres and a kindergarten building comprising of two (2) classrooms and covers 443 square metres. The additional buildings will result in an additional eighty-eight (88) students that are able to be accommodated and four (4) additional full-time staff. The proposed buildings will be approximately twenty (20) metres off the southern boundary.

There is an existing prep building, toilet block and playground on site which is proposed to be demolished as part of this application.

The access and parking area off Bruigom Street will be upgraded to be sealed and line-marked. The two parking areas which are accessed from Feez Street will also be upgraded to be sealed and line-marked. The formalisation of these parking areas will result in a total of 134 car parking spaces on site.

SITE AND LOCALITY

The subject site hosts a primary school, church and presbytery; however the surrounding area is typically residential in nature. The site is an irregular shape and slopes from Feez Street down to Bruigom Street. The church is located on the top of the hill, the school located mid-way down the slope, and the sporting fields being located at the bottom of the slope towards Bruigom Street.

Access is gained from Feez Street and Bruigom Street at either end of the subject site. Residential dwellings are the dominant use adjoining the entire boundary with the exception of a park which is located over a small portion of the northern boundary.

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 – 30 October 2014 and 22 April 2015

Support, subject to conditions.

Infrastructure Operations Unit's (sewer and water) Comments – 20 August 2014 and 22 April 2015

Support, subject to conditions.

Public and Environmental Health Comments – 18 August 2014 and 23 April 2015

Support, subject to conditions.

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

Complies. The expansion and improvement of the proposed facility allows for improved access to the educational establishment. The proposed buildings have been designed by architects to address good urban design and any factors that may negatively impact adjoining residential uses such as noise and light have been addressed through reporting and conditions.

Mining and extractive resources

Not Applicable. The development does not relate to a key resource area or mining activity.

Biodiversity

Not Applicable. The site is not affected by any land of state environmental significance.

Coastal environment

Not Applicable. The site is not within a coastal management district.

Water quality

Not Applicable. The site is not related to any receiving waters or the water supply catchment in South East Queensland.

Natural hazard, risk and resilience

Not Applicable. The site is not affected by bushfire, flooding, landslide, or coastal hazards.

Emissions and hazardous activities

Not Applicable. The site is not within a management area. The application has been conditioned accordingly to address noise emissions from students and car parking.

State transport infrastructure

Not Applicable. The site is not within 400 metres to a public or future public passenger transport facility.

Strategic airports and aviation facilities

Not Applicable. The site does not contain and is not impacted by a strategic airport.

Other Acts

Not Applicable.

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

This application is situated within the Residential 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 proposal does not impinge on Rockhampton's role within the region.

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

Complies. The proposal will not impact on 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.

Complies. The proposal does not impact on any natural assets.

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

Complies. The proposal does not impact upon the environment or the region's biodiversity.

- (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/retail 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/retail development and will not impact on the centres hierarchy.

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

Not applicable. The proposal is not for an industrial use.

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

Complies. No heritage features have been identified on this site. The subject land is not identified on the State 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.

Complies. The proposal is not for a residential purpose, however is located within a residential area. A community use such as a school is appropriately located within a residential area, being a facility which needs to be easily accessible to service the surrounding residential community.

- (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.

Complies. The proposal is for an extension to a school which is located within a residential area and is easily accessible to members of the community.

- (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. The development will not affect the provision of infrastructure and will be connected to the suite of services.

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

Complies. The site is appropriately connected with Rockhampton's transport network.

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

Complies. Recreational space on site is sufficient to service the facility.

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

Richardson Road Residential Area Intent

The subject site is situated within the Richardson Road Residential Area under the *Rockhampton City Plan 2005*. The intent of the Richardson Road Residential Area identifies that:

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

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

Through this application, the proposal will result in an increase of two classrooms and an extension to the existing car parking areas. It is considered that a suitable amount of car parking is available on site to service the use. The additional buildings proposed are to be located twenty (20) metres from the south-east boundary which is considered a suitable distance to prevent overlooking and overshadowing of adjoining residential dwellings. Lastly, the hours of operation of the use are not changing from the current operation of the site, however submissions which have been received during the public notification period for this application have identified that the location of the buildings may disturb the residential amenity of the surrounding residents.

Having regard to the submissions received, it is considered that this application cannot be entirely consistent with the intent of the Area unless the amenity of the surrounding residents can be demonstrated to not be worsened by the proposal.

A noise report prepared by Savery and Associates Pty Ltd (acoustic and vibration consultants) was received at Council on 14 April 2015 and provides a summary of expected noise and mitigation measures to be conditioned. It concludes that the noise resulting from the relocation of two (2) prep classes will not be significant and can be managed on site.

Rockhampton City Plan Codes

The following codes are applicable to this application:

- Community Use Code;
- Crime Prevention Through Environmental Design Code;
- Environmental Nuisance by Noise and Light Code;
- External Works and Servicing Code;
- Landscape Code; and
- Parking and Access Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance Criteria and Acceptable Solutions.

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 proposed development is considered appropriately located and is designed to mitigate any impacts such as noise, ensuring that the amenity of the surrounding residents is not adversely affected.
- b) Assessment of the development against the relevant area intent, planning scheme codes and planning scheme policies demonstrates that the proposed development, subject to conditions, will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity;
- c) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*; and
- d) The proposed development does not compromise the relevant 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 use proposed herein.

INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 4) 2014 for non-residential development applies to the application and it falls within Charge Area 1. The Infrastructure Charges are as follows:

Column 1 Use Schedule	Column 2 Charge Area	Column 3 Infrastructure Charge		Column 4 Infrastructure Charge for stormwater network		Calculated Charge
		(\$)	Unit	(\$)	Unit	
Education Facility	Area 1	119	per m ² of GFA			\$93,891.00
				8.50	per m ² of impervious area	\$21,370.00
Total						\$115,261.00
Less Credit						\$55,195.00
TOTAL						\$60,066.00

This is based on the following calculations:

- (a) A charge of \$93,891.00 for Gross Floor Area being 789 square metres (kindergarten (331 square metres), preparatory (402 square metres) and toilet blocks (76 square metres));
- (b) A charge of \$21,370.00 for Impervious Area being 2,137 square metres (roof area, hardstand areas, access, and parking areas); and

(c) An Infrastructure Credit of \$55,195.00, made up as follows:

- (i) \$54,145.00 - Infrastructure Credit applicable for the existing preparatory buildings and toilet block being demolished (455 square metres); and
- (ii) \$1,050 - Infrastructure Credit applicable for the existing impervious roof area, hardstand areas, access and parking areas (105 square metres (existing total impervious area of 13,554 square metres, less the proposed total impervious area of 13,449 square metres)).

Therefore, a total charge of **\$60,066.00** is payable and will be reflected in an Infrastructure Charges Notice for the development.

CONSULTATION

The proposal was the subject of public notification between 30 October 2014 and 20 November 2014, as per the requirements of the *Sustainable Planning Act 2009*, five (5) properly made submissions and one (1) not properly made submission was received.

The following is a summary of the submissions lodged, with Council officer comments:

Issue	Officer's Response
The development is proposed to be located twenty (20) metres from the south-east boundary of the site. This development should be located fifty (50) metres from the south-east boundary to protect the amenity of residents of Thomas Street and Langford Street.	History relating to the site resulted in an informal agreement in 1980 to have the school sited fifty (50) metres from the rear boundary of the residential dwellings located in Thomas Street and Langford Street. There is no requirement for the school to be constructed fifty (50) metres from the boundary and it is considered that the development is appropriately located as the supplied Noise Report was able to demonstrate that the development can mitigate noise impacts, ensuring the surrounding residential amenity is not affected.
An injunction was taken out against the Roman Catholic Diocese, Rockhampton City Council and J Klerx by a number of residents, for approval for road access to Langford Street. An agreement of a 50 metre 'no building' buffer to these residential boundaries was a major contributing factor to reduce noise impacts.	Research has indicated that the injunction that was lodged in 1990, regarded traffic and access only and did not relate to any fifty (50) metre setback for noise from the use itself (being an educational establishment). The injunction sought to prevent access to Langford Street, which is now a condition of the development approval. It is important to note that the injunction was never finalised and therefore no final orders were made by the Court.
The setback of the proposed classrooms from the boundary of twenty (20) metres is not sufficient to prevent impacts of noise affecting adjoining residents.	Conditions have been imposed which require the development to ensure that noise impacts will not exceed pre-development scenarios, based on a Noise Report received on 14 April 2015. This report determined that noise from the children during a forty (40) minute play time would only reach 49 dB and will not require mitigation, and that car parking areas and air conditioners can be

Issue	Officer's Response
	conditioned to comply with noise mitigation requirements. Furthermore, any facades to this boundary will not include any windows or doors (excluding a door to an external storage area).
Increase in traffic flow along Bruigom Street increases noise and affects the amenity of surrounding properties.	Conditions have been imposed which require the development to ensure that noise impacts will not exceed pre-development scenarios. There is an existing two-way access and car park that is accessed via Bruigom Street. The traffic volume is not expected to increase. The car parking area will be conditioned to include speed controlling measures such as speed bumps to decrease noise from motors. Furthermore, the noise generated from the traffic and car park will be in relatively short time periods, being 7.45am to 8.45am and 2.30pm to 3.30pm. It is expected that the school will supervise the car park during these times and control noise of students via supervision.
Stormwater flows from the site onto Bruigom Street and causes problems for some properties facing onto Bruigom Street.	It is a condition of the development approval that a further permit (Operational Works – storm water works) be submitted for assessment and approval. Run off must not affect other properties.

REFERRALS

No referral agencies were triggered by this development application.

CONCLUSION

The development has been assessed against the requirements of the *Rockhampton City Plan 2005* and it has been found that the proposed development is reasonably able to address any matters of non-compliance.

The proposed development is considered appropriately located and designed to mitigate any impacts which could adversely affect the amenity of the surrounding residents and is therefore recommended for approval subject to conditions.

**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Locality Plan

Meeting Date: 26 May 2015

Attachment No: 1

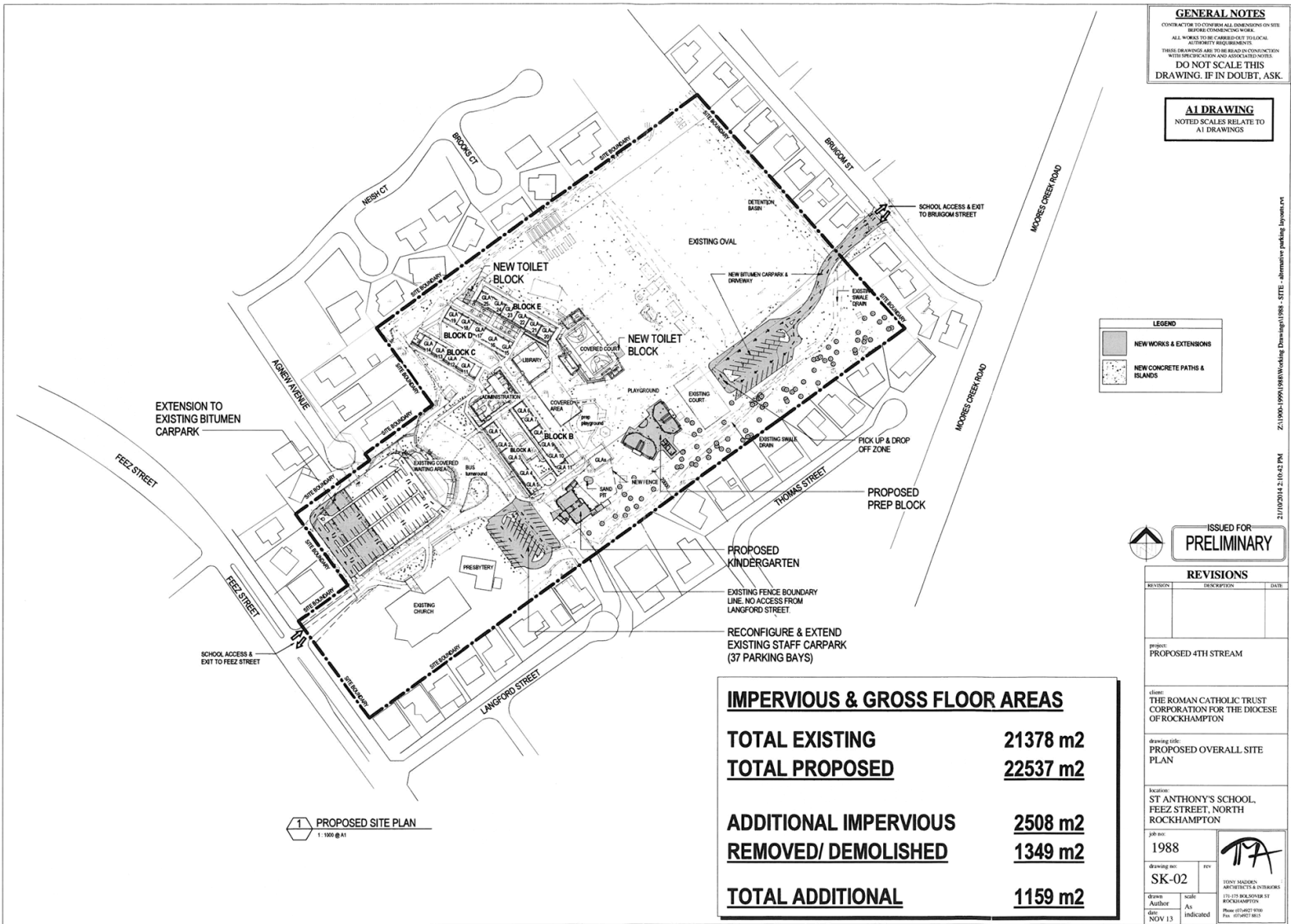


**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Site Plan

Meeting Date: 26 May 2015

Attachment No: 2

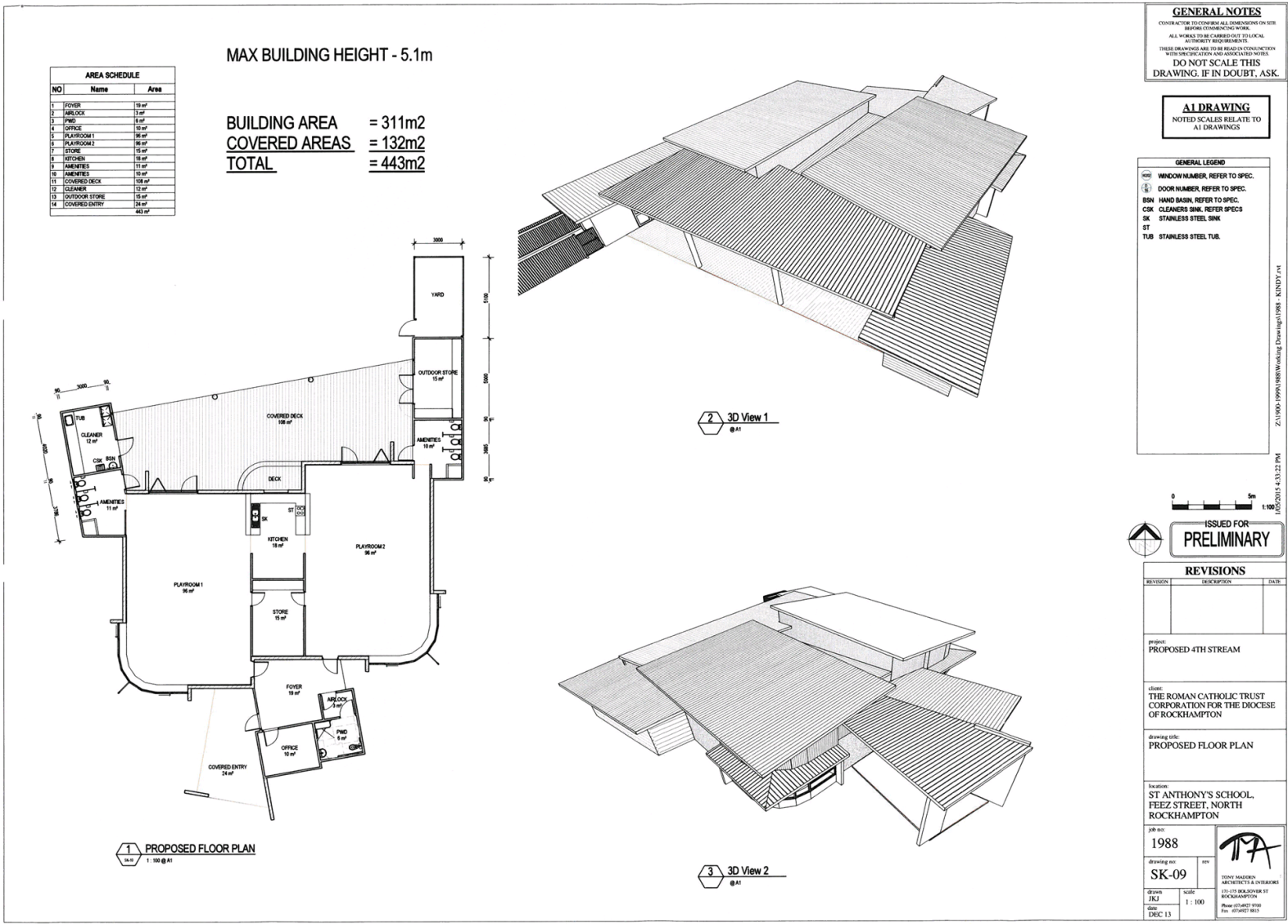


**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Floor Plan - Kindy

Meeting Date: 26 May 2015

Attachment No: 3

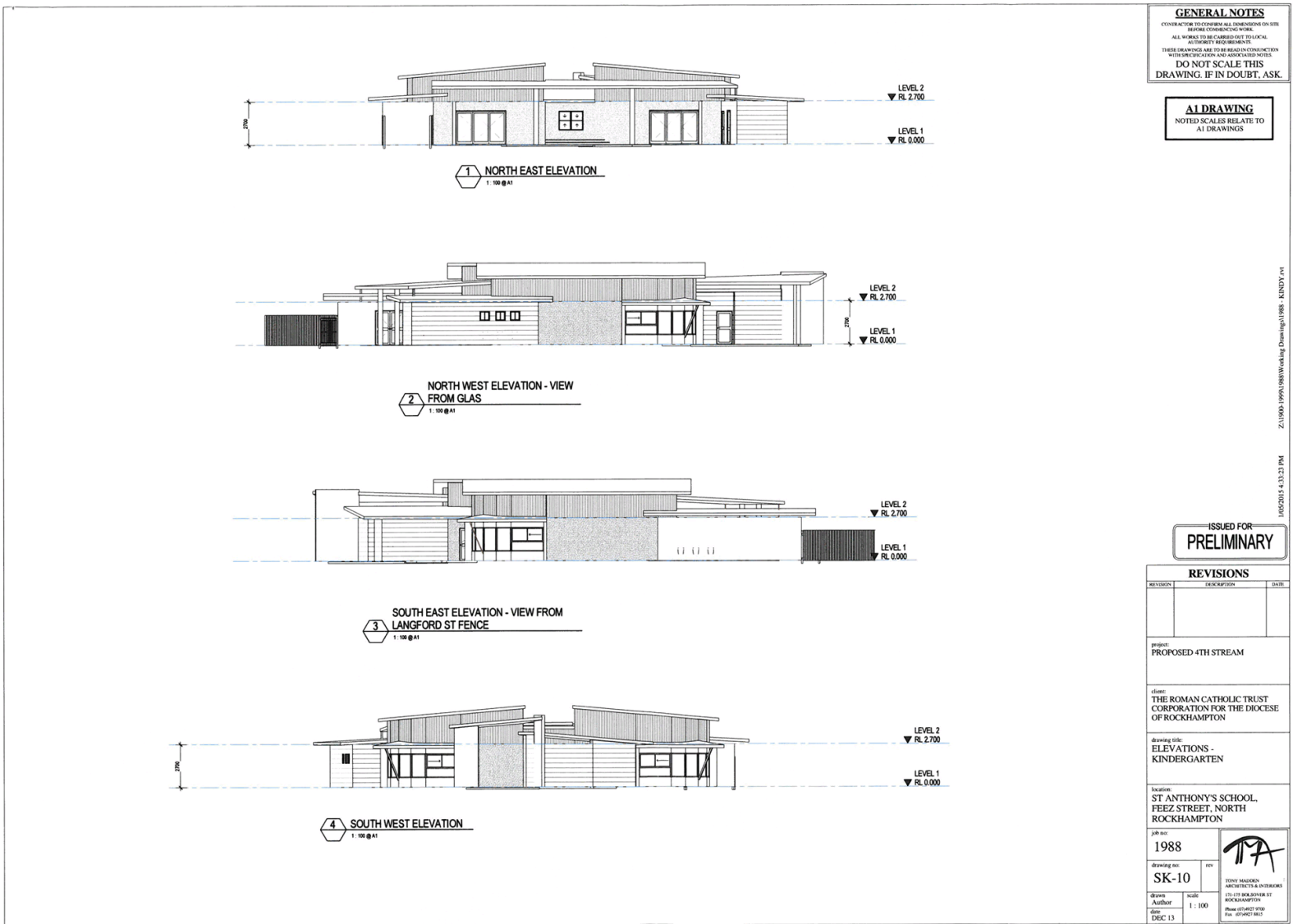


**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Elevation Plan - Kindy

Meeting Date: 26 May 2015

Attachment No: 4



**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Floor Plan - Prep

Meeting Date: 26 May 2015

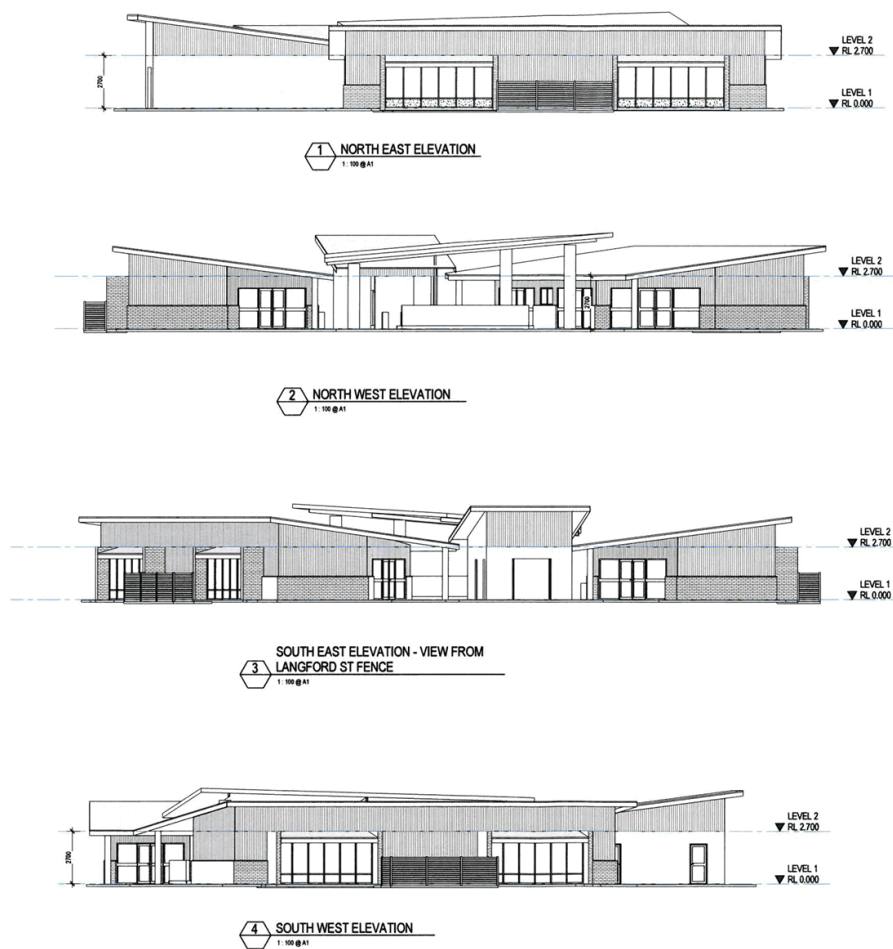
Attachment No: 5

**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Elevation Plan - Prep

Meeting Date: 26 May 2015


Attachment No: 6



GENERAL NOTES
 CONTRACTOR TO CONFIRM ALL DIMENSIONS ON SITE
 BEFORE COMMENCING WORK.
 ALL WORKS TO BE CARRIED OUT TO LOCAL
 AUTHORITY REQUIREMENTS.
 THESE DRAWINGS ARE TO BE READ IN CONJUNCTION
 WITH SPECIFICATION AND ASSOCIATED NOTES.
**DO NOT SCALE THIS
 DRAWING. IF IN DOUBT, ASK**

A1 DRAWING
NOTED SCALES RELATE TO
A1 DRAWINGS

ISSUED FOR
PRELIMINARY

<div style="text-align: center;">REVISIONS</div>			
REVISION	DESCRIPTION	DATE	
project: PROPOSED 4TH STREAM			
address: THE ROMAN CATHOLIC TRUST COMPANY FOR THE DIOCESE OF ROCKHAMPTON			
drawing title: ELEVATIONS - NEW PREP			
location: ST ANTHONY'S SCHOOL, FEEZ STREET, NORTH ROCKHAMPTON			
job no: <div style="font-size: 2em; font-weight: bold;">1988</div>			
drawing no: <div style="font-size: 2em; font-weight: bold;">SK-12</div>		rev: <div style="font-size: 2em; font-weight: bold;">1</div>	
drawn date DEC 13		scale 1 : 100 <div style="text-align: right; font-size: 0.8em;"> TONY NADZORO ARCHITECTS (A/BRANCH) 15/15 RIVER DRIVE ST ROCKHAMPTON QLD 4702 PH: (07)4621 1146 FAX: (07)4621 8413 </div>	

9 STRATEGIC REPORTS

9.1 DEVELOPMENT AND BUILDING SECTION - APRIL OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report - April 2015
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Tarnya Fitzgibbon - Manager Development and Building

SUMMARY

The monthly operations report for the Development and Building Section as at 30 April 2015 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Development and Building Section report for April be received.

COMMENTARY

The monthly operations report for the Development and Building Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2014/15 Operational Plan Key Performance Indicators.

The Manager's performance summary for each of the units is provided below.

Development Assessment

The DA team had a productive month, meeting all targets. A new planner, Tom Gardiner, started with the team towards the end of April. One of the planners has gone on maternity leave, leaving five DA planners in the team until August. Duty planner enquiries have been consistently high over the month. Most of the planners have also been busy helping with some of the CBD projects.

Building Compliance

This month there was a return to more business as normal than in the previous month with the reach of the cyclone affecting operations. In the last month we were also able to improve market share and of 49 approvals for the month we undertook one third of these.

We have also been working on stormwater matters from the cyclone and are making progress on closing out these CR's.

On board we have our new plumbing inspector undertaking duties giving us a full strength team again, with early indications being our new officer is doing very well.

A project of particular note was the total demolition of the Old Luxury Paints Building adjacent to the 2 Professors Coffee Shop, it transpired the building was heavily damaged from Cyclone Marcia and the Owner made a decision to demolish and make safe. The building section facilitated the rapid and somewhat urgent removal via emergency provisions in the Sustainable Planning Act.

CONCLUSION

It is recommended that the monthly operations report for the Planning Section (Development Assessment and Building Compliance) be received.

DEVELOPMENT AND BUILDING SECTION - APRIL OPERATIONS REPORT

Monthly Report - April 2015

Meeting Date: 26 May 2015

Attachment No: 1

MONTHLY OPERATIONS REPORT
PLANNING SECTION
Period Ended APRIL 2015

VARIATIONS, ISSUES AND INNOVATIONS

Innovations

Nil.

Improvements / Deterioration in Levels of Services or Cost Drivers

Nil.

LINKAGES TO OPERATIONAL PLAN

1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS

The response times for completing the predominant customer requests in the reporting period for April are as below:

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	Under Long Term Investigation	Completion Standard (days)	Avg Completion Time (days) Current Mth		Avg Completion Time (days) 6 Months		Avg Completion Time (days) 12 Months		Avg Duration (days) 12 Months (complete and Incomplete)
			Received	Completed										
Building Enquiry - General Info/Admin etc	38	5	41	32	42	0	5	●	1.81	●	7.64	●	17.28	4.43
Other Building Compliant Issue	76	1	3	0	78	0	1	●	0.00	●	5.64	●	13.00	14.71
Planning Compliance Request/Enquiry	114	14	14	3	111	0	45	●	8.00	●	13.75	●	18.19	15.35
Duty Planner (New Enquiry)	10	9	155	153	3	0	1	●	0.42	●	0.39	●	0.38	0.31
Telephone Enquiry (Existing Application/Call Back)	2	2	47	43	4	0	1	●	0.44	●	0.62	●	0.88	0.59
Plumbing Issues General	46	0	6	5	47	0	5	●	0.60	●	4.77	●	11.02	7.13
Strategic Planning Development Certificates	1	1	36	36	0	0	3	●	1.42	●	4.61	●	3.32	3.21

Comments & Additional Information

2. COMPLIANCE WITH STATUTORY AND REGULATORY REQUIREMENTS INCLUDING SAFETY, RISK AND OTHER LEGISLATIVE MATTERS

Safety Statistics

The safety statistics for the reporting period are:

	FIRST QUARTER		
	Feb	Mar	Apr
Number of Lost Time Injuries	0	0	0
Number of Days Lost Due to Injury	0	0	0
Total Number of Incidents Reported	1	0	0
Number of Incomplete Hazard Inspections	0	0	0

Risk Management Summary

Example from Section Risk Register (excludes risks accepted/ALARP)

Please Note: The risks listed below are 'what if' scenarios and do not necessarily reflect what has occurred.

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	Very High	Develop strategies to address threat, train existing staff to address, and hire staff with required skill sets. Educate community, develop strategic partnerships, and identify external resources.	31/12/2015	10%	Very long term to resolve
Changes to State law that reduce revenues for essential Council services, e.g. Development Assessment will result in less capacity to provide planning services, requiring supplemental funding from other sources, e.g.	High 4	Monitor and respond when and as appropriate	N/A	50%	Ongoing issues

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
increased rates.					
Failure to collect revenue results in fewer funds available and lack of confidence in Council business practices.	High 5	Process and workflow to address has been developed and approved by Council.	31/12/2015	90%	
Continuing changes to state legislation and regulatory requirements on Council increase the risk of Council not being able to fully comply with all requirements. Consequences include possible fines, further limitations on Council functions, failure to provide essential resources to enable Council to achieve regional development objectives.	Moderate 5	Respond as events occur and provide submissions to articulate impacts on RRC operations	N/A	50%	Difficult for regional councils to keep up with additional demand created by state mandates
Failure to manage hazard conditions and negative impacts on environmental resources will result in increased property damage and loss of environmental functionality and aesthetic amenity which will damage the reputation of Council for management of these services, as well as possible lawsuits for property damage.	Moderate 5	Have incorporated relevant measures in proposed Planning Scheme. Provided information to citizens and Councillors re purpose for inclusion and impacts.	31/12/2015	80%	Largely addressed through new planning scheme

Legislative Compliance & Standards

Legislative Compliance Matter	Due Date	% Completed	Comments
Outdated employee immunisations, tickets, and/or licenses	Various	83%	
Outdated legislative compliance mandatory training and/or qualifications	Various	91%	
Overdue performance reviews	Various	56%	

3. ACHIEVEMENT OF CAPITAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

No capital projects are relevant to the Planning Section.

4. ACHIEVEMENT OF OPERATIONAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

Project	Revised Budget	Actual (incl. committals)	% budget expended	Explanation
<i>Rockhampton Regional Planning Scheme</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>This project is a large operational plan that spans over several years</i>

5. DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS

Service Delivery Standard	Target	Current Performance
Development Assessment		
Applications received: 12		
Applications decided: 16		
Acknowledgement notices (where required) sent out within 10 business days of application being properly made	100%	100%
Information requests (where required) sent out within timeframes required under SPA	100%	100%
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under SPA)	100%	100%
Decision notices are issued within 5 business days of the decision being made	100%	100%
Building		
Applications received: 21		
Applications decided: 26		
Building Approvals - Decisions are made within 20 business day timeframe	100%	100%
Plumbing		
Applications received: 5		
Applications decided: 26		
Compliance request are decided within 20 business day timeframe	100%	100%

FINANCIAL MATTERS

	Adopted Budget \$	Adopted Budget (Pro Rata YTD) \$	YTD Actual \$	YTD Commit + Actual \$	Variance %	On target 83.3% of Year Gone
DEVELOPMENT & BUILDING						
Development Compliance						
1 - Revenues	(1,333,929)	(1,111,608)	(725,345)	(725,345)	54%	x
2 - Expenses	1,279,980	1,066,650	712,304	735,286	57%	✓
3 - Transfer / Overhead Allocation	145,629	121,358	72,480	72,480	50%	✓
Total Unit: Development Compliance	91,680	76,400	59,439	82,427	90%	x
Land Use						
2 - Expenses	715,679	596,399	604,856	609,071	85%	x
3 - Transfer / Overhead Allocation	0	0	263	263	0%	x
Total Unit: Land Use	715,679	596,399	605,119	609,333	85%	x
Development Assessment						
1 - Revenues	(2,150,500)	(1,792,083)	(1,032,034)	(1,032,034)	48%	x
2 - Expenses	1,593,539	1,327,949	1,183,874	1,308,061	82%	✓
3 - Transfer / Overhead Allocation	34,850	29,042	22,218	22,218	64%	✓
Total Unit: Development Assessment	(522,111)	(435,093)	174,058	298,245	-57%	x
Grand Total:	285,248	237,706	838,615	990,000	347%	x

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 Building Issues in South Rockhampton

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

13.2 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.

13.3 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.

13.4 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 BUILDING ISSUES IN SOUTH ROCKHAMPTON

File No: 8038

Attachments: 1. Photo 1
2. Photo 2

Authorising Officer: Robert Holmes - General Manager Regional Services

Author: Tarnya Fitzgibbon - Manager Development and Building

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

SUMMARY

There is a long running history of complaints about breaches of the Building Code of Australia and other legislation dealing with building and plumbing issues. This report summarises the issues and outlines the options available for Council.

13.2 ENFORCEMENT PROCEEDINGS FOR DEVELOPMENT OFFENCES**File No:** 8031**Attachments:**
1. Site Plan
2. Site Photos**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services**Author:** Philip Harrison - Senior 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 summarises the flooding issues caused by the continued non-compliance with the Conditions of the MCU Approval D/567-2012, Bulk Store and Caretakers Residence.

13.3 ENFORCEMENT PROCEEDINGS FOR DEVELOPMENT OFFENCES**File No:** 8031**Attachments:**

1. Site Map
2. Aerial Photo 2014
3. Photos Complainant
4. Photos File Note

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services**Author:** Philip Harrison - Senior 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 summarises the continued unlawful use of premises in the northern suburbs of Rockhampton.

13.4 ENFORCEMENT PROCEEDINGS FOR DEVELOPMENT OFFENCES**File No:** 8038**Attachments:**

1. Locality Plan
2. Show Cause Notice
3. Enforcement Notice
4. Site Photo 1
5. Site Photo 2

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
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 summarises the ongoing non-compliance with a development approval at a premises in Rockhampton City.

14 CLOSURE OF MEETING