



PLANNING & DEVELOPMENT COMMITTEE MEETING

AGENDA

28 JULY 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 28 July 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
21 July 2015

Next Meeting Date: 11.08.15

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 14 July 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: 28 July 2015

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
28 April 2015	Montgomerie Street	THAT the previous report regarding Montgomerie Street be presented to the next Planning and Development Committee meeting for Councillors information.	Robert Holmes	12/05/2015	
26 May 2015	D/188-2014 - Development Application for a Material Change of Use for an Educational Establishment	THAT the matter lay on the table, seek an extension of the decision period, and that Mayor Strelow and Councillor Swadling request a meeting with the appropriate people from the school to discuss layout options.	Corina Hibberd	09/06/2015	
14 July 2015	D/222-2014 - Development Application for a Material Change of Use for a Caretaker's Residence	That the matter lay on the table pending further discussions to return to the Planning and Development Committee in August 2015.	Corina Hibberd	28/07/2015	

6.2 LIFTING MATTERS LAYED ON THE TABLE

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

SUMMARY

Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting 28 July 2015.

OFFICER'S RECOMMENDATION

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

- D/188-2014 Development Application for a Material Change of Use for an Educational Establishment.

7 PUBLIC FORUMS/DEPUTATIONS

7.1 D/188-2014 - DEPUTATION - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR AN EDUCATIONAL ESTABLISHMENT (EXTENSIONS)

File No: D/188-2014
Attachments: Nil
Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services
Author: Corina Hibberd - Planning Officer

SUMMARY

Mr R. McCamley, Mr J. Ross, and Mrs D. Huntly have requested an opportunity to attend a meeting of Council's Planning and Development Committee to discuss their opposition to the development for a Material Change of Use for an Educational Establishment over 390 Feez Street, Norman Gardens - Lot 6 on SP123558, Lot 7 on RP618703 and Lot 45 on RP615945 (Development Application D/188-2014).

OFFICER'S RECOMMENDATION

THAT the deputation by Mr McCamley, Mr Ross and Mrs Huntly be received.

BACKGROUND

The speakers are submitters against the development application and their reasons for objection have been carefully considered within the Council Officer's report and recommendation. The submitters have had multiple meetings with Council and Councillor Rose Swadling. Furthermore, Catholic Education recently invited submitters to meet with them to discuss the issues.

7.2 D/188-2014 - DEPUTATION - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR AN EDUCATIONAL ESTABLISHMENT (EXTENSIONS)

File No: D/188-2014
Attachments: Nil
Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services
Author: Corina Hibberd - Planning Officer

SUMMARY

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
Approval Sought: Development Permit for a Material Change of Use for Educational Establishment (Extension)

OFFICER'S RECOMMENDATION

THAT the deputation by Catholic Education and Tony Madden Architects be received.

BACKGROUND

Michael McLaughlin (Capital Project Officer – Catholic Education), and Tony Madden (Project Consultant – Tony Madden Architects), have requested an opportunity to attend a meeting of Council's Planning and Development Committee to discuss the submitters concerns regarding noise and traffic mitigation for a Material Change of Use for an Educational Establishment (Extension) for St. Anthony's School, at 390 Feez Street, Norman Gardens (Development Application D/188-2014).

8 OFFICERS' REPORTS

8.1 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

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 (laid on the table)</i>
<i>Council request for additional time:</i>	<i>26 May 2015 (extended to 24 July 2015)</i>
<i>Council request for additional time:</i>	<i>16 July 2015 (extended to 21 August 2015)</i>
<i>Planning and Development Committee date:</i>	<i>28 July 2015</i>
<i>Statutory determination date:</i>	<i>21 August 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.

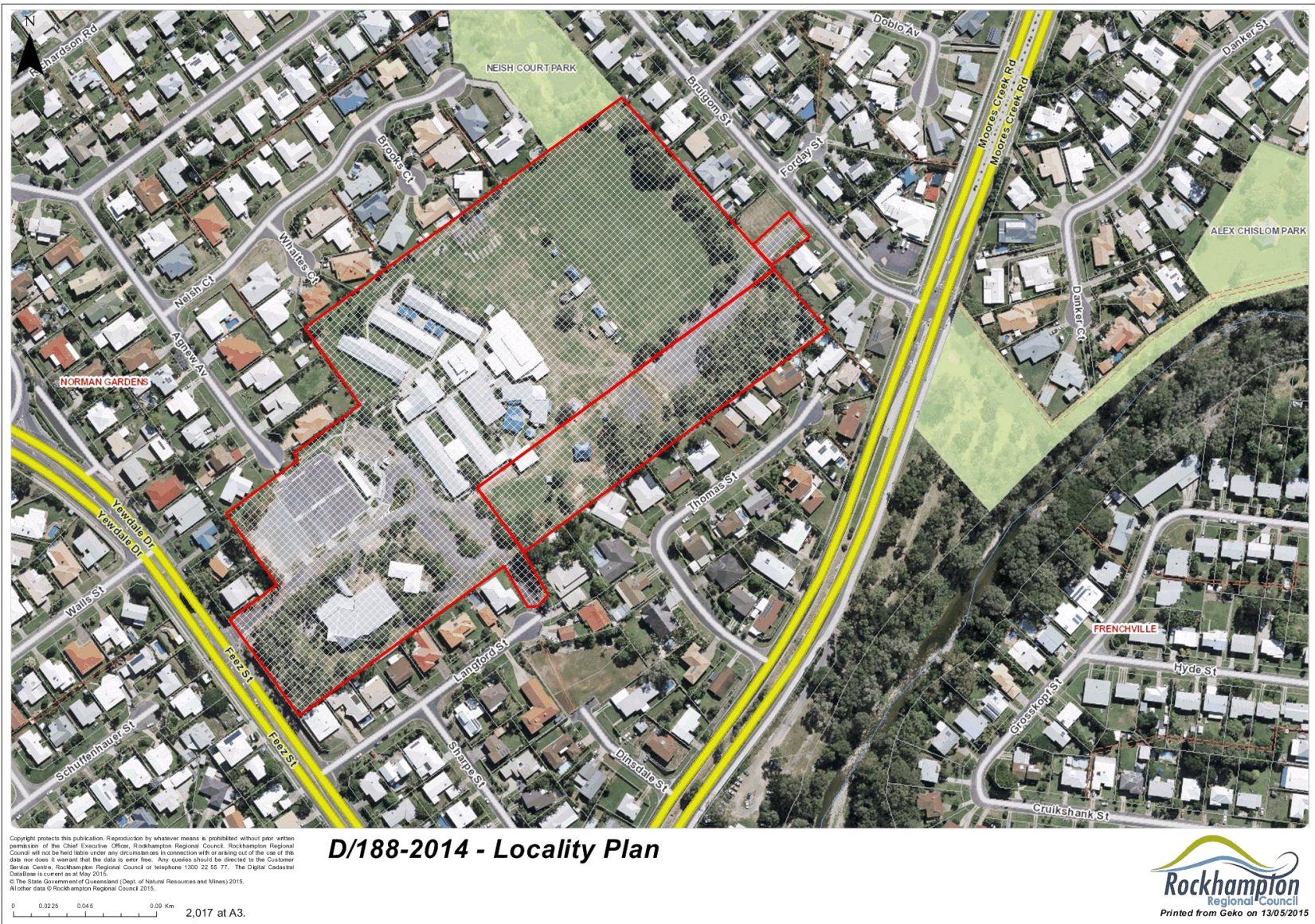
The proposed development is considered appropriately located and designed to mitigate any impacts which could adversely affect the amenity of the surrounding residents and is therefore recommended for approval subject to conditions.

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

Locality Plan

Meeting Date: 28 July 2015

Attachment No: 1

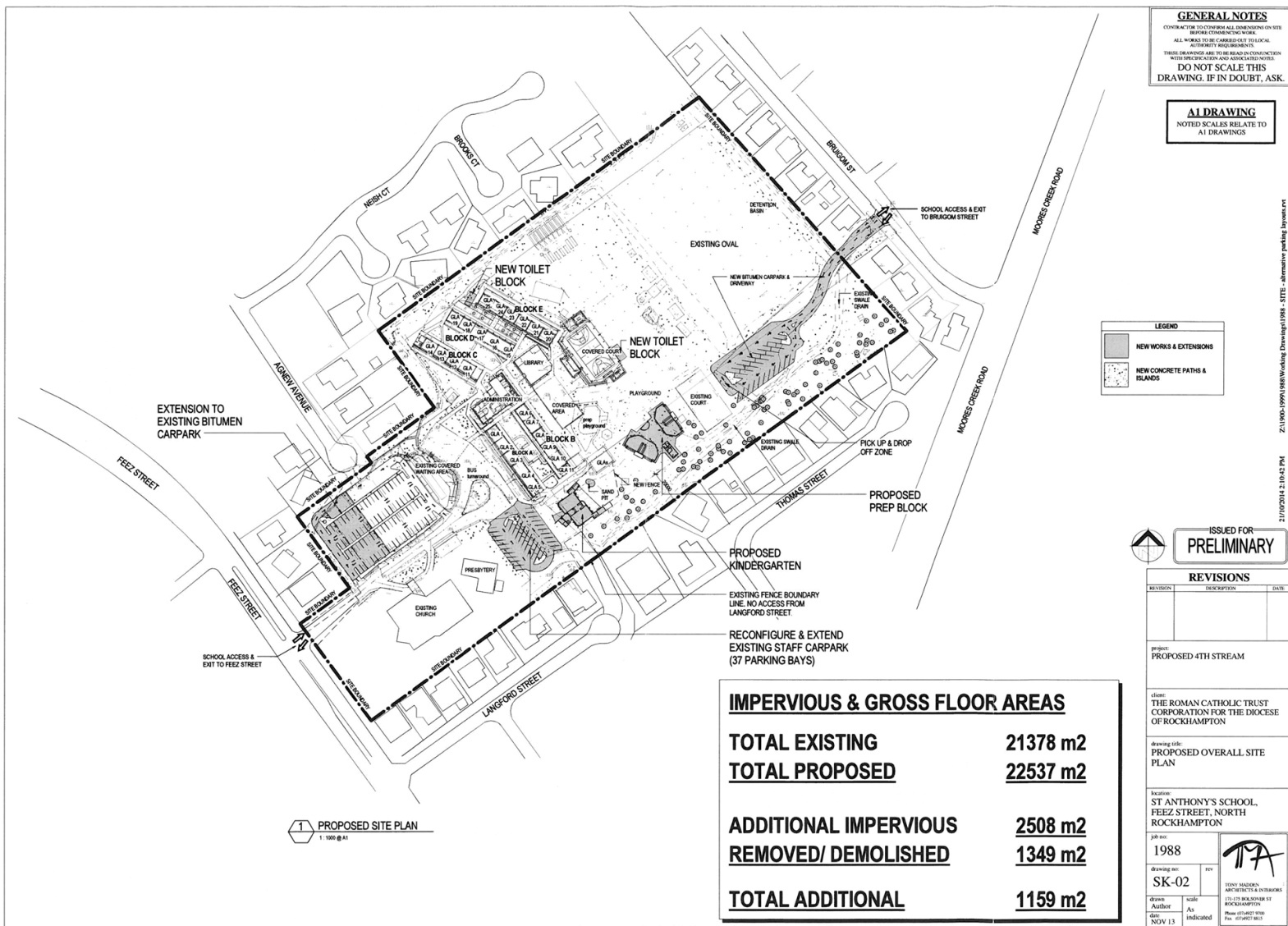


**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Site Plan

Meeting Date: 28 July 2015

Attachment No: 2

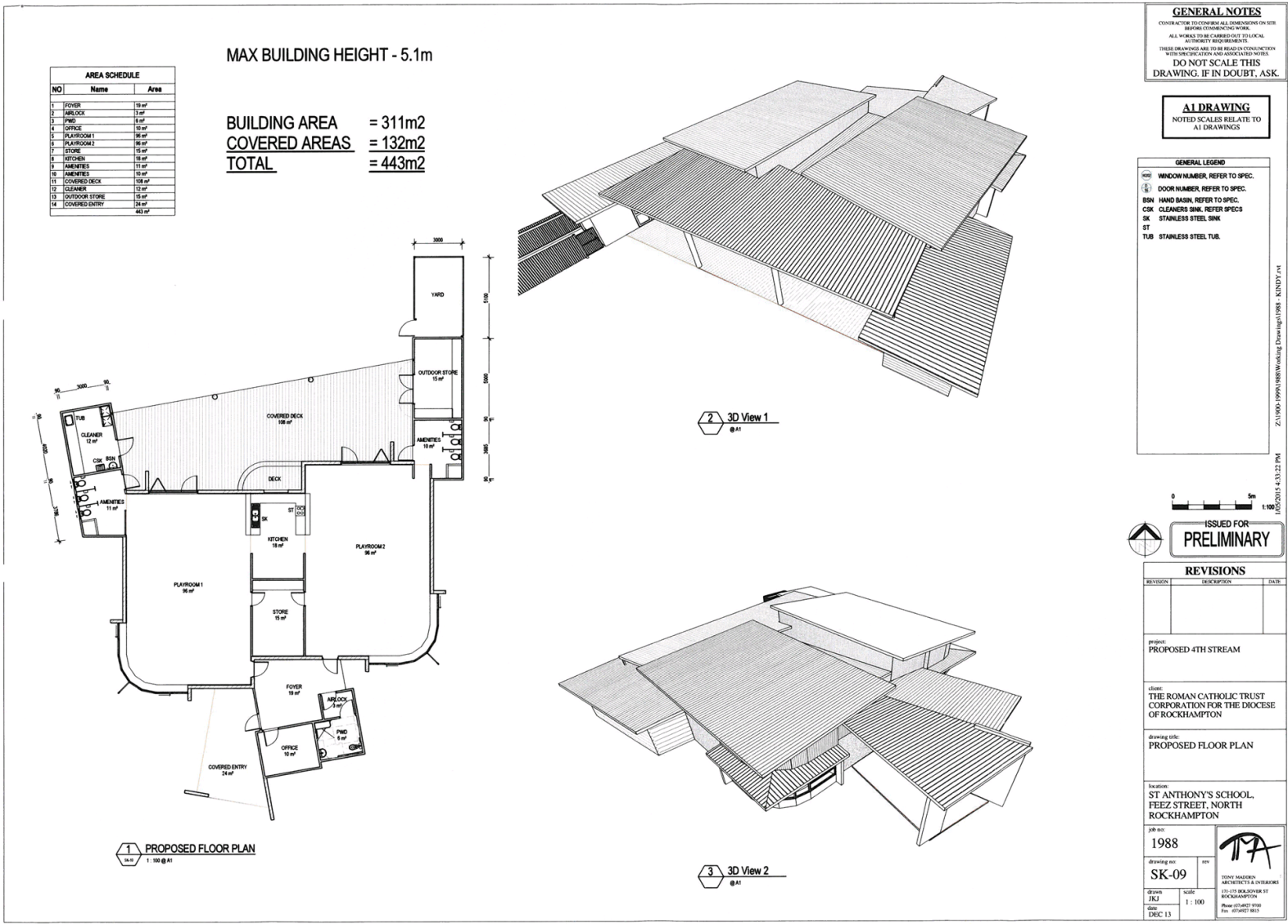


**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Floor Plan - Kindy

Meeting Date: 28 July 2015

Attachment No: 3

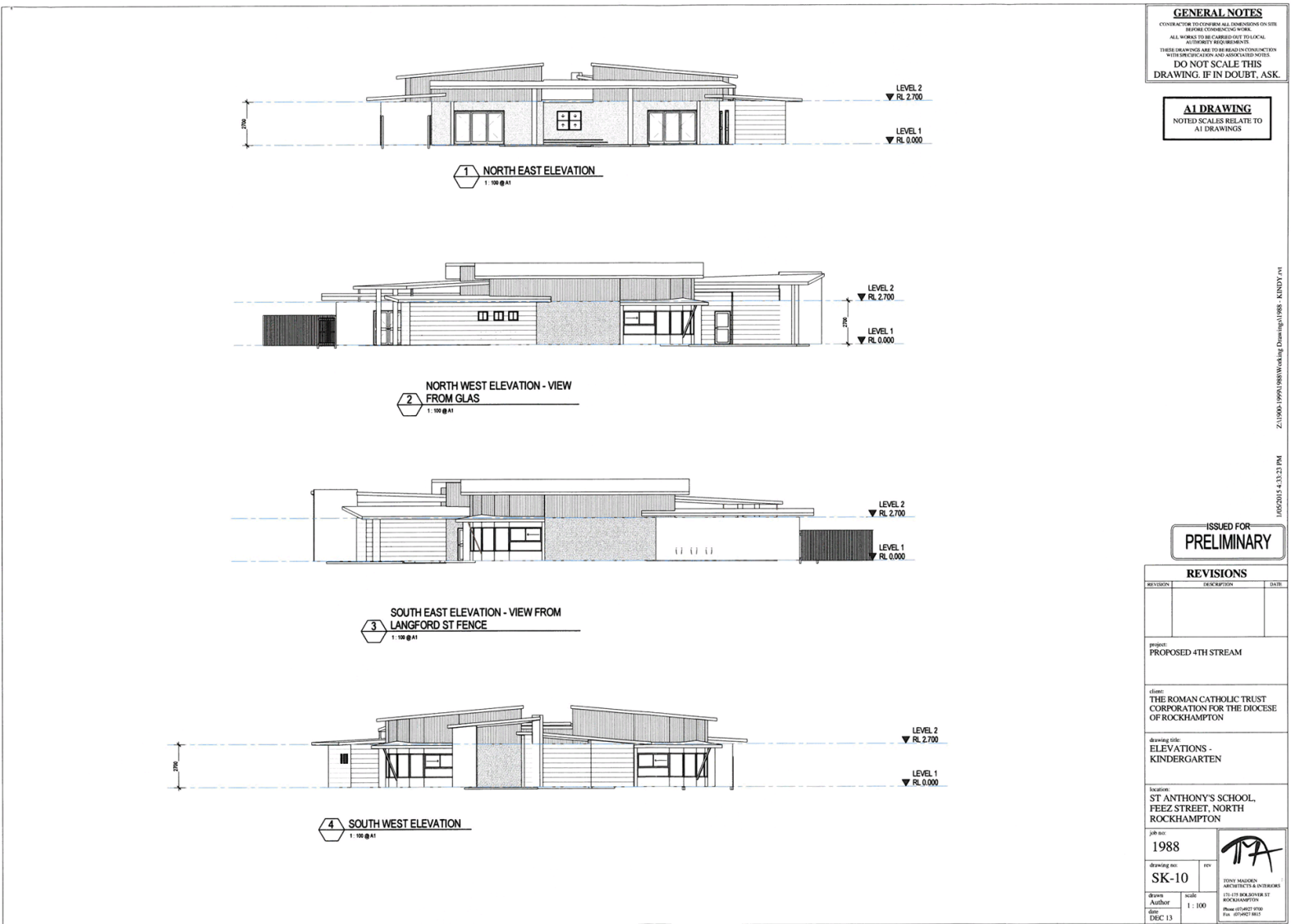


**D/188-2014 - DEVELOPMENT
APPLICATION FOR A MATERIAL
CHANGE OF USE FOR AN
EDUCATIONAL ESTABLISHMENT**

Elevation Plan - Kindy

Meeting Date: 28 July 2015

Attachment No: 4



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

Floor Plan - Prep

Meeting Date: 28 July 2015

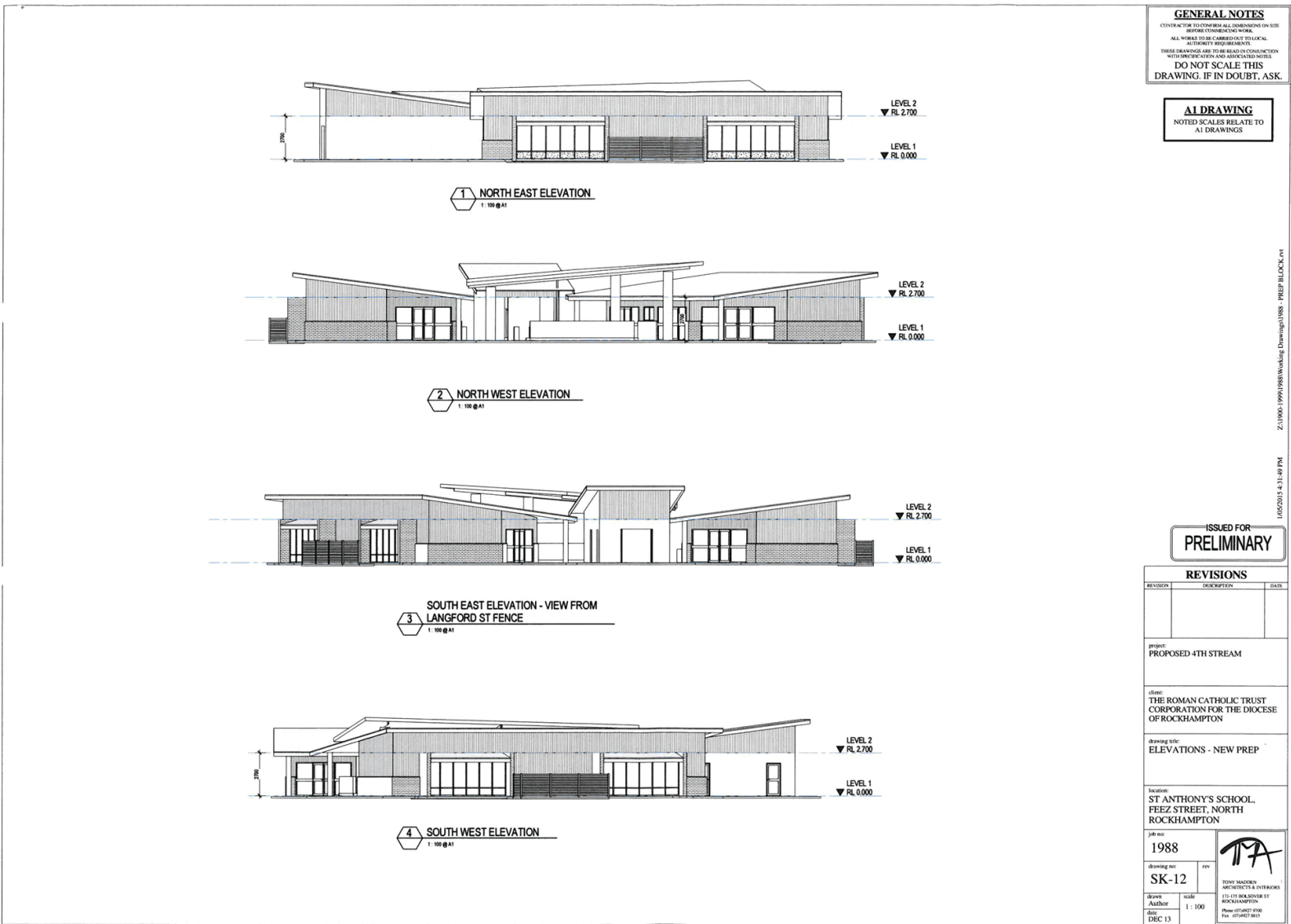
Attachment No: 5

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

Elevation Plan - Prep

Meeting Date: 28 July 2015

Attachment No: 6



8.2 D/200-2014 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A HIGH IMPACT INDUSTRY

File No: D/200-2014
Attachments: 1. Locality Plan
Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services
Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/200-2014
Applicant: Michalis Group Pty Ltd
Real Property Address: Lot 6 on SP153339, Parish of Murchison
Common Property Address: 17 Dooley Street, Park Avenue
Rockhampton City Plan Area: Park Avenue Industrial Area, Precinct 2 - Park Avenue Medium Impact Industry
Type of Approval: Development Permit for a Material Change of Use for a High Impact Industry
Date of Decision: 9 December 2014
Application Lodgement Fee: \$17,105.00
Infrastructure Charges: \$30,804.00
Infrastructure charges incentive: All other areas – 50% discount
Incentives sought: Infrastructure Charges Concession
Refund of Development Application Fees

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a High Impact Industry, on Lot 6 on SP153339, Parish of Murchison, located at 17 Dooley Street, Park Avenue - Council resolves to Approve the following incentives if the use commences prior to 9 December 2017:

- a) A fifty per cent reduction of infrastructure charges to the amount of \$15,402.00;
- b) A refund of the development application fee of \$17,105.00 on commencement of the use; and
- c) That Council enter into an agreement with the applicant in relation to (a) and (b).

BACKGROUND**Project outcomes anticipated by applicant**

Michalis Group Pty Ltd has been granted approval to establish a detergent blending complex to produce detergents. The application was made in response to a Show Cause Notice for the unlawful operation at the site.

New jobs and investment

The plant will employ the equivalent of eight (8) full time employees, most of whom will come from the Rockhampton Region.

The development of the detergent blending operations has resulted in the expenditure of \$120,000.00 to refurbish the premises. Approximately seventy (70) per cent of these funds were spent with a number of Rockhampton Region Businesses.

Turnover in the first year should be \$200,000.00 growing to \$300,000.00 in the third year.

The applicant estimates \$80,000.00 will be spent with service providers and on the annual maintenance of the plant with sixty (60) to seventy (70) per cent of this expenditure being spent on Rockhampton Region service providers or trades people.

Benefits of project for applicant's business

The applicant is taking advantage of the Rockhampton Region's central location to establish a branch of their New South Wales based operation to provide detergents with which to wash coal for mining operations in the Bowen and Galilee Basins and in Mt Isa.

Benefits of project to Rockhampton regional economy

The plant will employ the equivalent of eight (8) full time employees, most of whom will come from the Rockhampton Region.

The development of the detergent blending operations has resulted in the expenditure of \$120,000.00 to refurbish the premises. Approximately seventy (70) per cent of these funds were spent with a number of Rockhampton Region businesses.

The applicant estimates \$80,000.00 will be spent with service providers and on the annual maintenance of the plant with sixty (60) to seventy (70) per cent of this expenditure being spent on Rockhampton Region service providers or trades people.

COMMENTS FROM RELEVANT UNITS**Infrastructure Operations Unit's Comments – 24 April 2015**

Support, subject to comments.

Economic Development Unit's Comments – 27 May 2015

Support, subject to comments.

CONCLUSION

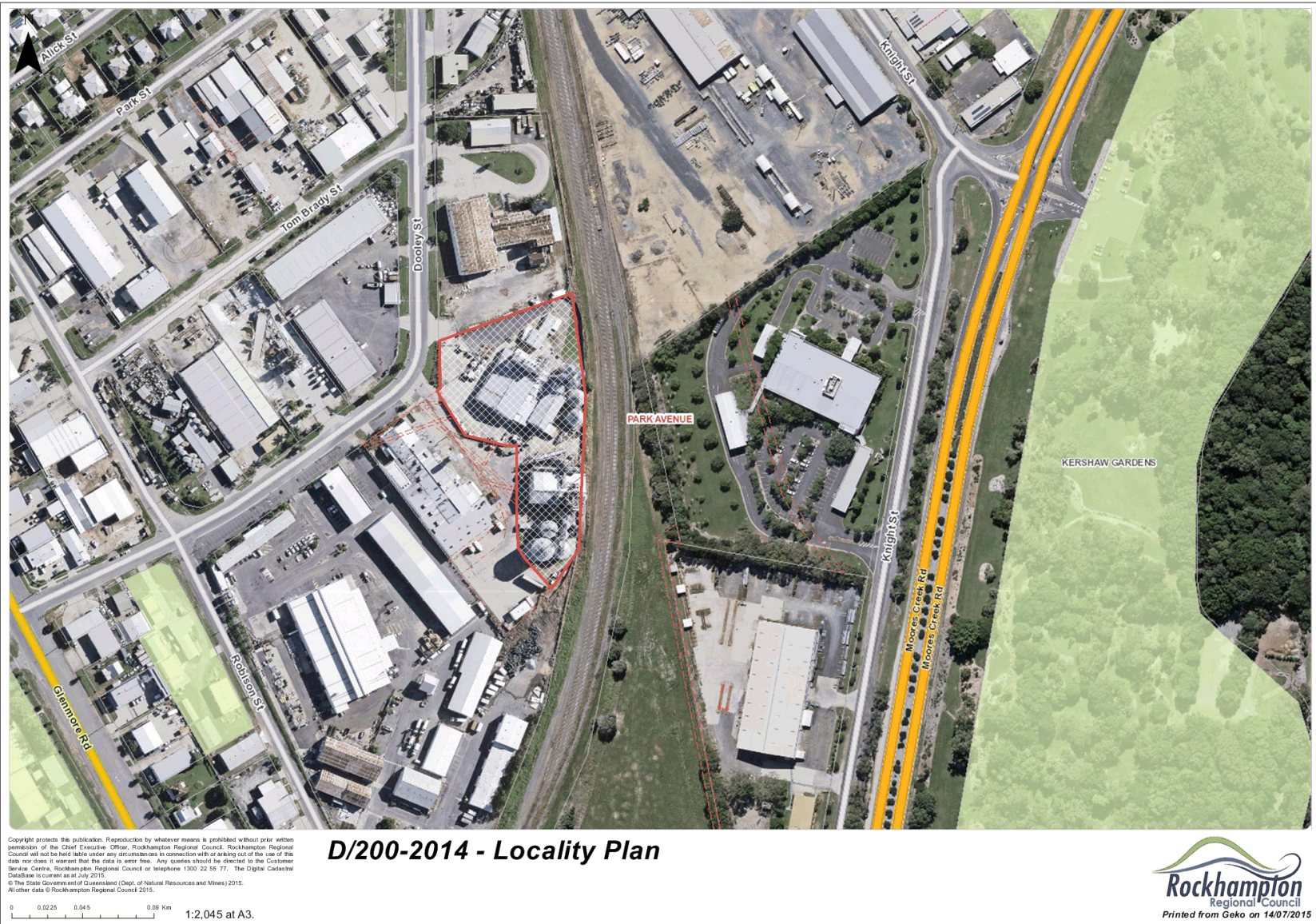
The development meets the eligibility criteria under the Development Incentives Policy and the applicant has demonstrated some economic benefits arising from the development. Therefore, in accordance with the policy, a fifty (50) per cent discount will be applied to the infrastructure charge and a refund of the development application fee will be provided.

**D/200-2014 - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR A DEVELOPMENT
PERMIT FOR A MATERIAL CHANGE
OF USE FOR A HIGH IMPACT
INDUSTRY**

Locality Plan

Meeting Date: 28 July 2015

Attachment No: 1



8.3 D/293-2014 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A VEHICLE DEPOT AND BULK STORE

File No: D/293-2014
Attachments: 1. Locality Plan
Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services
Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/293-2014
Applicant: NPM Constructions Pty Ltd
Real Property Address: Lot 102 on SP269986 (previously Lot 74 on RP604012), Parish of Gracemere
Common Property Address: 29 Macquarie Street, Gracemere
Rockhampton City Plan Area: Gracemere-Stanwell Zone – Medium Impact Industry Precinct
Type of Approval: Development Permit for a Material Change of Use for a Vehicle Depot and Bulk Store
Date of Decision: 14 April 2015
Application Lodgement Fee: \$5,255.00
Infrastructure Charges: \$84,521.46
Infrastructure charges incentive: All other areas – 50% discount
Incentives sought: Infrastructure Charges Concession
Refund of Development Application Fees

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a Vehicle Depot and Bulk Store, on Lot 102 on SP269986 (previously Lot 74 on RP604012), Parish of Gracemere, located at 29 Macquarie Street, Gracemere - Council resolves to Approve the following incentives if the use commences prior to 14 April 2018:

- a) A fifty per cent reduction of infrastructure charges to the amount of \$42,260.73;
- b) A refund of the development application fee of \$5,255.00 on commencement of the use; and
- c) That Council enter into an agreement with the applicant in relation to (a) and (b).

BACKGROUND**Project outcomes anticipated by applicant:**

NPM Constructions Pty Ltd has approval granted to establish an operational base to store vehicles and bulky goods.

New jobs and investment:

A minimum of ten (10) employees will be employed once the project is completed.

The applicant expects its turnover to grow by \$2.5 million each year for the next three (3) years and for its workforce to grow by an extra employee each year over the same time.

The project's capital cost was \$200,000.00 which was spent entirely with Rockhampton Region suppliers. The applicant also used Rockhampton Region consultants to undertake this project.

In the immediate future the applicant will spend a further \$500,000.00 on further goods and materials which again will be spent entirely with local suppliers.

Benefits of project for applicant's business:

This complex has enabled the applicant, which has another base in Parkhurst, to diversify its business and open a second wing of its business servicing rail from Gracemere. This adds to the self sufficiency of NPM Constructions Pty Ltd.

Benefits of project to Rockhampton Regional economy:

In accordance with the applicant's expectations, ten (10) people, five (5) by NPM Constructions Pty Ltd and five (5) by John Holland are currently employed in the complex.

Rockhampton Region professional sand contractors were used to undertake the \$200,000.00 renovation of the complex. The use of local contractors is set to continue in the future.

COMMENTS FROM RELEVANT UNITS

Infrastructure Operations Unit's Comments – 29 April 2015

Support, subject to comments.

Economic Development Unit's Comments – 26 May 2015

Support, subject to comments.

CONCLUSION

The development meets the eligibility criteria under the Development Incentives Policy and the applicant has demonstrated some economic benefits arising from the development. Therefore, in accordance with the policy, a fifty (50) per cent discount will be applied to the infrastructure charge and a refund of the development application fee will be provided.

**D/293-2014 - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR A DEVELOPMENT
PERMIT FOR A MATERIAL CHANGE
OF USE FOR A VEHICLE DEPOT AND
BULK STORE**

Locality Plan

Meeting Date: 28 July 2015

Attachment No: 1



9 STRATEGIC REPORTS

9.1 DEVELOPMENT & BUILDING SECTION - JUNE OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report - June 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 June 2015 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Development and Building Section report for June 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 Development Assessment team has worked consistently this month to achieve all targets, with all decisions being made, and decision notices being issued, within the statutory timeframes. Applications for the month were low.

Building Compliance

This month has seen a reasonable quantity of incoming building and plumbing applications.

The difference in received applications to approved applications is a function of the IDAS process v monthly reporting cycles.

Separate to the above the plumbing section has been undertaking a program of revision in relation to customer requests that date back to the amalgamation period. The tidy up rate has been good so far in relation to these Customer Requests, it may be that one will be referred to Council for further action.

CONCLUSION

It is recommended that the monthly operations report for the Development and Building Section be received.

DEVELOPMENT & BUILDING SECTION - JUNE OPERATIONS REPORT

Monthly Report - June 2015

Meeting Date: 28 July 2015

Attachment No: 1

MONTHLY OPERATIONS REPORT
PLANNING SECTION
Period Ended JUNE 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 June 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)	Avg Completion Time (days) Q4	
			Received	Completed												
Building Inspection Booking	0	0	1	1	0	0	1	<div></div>	1.00	<div></div>	0.33	<div></div>	1.07	0.25	<div></div>	0.50
Building Enquiry - General Info/Admin etc	45	3	47	30	59	0	5	<div></div>	1.50	<div></div>	4.09	<div></div>	11.94	3.65	<div></div>	2.55
Living in Illegal Premises	19	0	0	0	19	0	4	<div></div>	0.00	<div></div>	3.00	<div></div>	12.33	4.50	<div></div>	3.00
Other Building Compliant Issue	74	5	3	1	71	0	1	<div></div>	1.00	<div></div>	23.50	<div></div>	17.83	22.77	<div></div>	0.50
Poor Condition of Building	22	0	2	0	24	0	4	<div></div>	0.00	<div></div>	11.46	<div></div>	18.21	3.15	<div></div>	20.00
Pool Fence Issues	29	1	4	2	30	0	4	<div></div>	0.00	<div></div>	12.00	<div></div>	12.61	11.06	<div></div>	4.00
Retaining Wall Issues	5	0	0	0	5	0	4	<div></div>	0.00	<div></div>	6.00	<div></div>	15.75	16.43	<div></div>	8.00
Storm Water Complaint	57	1	1	0	57	0	4	<div></div>	0.00	<div></div>	20.89	<div></div>	31.06	22.31	<div></div>	2.00
Complaints MGM Landuse. (Section Use Only)	0	0	0	0	0	0	10	<div></div>	0.00	<div></div>	0.00	<div></div>	0.00	0.00	<div></div>	0.00
Planning Compliance Request/Enquiry	106	19	9	1	95	0	45	<div></div>	1.00	<div></div>	22.12	<div></div>	22.81	16.52	<div></div>	12.50
Duty Planner (New Enquiry)	8	3	131	126	9	3	1	<div></div>	0.52	<div></div>	0.44	<div></div>	0.36	0.34	<div></div>	0.48
Temporary Relocation of Business DueTo Disaster	0	0	0	0	0	0	5	<div></div>	0.00	<div></div>	0.00	<div></div>	0.00	0.00	<div></div>	0.00
Plan Sign Sealling - Contributions	0	0	0	0	0	0	10	<div></div>	0.00	<div></div>	1.00	<div></div>	1.00	1.00	<div></div>	3.00
Telephone Enquiry (Existing Application/Call Back)	2	1	35	32	4	0	1	<div></div>	0.56	<div></div>	0.61	<div></div>	0.90	0.66	<div></div>	0.62
Environmental Planning Enquiry	0	0	0	0	0	0	3	<div></div>	0.00	<div></div>	0.00	<div></div>	0.00	0.00	<div></div>	0.00
GIA Moratorium (Compliance)	0	0	0	0	0	0	45	<div></div>	0.00	<div></div>	0.00	<div></div>	0.00	0.00	<div></div>	0.00
Plumbing Inspection Booking	0	0	0	0	0	0	1	<div></div>	0.00	<div></div>	1.00	<div></div>	0.38	0.38	<div></div>	1.00
P&D Works without a Plumbing Permit	5	0	1	0	6	0	5	<div></div>	0.00	<div></div>	0.00	<div></div>	3.00	3.00	<div></div>	0.00
Requests for Toilet Counts	3	1	0	0	2	0	5	<div></div>	0.00	<div></div>	5.67	<div></div>	32.00	0.67	<div></div>	5.67
Onsite (Private) Treatment Plant Odours	5	1	0	0	4	0	5	<div></div>	0.00	<div></div>	1.00	<div></div>	64.00	37.50	<div></div>	0.00
P&D Waste Water Leaking to Adjoining Properties	7	0	2	1	8	0	5	<div></div>	9.00	<div></div>	17.33	<div></div>	23.00	14.67	<div></div>	5.00
Plumbing and Drainage - Quote Required	0	0	1	1	0	0	5	<div></div>	2.00	<div></div>	0.40	<div></div>	2.33	0.65	<div></div>	1.00
Plumbing and Drainage - Sanitary Drainage Plan	0	0	6	5	1	0	5	<div></div>	2.40	<div></div>	1.84	<div></div>	1.69	1.37	<div></div>	2.06
Plumbing Issues General	47	15	11	8	35	0	5	<div></div>	3.13	<div></div>	7.51	<div></div>	12.24	2.86	<div></div>	9.43
Planning Scheme Enquiry	0	0	4	4	0	0	5	<div></div>	1.25	<div></div>	0.75	<div></div>	1.00	1.00	<div></div>	0.86
Strategic Planning Development Certificates	0	0	41	41	0	0	3	<div></div>	1.85	<div></div>	6.92	<div></div>	4.32	4.24	<div></div>	5.89
Strategic Planning Enquiry	0	0	0	0	0	0	3	<div></div>	0.00	<div></div>	0.93	<div></div>	1.00	0.78	<div></div>	0.82

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		
	Apr	May	June
Number of Lost Time Injuries	0	1	0
Number of Days Lost Due to Injury	0	2	0
Total Number of Incidents Reported	0	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	91%	
Outdated legislative compliance mandatory training and/or qualifications	Various	78%	
Overdue performance reviews	Various	100%	

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
Rockhampton Regional Planning Scheme	N/A	N/A	N/A	<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: 5		
Applications decided: 23		
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: 29		
Applications decided: 40		
Building Approvals - Decisions are made within 20 business day timeframe	100%	83%

Plumbing		
Applications received: 12		
Applications decided: 43		
Compliance request are decided within 20 business day timeframe	100%	91%

FINANCIAL MATTERS

	Adopted Budget \$	Adopted Budget (Pro Rata YTD) \$	YTD Actual \$	YTD Commit + Actual \$	Variance %	On target 100% of Year Gone
DEVELOPMENT & BUILDING						
Development Compliance						
1 - Revenues	(825,000)	(825,000)	(25,065)	(25,065)	3%	x
2 - Expenses	930,368	930,368	6,155	6,155	1%	✓
3 - Transfer / Overhead Allocation	(102,342)	(102,342)	(9,447)	(9,447)	9%	x
Total Unit: Development Compliance	3,026	3,026	(28,357)	(28,357)	-937%	✓
Land Use						
2 - Expenses	385,243	385,243	164	164	0%	✓
Total Unit: Land Use	385,243	385,243	164	164	0%	✓
Development Assessment						
1 - Revenues	(1,755,500)	(1,755,500)	(41,537)	(41,537)	2%	x
2 - Expenses	1,620,559	1,620,559	15,667	15,667	1%	✓
3 - Transfer / Overhead Allocation	35,000	35,000	1,584	1,584	5%	✓
Total Unit: Development Assessment	(99,941)	(99,941)	(24,286)	(24,286)	24%	x
Grand Total:	288,328	288,328	(52,478)	(52,478)	-18%	✓

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 Confidential Development Status Report

This report is considered confidential in accordance with section 275(1)(h), of the *Local Government Regulation 2012*, as it contains information relating to 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 CONFIDENTIAL DEVELOPMENT STATUS REPORT

File No: 8038 / 4781 / 8431

Attachments:

1. Locality Plan
2. D/1723-2007 - Incomplete Development

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)(h), of the *Local Government Regulation 2012*, as it contains information relating to 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.

SUMMARY

This report summarises the development non-compliance of an industrial premises in Kawana.

14 CLOSURE OF MEETING