



PLANNING & DEVELOPMENT COMMITTEE MEETING

AGENDA

9 JUNE 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 9 June 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
4 June 2015

Next Meeting Date: 23.06.15

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 C R Rutherford
Councillor G A Belz
Councillor S J Schwarten
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Planning & Development Committee held 26 May 2015

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/229-2014 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SHOWROOM (MOTORCYCLES)

File No: D/229-2014

Attachments:

1. Locality Plan
2. Proposed Showroom
3. First Floor

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

Author: Anton de Klerk - Acting Operational Works Administrator

SUMMARY

Development Application Number: D/229-2014

Applicant: Oasis New Life Centre Property Ltd

Real Property Address: Lot 9 on RP600117, Parish of Rockhampton

Common Property Address: 152 George Street, Rockhampton City

Area of Site: 1,143 square metres

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: South Rockhampton Highway Commercial Area

Existing Development: Motorcycle showroom

Existing Approvals: Place of Worship and Community Facilities and a Third Party Sign (Development Permit D/204-2011)

Approval Sought: Development Permit for a Material Change of Use for a Showroom (motorcycles)

Level of Assessment: Impact Assessable

Submissions: Three (3) submissions were received

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

Adopted Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	12 September 2014
<i>Application Properly Made:</i>	24 September 2014
<i>Acknowledgment Notice issued:</i>	3 October 2014
<i>Request for Further Information sent:</i>	15 October 2014
<i>Request for Further Information responded to:</i>	13 February 2015
<i>Submission period commenced:</i>	9 March 2015
<i>Submission period end:</i>	30 March 2015
<i>Council request for additional time (until 28 May 2015):</i>	30 April 2015
<i>Council request for additional time (until 9 June 2015):</i>	11 May 2015

2015):	
Government Agency Response:	12 December 2014
Last receipt of information from applicant:	7 April 2015
Statutory due determination date:	9 June 2015

OFFICER'S RECOMMENDATION**RECOMMENDATION A**

That in relation to the application for a Development Permit for a Material Change of Use for a Showroom (motorcycles), made by Oasis New Life Centre Property Ltd, on land described as Lot 9 on RP600117, Parish of Rockhampton, located at 152 George Street, Rockhampton City, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposal is for a commercial use located within the South Rockhampton Highway Commercial Area;
- b) The proposal is for a Showroom (motorcycles) which relies on the highway for exposure and will require less on-site parking spaces than other consistent uses within the area;
- c) A similar use occupies the neighbouring site to the north;
- d) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- e) The proposal can be considered a consistent use within the proposed Planning Scheme, except for not being able to meet the required on-site parking requirements;
- f) Assessment of the development against the relevant area intent, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- g) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a Showroom (motorcycles) , made by Oasis New Life Centre Property Ltd, on land described as Lot 9 on RP600117, Parish of Rockhampton, located at 152 George Street, Rockhampton City, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed within six (6) months of this approval, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council within six (6) months of this approval, unless otherwise stated.

- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.7 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Proposed Showroom – Ground Floor	Site Plan One	Undated
First Floor	Site Plan Two	Undated
Proposed Showroom (depicting walkway to showroom)	Unnumbered	Undated

- 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 PLUMBING AND DRAINAGE WORKS

- 3.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act* and the *Plumbing and Drainage Act*.
- 3.2 Alteration or relocation of internal sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.
- 3.3 Sewerage/Amended Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's sewerage reticulation. Arrestor traps must be provided where commercial or non-domestic waste water is proposed to be discharged into the system.

4.0 ASSET MANAGEMENT

- 4.1 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.
- 4.2 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.

5.0 BUILDING WORKS

- 5.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 'Control of the obtrusive effects of outdoor lighting'*.

5.2 All waste storage areas must be:

5.2.1 Aesthetically screened from any frontage or adjoining property; and

5.2.2 Surrounded by at least a 1.8 metre high fence that obstructs from view the contents of the bin compound by any member of the public from any public place.

6.0 OPERATING PROCEDURES

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

6.2 The hours of operations must be limited to:

(i) 0700 hours to 1800 hours on Monday to Friday, and

(ii) 0800 hours to 1200 hours on Saturdays; with

(iii) no operations on Sunday or Public Holidays

6.3 No 'ride-days' from this site will be encouraged, unless all participants can be accommodated on site. No parking of staff on adjacent properties will be allowed, unless agreed with the owner(s).

6.4 Noise emitted from the activity must not cause an environmental nuisance.

6.5 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

6.6 Any waste storage areas must be:

6.6.1 Designed and maintained in accordance with the *Environmental Protection (Waste Management) Regulation*;

6.6.2 Concealed from public view such that the contents of the bin compound are not visible from any public place; and

6.6.3 Kept in a clean and tidy condition.

6.7 No washing of vehicles is permitted at this premises unless an approved washdown bay is built to prevent contamination of land and the stormwater system.

6.8 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any washdown areas used for the maintenance or cleaning of equipment (including vehicles) must be appropriately bunded and drained to the sewer network in accordance with a trade waste permit.

6.9 All chemical drum storage (including, but not limited to, oil or waste oil, paint, lacquers, thinners, adhesives and cleaning solvents) must be bunded so that the capacity of the bund is sufficient to contain at least one hundred percent (100%) of the largest container plus twenty-five per cent (25%) of the total storage capacity.

6.10 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:

(i) a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;

(ii) a broom, shovel, face shield, chemically-resistant boots and gloves; and

(iii) waste bags and ties.

- 6.11 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.
- 6.12 All traceable regulated waste must be removed from the premises by a licensed regulated waste transporter.
- 6.13 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:
- 6.13.1 the date, quantity and type of waste removed;
 - 6.13.2 a copy of any licensed waste transport vehicle dockets;
 - 6.13.3 the name of the licensed regulated waste removalist and/or disposal operator; and
 - 6.13.4 the intended treatment and/or disposal destination of the waste.
- These records must be available for inspection by Council when requested.
- 6.14 All signs must be maintained at all times on the premises by the owner of the premises to the same standard as it was when it was installed and secured to any supporting structure or device.

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 Environment and Resource Management website www.derm.qld.gov.au

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Infrastructure Charges Notice

This application is subject to infrastructure contributions in accordance with Council policies. The contributions are presented on an Infrastructure Charges Notice.

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a Showroom (motorcycles) , made by Oasis New Life Centre Property Ltd, on land described as Lot 9 on RP600117, Parish of Rockhampton, located at 152 George Street, Rockhampton City, Council resolves to issue an Infrastructure Charges Notice for the amount of **\$16,258.50**.

BACKGROUND**PROPOSAL IN DETAIL**

The proposal is for a Material Change of Use to establish a Showroom (motorcycles) within an existing building located at 152 George Street, Rockhampton. The site is zoned South Rockhampton Highway Commercial Area and contains an existing Place of Worship approval. The existing building occupies approximately sixty-two per cent (62%) of the site with a total gross floor area of approximately 727 square metres. The ground floor of the building will accommodate:

- A showroom measuring 290 square metres;
- Three offices each measuring seven (7) square metres;
- A fitting room measuring seven (7) square metres;
- A retail area measuring 34.7 square metres;
- A service bay measuring 189 square metres;
- Spare parts area measuring 19.4 square metres;
- Kitchen measuring 22.8 square metres; and
- Toilet facilities

The upper floor (first floor) of the building measures approximately 150 square metres in size and will accommodate:

- Four (4) offices each measuring 20.7, 20.7, 25.2 and 40.3 square metres respectively;
- Two store rooms measuring 13.4 and 5.3 square metres;
- A kitchen; and
- A toilet facilities.

The proposed use can accommodate six (6) on-site parking spaces located at the rear of the building with direct access from George Lane. Owners consent from 143-147 George Street, Rockhampton has also been obtained for allowing staff to park on this vacant site. However, this consent does not allow the registration of an easement over the site (in favour of 152 George Street) for parking purposes.

The subject site is already fully developed and is connected to all infrastructure services.

SITE AND LOCALITY

The subject site is situated at 152 George Street, Rockhampton and measures approximately 1,143 square metres in size. The site has two road frontages, being George Street on the eastern side and George Lane on the western side. The existing building has a gross floor area of 727 square metres and faces George Street with vehicular access from George Lane. The site contains six (6) on-site parking spaces at the back, directly off George Lane.

The site is surrounded by commercial uses to the north, east and south with some residential uses to the west.

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 – 3 October 2014

Support, subject to conditions.

Infrastructure Operations Unit's (sewer and water) Comments – 26 September 2014

Support, subject to conditions.

Public and Environmental Health Comments – 11 March 2015

Support, subject to conditions.

Strategic Planning Comments – 20 May 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 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

Not Applicable.

Mining and extractive resources

Not Applicable.

Biodiversity

Not Applicable.

Coastal environment

Not Applicable.

Water quality

Not Applicable.

Natural hazard, risk and resilience

Not Applicable.

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 South Rockhampton Highway Commercial Area 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 upon 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 proposed use will not affect forestry, agricultural land, water quality, extractive resources, good quality agricultural land or other natural resource values of the city.

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

Not Applicable: The natural assets of the site and surrounding area have already been significantly altered by developments.

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

Complies: The proposed development will not adversely affect waterways, ecologically sensitive areas, or the amenity of the neighbourhood through noise, light, vibration or other emissions. Land contamination will not occur from the proposed development. The site is not subject to inundation, bushfire or excessive erosion. Approval of this application will not result in the prevention of the achievement to manage and minimise impacts on the environment and biodiversity.

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

Complies: The intended land use will not undermine the centres hierarchy, which is intended to influence activities more likely to establish in shops or shopping centres.

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

Justified: The proposal is for a commercial use (showroom) located within an existing building located within the South Rockhampton Highway Commercial area. It should however, be noted that a showroom located north of the William Street and George Street intersection is considered to be inconsistent with the area's intent (in accordance with the *Rockhampton City Plan 2005*). Furthermore, due to the site being already fully developed and not being able to provide an efficient amount of on-site parking spaces, the proposal has the potential to congest vehicle movement and parking within the area, which could have a potential risk to loss to surrounding commercial enterprises (particularly to the neighbouring allotment at 138 George Street).

However, comparing parking requirements with uses considered consistent within this area to that of a showroom for motorcycles, a showroom will require far less on-site parking and therefore, will have a lesser impact on the character and amenity of this commercial area. In this instance, the *Rockhampton City Plan 2005* requires a Showroom to provide a minimum of twelve (12) on-site parking spaces. A Restaurant (occupying the same existing building) will require fifty-seven (57) on-site parking spaces and a Take-away Food Store will require sixty-eight (68) on-site parking

spaces. Furthermore, the existing lawful Place of Worship requires twenty-four (24) parking spaces. It can also be argued that although a Showroom is considered to be inconsistent, it is still a more appropriate land use than other consistent uses (like a restaurant or take-away food store) and even the existing Place of Worship use over the site. A showroom will also have a lesser impact on the surrounding businesses than that of a Place of Worship.

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

Not Applicable: The proposal will have no bearing on any industrial use or area.

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

Complies: The proposal does not impinge upon any cultural or urban heritage.

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

Not Applicable: The proposal does not impinge upon any residential areas.

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

Complies: The proposal will not compromise or adversely affect important community uses or health care facilities.

- 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 development does not involve any new residential subdivision or development.

- 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: Adequate infrastructure is already available in the area. The proposed use will not detract from the level of servicing to the community.

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

Complies: The proposal does not require any additional roads. The current activities on site do not compromise the operation of the exiting road, airport or railway network. The proposed use will not compromise the safety or efficiency of Rockhampton's transport systems.

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

Not Applicable: The proposal does not impinge upon open space facilities.

The performance assessment of the proposal demonstrates that although the proposed showroom development has the potential to compromise the Planning Scheme Desired Environmental Outcomes, the proposal will however have a lesser impact than those uses considered to be consistent within this area (like a restaurant or take-away food store). Due to existing limitations in the area and the nature of the use, the proposal will not compromise the surrounding land uses in respect of parking or other amenities.

South Rockhampton Highway Commercial Area Intent

The subject site is situated within the South Rockhampton Highway Commercial Area under the Rockhampton City Plan. The intent of the South Rockhampton Highway Commercial Area identifies that:

*'The South Rockhampton Highway Commercial Area is a Highway Business Centre in the hierarchy of centres in Rockhampton. Accordingly, **it is intended that this Area will incorporate destination activities** that act as a frame for the higher order centres and accommodate commercial development that relies significantly on having a highway exposure. Commercial development has existed in this location for a number of years and, as expected, has developed in a strip / linear fashion. Given that this is the main arterial road through the City, with businesses focussing on and taking advantage of the highway exposure, **it is intended to be developed with a variety of uses that rely on the highway for exposure.***

*However, it is expected that new development in this highway business centre will provide all carparking on site, as specified in the Parking and Access Code, given that it is not desirable to promote carparking in the road reserve on this major arterial traffic route. Accordingly, **sites should not be developed on the assumption that Council will support a relaxation of the carparking requirement**, subject to a monetary contribution or otherwise.*

***The intent for the northern portion of the Area is to primarily accommodate motels, service stations, and fast food outlets, which primarily attract or service visitors passing through the City.** Further, it is not intended to accommodate office activities within the commercial premises definition or other activities that would undermine the role of the CBD or other centres.'*

The proposed Showroom use cannot be considered to be a consistent use within the South Rockhampton Highway Commercial Area (north of the William Street and George Street intersection) as it is intended to cater for uses which will attract or service visitors passing through the city, like motels, service stations, restaurants and fast food outlets.

Rockhampton City Plan Codes

The following codes are applicable to this application:

- Activity Centres Code;
- City Centre Code;
- Crime Prevention Through Environmental Design 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:

Specific Outcomes		Response
Activity Centre Code - Location		
P17	Car parking and servicing: (a) is safe, convenient, available and useable; and (b) is sufficient to meet the needs and demands of the respective development; and (c) is finished to a standard that does not create noise, dust or lighting nuisances, and (d) is provided with opportunities for	Justified: The subject site can accommodate six (6) on-site parking spaces at the back of the site, directly off George Lane. The proposed development requires a minimum of twelve (12) on-site parking spaces and is unable to comply with this requirement. It should however be noted that any other use considered to be consistent within this area (occupying the same existing

Specific Outcomes		Response
	shade; and (e) incorporates landscaping to reduce its visual impact and reduce irradiation.	building), will require much more on-site parking spaces. For example, a Restaurant will require fifty-seven (57) parking spaces and a Take-away Food Store will require sixty-eight (68) on-site parking spaces. The existing Place of Worship requires twenty-four (24) parking spaces. Therefore, although the proposed Showroom (motorcycles) is considered inconsistent within this area (north of William Street), the possible impacts on the surrounding commercial area will be a lot less. Any use occupying this site (occupying the existing building) will have on-site parking issues.
Activity Centres Code - South Rockhampton Highway Commercial Area		
P3	Locate commercial development in the Area that is consistent with the Area Intent	Justified: Although the proposed Showroom use is not listed as being one of the acceptable land uses within the Intent of the South Rockhampton Highway Commercial Area, north of William Street (as stipulated within the <i>Rockhampton City Plan 2005</i>), the proposal development is still regarded as being a commercial activity. Furthermore, the subject site is located adjacent to a highway (George Street) which encourages a variety of commercial uses that rely on the highway for exposure (like a showroom). The adjacent property located to the north also contains a similar showroom use.
Parking and Access Code		
P5	The layout for carparking is able to achieve a standard of on-site vehicle parking that: (a) is clearly defined; and (b) is safe; and (c) is easily accessible; and (d) is designed to contain potential adverse impacts within the site; and (e) is well landscaped; and (f) incorporates vehicle parking spaces that are protected from the natural elements, in particular the sun.	Justified: The subject site contains an existing building with six (6) on-site parking spaces at the back of the site, directly off George Lane. No parking is available from the front of the building via George Street. There is however a digital sign advertising customer parking at the rear of the showroom via George Lane. Owner's consent in respect of 143-147 George Street, Rockhampton has also been obtained for allowing staff to park on this vacant site. However consent for registering an easement over this site in favour of 152 George Street was not obtained. Additional information was also provided by the applicant comparing the number of visitors to other similar types of motorcycle

Specific Outcomes	Response
	<p>showrooms within Queensland at any given time. It was argued that at an average there are no more than two (2) to three (3) customers in the showroom at any one time. It was also further noted that all personnel of this showroom will ride a motorcycle and will park within the showroom.</p> <p>Delivery vehicles are generally light to medium vans/trucks only. No large or semi-trailers will be required. Deliveries of new motorcycles will be on a weekly basis. Delivery of other items like clothing or administrative supplies will be on a less frequent basis (approximately 1-2 deliveries per month) and only via a light vehicle. All proposed delivery vans/trucks can be accommodated within the laneway.</p>
<p>P6 An adequate number of carparking spaces are provided on the site to service the use having regard to the existing use of the site and buildings on the site proposed to be re-used.</p>	<p>Justified:</p> <p>The subject site is already fully developed and contains an existing approval for a Place of Worship which is an inconsistent use within this area and requires twenty-four (24) on-site parking spaces. This proposal is to change the use from a Place of Worship to a commercial Showroom for the retail of motorcycles.</p> <p>According to the parking requirements stipulated within the <i>Rockhampton City Plan</i>, a Showroom will require one (1) space per 115 square metres of Total Use Area which amounts to a total of twelve (12) parking spaces to be provided.</p> <p>It can also be further noted that other types of consistent uses, for example, a Restaurant or a Take-away Food Store will require fifty-seven (57) parking spaces or sixty-eight (68) parking spaces.</p>

Based on a performance assessment of the abovementioned 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 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 proposal is for a commercial use located within the South Rockhampton Highway Commercial Area;
- b) The proposal is for a Showroom (motorcycles) which relies on the highway for exposure and will require less on-site parking spaces than other consistent uses within the area;

- c) A similar use occupies the neighbouring site to the north;
- d) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Rockhampton City Plan 2005*;
- e) The proposal can be considered a consistent use within the proposed Planning Scheme, except for not being able to meet the required on-site parking requirements;
- f) Assessment of the development against the relevant area intent, planning scheme codes and planning scheme policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- g) The proposed development 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 uses 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 Adopted Infrastructure Charges are as follows:

Column 1 Use Schedule		Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
			(\$)	Unit	(\$)	Unit	
Commercial (Bulk Goods)	All uses as per AICN 4/14 Table 2.2.1	Areas 1 and 2	119	per m ² of GFA (727 m ²)			\$86,513.00
					8.50	per m ² of impervious area (1,143 m ²)	\$9,715.50
						Total	\$96,228.50
						Less credit	\$79,970.00
						TOTAL CHARGE	\$16,258.50

This is based on the following calculations:

- (a) A charge of \$86,513.00 for Gross Floor Area being 727 square metres (showroom, fitting room, offices, retail, service area, kitchen, lunchroom, storage and toilets);
- (b) A charge of \$9,715.50 for Impervious Area being 1,143 square metres (roof area, hardstand areas, access, and parking areas); and
- (c) An Infrastructure Credit of \$79,970.00, made up as follows:
 - (i) \$130,860.00 - Infrastructure Credit applicable for the original shop with a Gross Floor Area of 727 square metres and a charge of \$180 per square metres of

Gross Floor Area in accordance with *Adopted Infrastructure Charges Resolution (No. 1) 2012* (before the Place of Worship commenced on the site); plus

- (ii) \$11,430.00 – Impervious Area being 1,143 square metres (roof area, hardstand areas, access, and parking areas) with a charge of \$10 per square metres of impervious area in accordance with *Adopted Infrastructure Charges Resolution (No. 1) 2012*;

LESS

- (iii) \$50,890.00 - Infrastructure Credit applicable for the Place of Worship with a Gross Floor Area of 727 square metres and a charge of \$70 per square metres of Gross Floor Area (in accordance with *Adopted Infrastructure Charges Resolution (No. 1) 2012*); plus
- (iv) \$11,430.00 - Impervious Area being 1,143 square metres (roof area, hardstand areas, access, and parking areas) with a charge of \$10 per square metres of impervious area in accordance with *Adopted Infrastructure Charges Resolution (No. 1) 2012*.

Note: No record was made regarding any existing credits when the Place of Worship was approved over the site (within application D204-2011). Therefore it was required to calculate and determine what the existing credit over the land was before determine the current charges to the Showroom.

Therefore, a total charge of **\$16,258.50** is payable and will be reflected in an Infrastructure Charges Notice for the development.

CONSULTATION

The proposal was the subject of public notification between 9 March 2015 and 30 March 2015, as per the requirements of the *Sustainable Planning Act 2009*, and three (3) properly made submissions were received.

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

Issue	Officer's Response
<p>The proposed Material Change of Use does not comply with the Rockhampton City Plan Parking and Access Code.</p> <p>The only onsite car parking spaces are located at the back of the showroom (off George Lane). It has been questioned on how customers will know that the dedicated visitor parking is located at the back as well as how the customers will gain access to the showroom.</p> <p>It is believed that the proposed showroom will generate an average of eight (8) to twenty (20) customers at any given time. It is also further believed that such a showroom will generate between eight (8) to fourteen (14) staff. Although it is claimed that all staff will ride a motorcycle to work, it is not believed that all staff will actually ride a motor cycle and definitely not during bad weather.</p> <p>The delivery and pick-up area (especially when including trailers or small trucks) will either occupy at least four (4) to five (5) car spaces or even block the laneway.</p>	<p>The application will require a minimum of twelve (12) on-site parking spaces but can only accommodate six (6) on-site parking spaces fronting George Lane. The car parking provided on site is not sufficient to meet the demands for a Showroom, with a shortfall of six (6) parking spaces.</p> <p>Customer parking is being advertised on a digital advertising sign located at the front of the building, facing George Street. Additional signs will be placed at the back indicating the walkway along the southern boundary of the building towards the main entrance to the showroom.</p> <p>It is anticipated that the proposed showroom will have six (6) staff of which only the manager might have a dedicated parking space at the back. It is anticipated that all other staff will ride a motorcycle to work and park inside the showroom. Bad weather might encourage staff to drive a car but it is anticipated that they will then park at 143-147 George Street, Rockhampton (while it remains a vacant site). The applicant also provided the</p>

Issue	Officer's Response
It is also anticipated that the proposed use (motorcycle showroom) will encourage "ride days" where hundreds of customers will depart and return to the showroom.	average number of customers visiting other similar motorcycle showroom branches within Queensland of similar size and location, and it is anticipated that there will be no more than two (2) to three (3) customers in the showroom at any one time. Furthermore, it is also anticipated that less customers will visit the showroom during bad weather.
<p>The report proposes 143-147 George Street to accommodate additional parking associated with the proposed Showroom. This site is, however, located across a four (4) lane highway which could potentially increase the risk of people trying to cross the highway (at non dedicated pedestrian crossings). Typical human nature will be to j-walk across the highway.</p> <p>143-147 George Street is also a currently a vacant site which can be developed in the future. It is questionable what will happen with these dedicated car parking spaces should the site be developed.</p>	143-147 George Street will only accommodate staff parking for the showroom and not necessarily for customers. Furthermore, all staff will ride a motorcycle to work and park within the showroom. The number of days anticipated where staff will drive a car to work will be minimal.
The proposed development raises concerns on the possible impact it may have onto the surrounding businesses, especially the availability and locality to parking at 138 George Street.	Council has no control on where people will prefer to park. The applicant will however advertise customer parking at the back of the building off George Lane via the digital pylon sign fronting George Street and other notices. Furthermore, it is anticipated that a Showroom will have a lesser impact on the surrounding businesses than that of the existing Place of Worship and/or other consistent commercial uses (like a restaurant or take-away food store).

REFERRALS

The application was referred to Department of State Development, Infrastructure and Planning due to the site being within twenty-five (25) metres of a State-controlled road. The Department of State Development, Infrastructure and Planning provided conditions on 12 December 2014 should the development be supported.

CONCLUSION

The proposed Showroom (motorcycles) is located within an existing building located within the South Rockhampton Highway Commercial area (north of the William and George Street intersection). Although the proposal is considered to be inconsistent with the intent of the South Rockhampton Highway Commercial Area (in accordance with the *Rockhampton City Plan 2005*), sufficient grounds for justification could be provided (as described within Recommendation A).

Furthermore, comparing parking requirements with uses considered consistent within this area to that of a showroom for motorcycles, a showroom will require far less on-site parking and therefore, will have a lesser impact on the character and amenity of this commercial area. It can also be argued that although a Showroom is considered being inconsistent, it is

still a more appropriate land use than other consistent uses (like a restaurant or take-away food store) and even the existing Place of Worship use over the site. It is therefore, recommended that Council resolves to approve this application subject to conditions.

**D/229-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A SHOWROOM
(MOTORCYCLES)**

Locality Plan

Meeting Date: 9 June 2015

Attachment No: 1

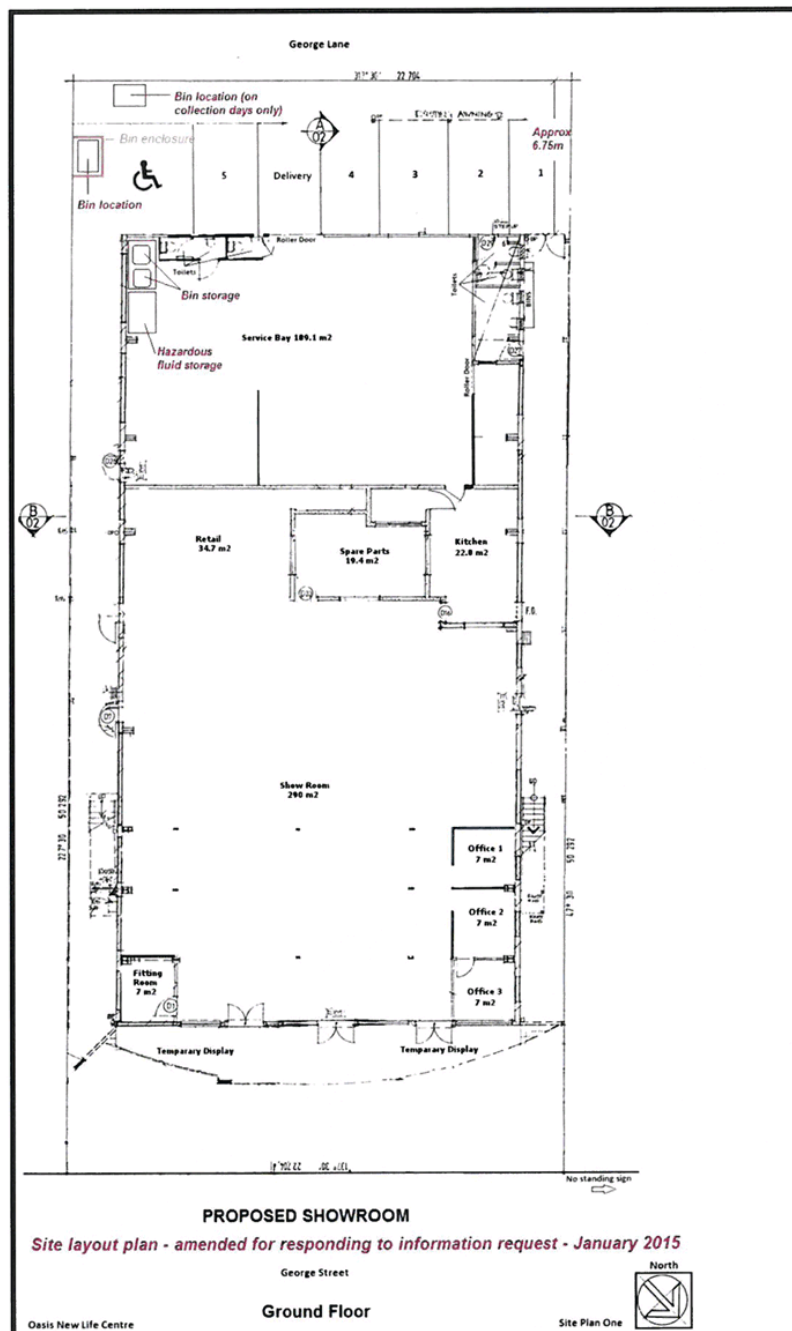


**D/229-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A SHOWROOM
(MOTORCYCLES)**

Proposed Showroom

Meeting Date: 9 June 2015

Attachment No: 2

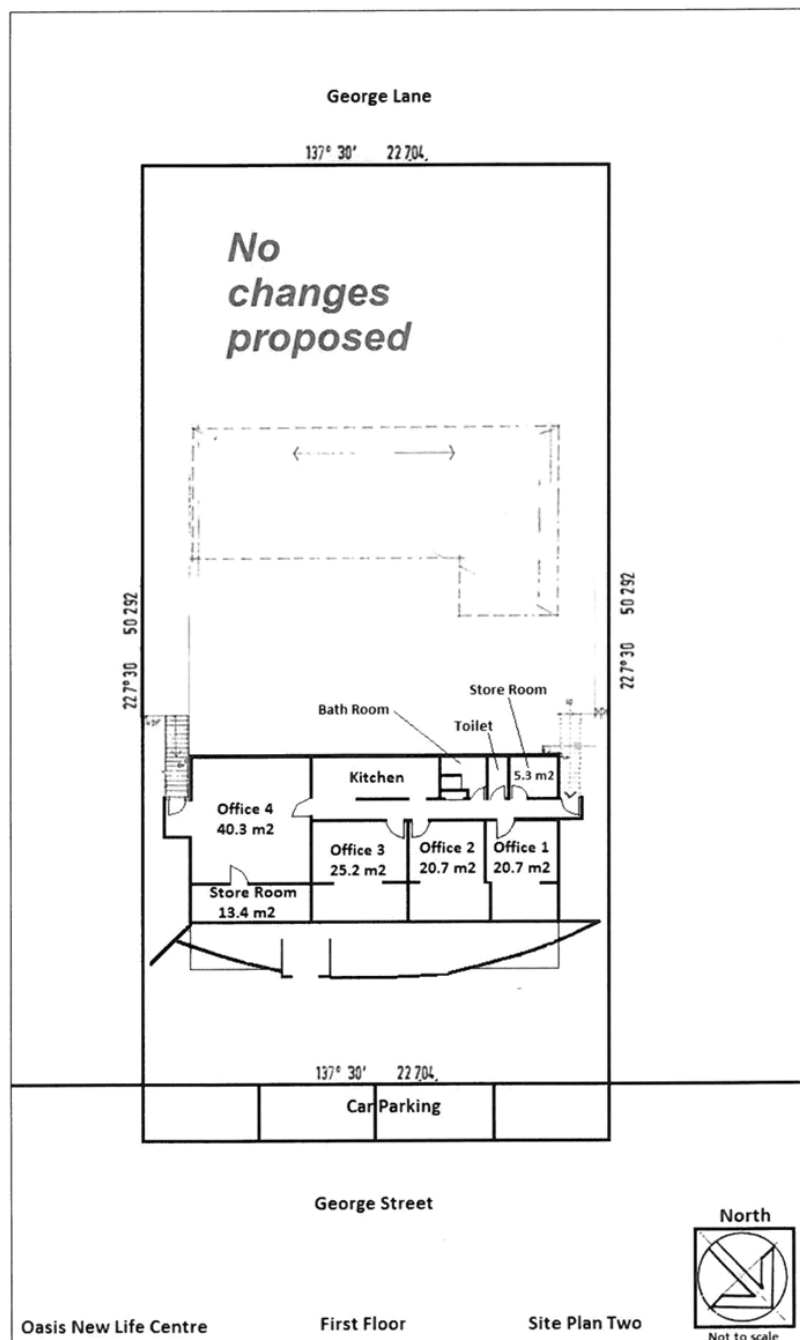


**D/229-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR A SHOWROOM
(MOTORCYCLES)**

First Floor

Meeting Date: 9 June 2015

Attachment No: 3



9 STRATEGIC REPORTS

9.1 DEVELOPMENT ASSESSMENT INNOVATION PROJECT - FASTTRACK APPLICATIONS

File No: 8037
Attachments: 1. Duplex FastTrack Kit
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Tarnya Fitzgibbon - Manager Development and Building

SUMMARY

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

OFFICER'S RECOMMENDATION

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

BACKGROUND

The Development Assessment Innovation Project was presented to the Planning and Development Committee on 26 March 2014 and 11 November 2014. Council's development assessment system was rated as an Emerging Advanced system under the project. Council's aim is to become a Fully Advanced system by 30 June 2015 and become an Emerging Premium system by 30 June 2016.

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

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

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

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

Council has met its target of having its development assessment system at the rating of Fully Advanced by 30 June 2015. However, the introduction of the new planning legislation and a new development assessment system in the second half of 2015, will likely mean that there is some delay in achieving the Emerging Premium rating. Council officers will be required to develop new report and letter templates and workflows for the new development assessment system, meaning that resources will be diverted away from this project and

towards ensuring that Council has an adequate system in place prior to the new planning legislation taking effect.

CONCLUSION

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

DEVELOPMENT ASSESSMENT INNOVATION PROJECT - FASTTRACK APPLICATIONS

Duplex FastTrack Kit

Meeting Date: 9 June 2015

Attachment No: 1

FastTrack

Duplex

ABOUT THIS KIT

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

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

APPLICATION KIT SUMMARY CHECKLIST

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



FastTrack Assessment

Please answer all questions.

01

WHERE TO LODGE

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

IS YOUR APPLICATION LOW-RISK?

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

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

FASTTRACK ASSESSMENT

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

FastTrack Assessment

Please answer all questions.

01

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

FastTrack Assessment

Please answer all questions.

01

Infrastructure and Services	Answer	
<p>Q4. Does the proposed site have direct access to all the following infrastructure—?</p> <p>(a) Reticulated sewerage; and</p> <p>(b) Reticulated water supply; and</p> <p>(c) Stormwater drainage services;</p> <p>(d) Established kerbing and road pavements.</p>	<p><input type="checkbox"/> Yes</p> <p>QUESTION SATISFIED</p> <p>Continue to Q5</p>	<p><input type="checkbox"/> No</p> <p>CRITICAL ISSUE</p> <p>▪ A Further Information Request may be issued by Council.</p> <p>Continue to Q5</p>
<p>Q5. Are all invert crossing(s) and driveways clear of all gully pits, street lights, power poles and other infrastructure located within the road reserve (minimum separation distance is 1m)?</p>	<p><input type="checkbox"/> Yes</p> <p>QUESTION SATISFIED</p> <p>Continue to Q6</p>	<p><input type="checkbox"/> No</p> <p>CRITICAL ISSUE</p> <p>▪ A Further Information Request may be issued by Council.</p> <p>Continue to Q6</p>
<p>Q6. Are all proposed structures and buildings 2m clear of Council easements and underground infrastructure?</p>	<p><input type="checkbox"/> Yes</p> <p>QUESTION SATISFIED</p> <p>Continue to Q7</p>	<p><input type="checkbox"/> No</p> <p>CRITICAL ISSUE</p> <p>▪ Please demonstrate compliance with MP1.4 – Building Over or Near Relevant Infrastructure.</p> <p>Continue to Q7</p>
<p>Q7. Is there adequate space along the road front to accommodate kerbside bin collection?</p>	<p><input type="checkbox"/> Yes</p> <p>QUESTION SATISFIED</p> <p>Continue to Q8</p>	<p><input type="checkbox"/> No</p> <p>CRITICAL ISSUE</p> <p>▪ A Further Information Request may be issued by Council.</p> <p>Continue to Q8</p>

FastTrack Assessment

Please answer all questions.

01

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

FastTrack Assessment

Please answer all questions.

01

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

Lodgement Requirements

Please ensure all information is provided.

02

MANDATORY INFORMATION

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

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

PART 1 – APPLICATION FEE

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

Lodgement Requirements (cont.)

Please ensure all information is provided.

02

PART 2 – INTEGRATED DEVELOPMENT ASSESSMENT FORMS (IDAS)

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

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

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

Supporting Information

Please ensure all information is provided.

03

INFORMATION REQUESTED BY COUNCIL

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

SUPPORTING INFORMATION CHECK

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

APPENDIX A

TABLE A - ACCEPTABLE ZONES

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

APPENDIX B

DRAFT CONDITIONS

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

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Access Works;
 - (ii) Roof and Allotment Drainage Works;
 - 1.6.2 Plumbing and Drainage Works; and
 - 1.6.3 Building Works.
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

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

- 2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.4 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of a Development Application for Operational Works.
- 3.0 ACCESS WORKS
- 3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 3.2 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking Facilities"* and the provisions of a Development Permit for Operational Works (access works).
- 3.3 A minimum of two (2) off-street car parking spaces must be provided for each unit, one (1) of which must be covered.
- 3.4 A new access must be constructed for the new dwelling that complies with the requirements of the *Capricorn Municipal Development Guidelines*.
- 3.5 The existing access for the existing dwelling on the site must be upgraded to comply with the requirements of the *Capricorn Municipal Development Guidelines*.
- 4.0 SEWERAGE WORKS
- 4.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act* and *Plumbing and Drainage Act*.
- 4.2 The development must be connected to Council's reticulated sewerage network.
- 4.3 The existing sewerage connection point must be retained and upgraded, if necessary, to service the development.
- 4.4 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with trafficable lids.
- 5.0 WATER WORKS
- 5.1 All works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act* and the *Plumbing and Drainage Act*.
- 5.2 The development must be connected to Council's reticulated water network.
- 5.3 The existing water connection point(s) must be retained and upgraded, if necessary, to service the development.
- 5.4 The proposed development must be provided with a master meter at the property boundary and sub meters for each sole occupancy building in accordance with the *Queensland Plumbing and Drainage Code* and Council's Sub-metering Policy.
- 5.5 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 6.0 PLUMBING AND DRAINAGE WORKS
- 6.1 All plumbing and sanitary drainage works must be in accordance with the *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act*, *Plumbing and Drainage Act*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

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

8.0 BUILDING WORKS

- 8.1 All external elements, such as air conditioners, must be adequately screened from public view, to Council's satisfaction. Noise from any external elements, such as air conditioners, must not exceed the limits specified in the *Environmental Protection Act*.
- 8.2 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 8.3 The private open space areas must be sufficiently screened and/or fenced to prevent viewing into these areas by adjoining residents or from a public space.
- 8.4 All waste storage areas must be aesthetically screened from any road frontage or adjoining property.

9.0 SITE WORKS

- 9.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on Earthworks for Commercial and Residential Developments"*.
- 9.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- 9.3 Any vegetation cleared or removed must be:
- (i) mulched on-site and utilised on-site for landscaping purposes, in accordance with the landscaping plan approved by Council; or
 - (ii) removed for disposal at a location approved by Council;
- within sixty (60) days of clearing. Any vegetation removed must not be burnt.

10.0 LANDSCAPING WORKS

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

11.0 ELECTRICITY AND TELECOMMUNICATIONS

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

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

12.0 ASSET MANAGEMENT

- 12.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 12.2 Any damage to existing water supply or sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

13.0 ENVIRONMENTAL

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

14.0 OPERATING PROCEDURES

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

ADVISORY NOTES

NOTE 1. Asbestos Removal

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

NOTE 2. General Environmental Duty

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

NOTE 3. General Safety Of Public During Construction

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

NOTE 4. Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and subject to being compliant with the Standard Capricorn Municipal Development Guideline Drawings) may be accepted in place of the Development Permit for Operational Works (access works).

NOTE 5. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council policies. The charges are presented on an Infrastructure Charges Notice.

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS/QUESTIONS

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

12 CLOSED SESSION

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

RECOMMENDATION

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

13.1 D/1603-2005 - Drainage Issues

This report is considered confidential in accordance with section 275(1)(f) (g) (h), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government; AND any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13 CONFIDENTIAL REPORTS

13.1 D/1603-2005 - DRAINAGE ISSUES

File No: D/1603-2005

Attachments:

1. Locality Plan
2. D/1603-2005 - Reconfiguring a Lot - Decision Notice - 6 June 2008
3. Planning and Development Committee Report - 24 April 2013
4. Planning and Development Committee - Action Notice - 24 April 2013
5. Planning and Development Committee - Action Notice - 5 November 2013
6. Ordinary Council Report - 12 November 2013
7. Ordinary Council Action Notice - 12 November 2013
8. D/1603-2005 - Reconfiguring a Lot - Amended Decision Notice - 5 February 2014
9. Survey Plan - Reflecting Stages 1A and 1B
10. D/1553-2009 - On-Defects Notice Letter - 10 February 2015

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

Author: Petrus Barry - Senior Planning Officer

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SUMMARY

The report provides information on the approvals of the developments in the vicinity of Montgomerie Street, Lakes Creek, where rain events have caused flooding.

14 CLOSURE OF MEETING