



# **PLANNING AND REGULATORY COMMITTEE MEETING**

## **AGENDA**

**3 APRIL 2018**

*Your attendance is required at a meeting of the Planning and Regulatory Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 3 April 2018 commencing at 9.00am for transaction of the enclosed business.*

A handwritten signature in black ink, appearing to be "CR", is positioned above the printed name and date.

**CHIEF EXECUTIVE OFFICER**  
28 March 2018

Next Meeting Date: 17.04.18

**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:

Councillor C E Smith (Chairperson)  
The Mayor, Councillor M F Strelow  
Councillor N K Fisher  
Councillor C R Rutherford  
Councillor M D Wickerson

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)  
Mr E Pardon – Chief Executive Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

**4 CONFIRMATION OF MINUTES**

Minutes of the Planning and Regulatory Committee held 13 March 2018

**5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA**

## **6 BUSINESS OUTSTANDING**

Nil

## **7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 D/90-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A TRANSPORT DEPOT AND AN EXTRACTIVE INDUSTRY

**File No:** D/90-2017

**Attachments:** 1. Locality Plan [↓](#)  
2. Site Plan [↓](#)

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Steven Gatt - Acting General Manager Community Services

**Author:** Bevan Koelmeyer - Planning Officer

#### SUMMARY

*Development Application Number:* D/90-2017

*Applicant:* G & L Thompson

*Real Property Address:* Lot 93 and Lot 96 on PL4022, Parish of Karkol

*Common Property Address:* Lot 93 and Lot 96 Nine Mile Road, Pink Lily

*Area of Site:* 18.5 hectares

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Rural Zone

*Planning Scheme Overlays:* Acid Sulfate Soils, Airport Environs, Biodiversity, Bushfire Hazard and Flood Hazard.

*Existing Development:* Cattle Grazing

*Existing Approvals:* Lot 93 on PL4022 - 8115-2007/G1HIST, Shed

*Approval Sought:* Development Permit for a Material Change of Use for a Transport Depot and an Extractive Industry

*Level of Assessment:* Impact Assessable

*Submissions:* One (1) properly made submission.

*Referral Agency(s):* Department of Infrastructure, Local Government and Planning

*Infrastructure Charges Area:* Charge Area 3

*Application Progress:*

<i>Application Lodged:</i>	28 July 2017
<i>Confirmation Notice issued:</i>	11 August 2018
<i>Request for Further Information sent:</i>	23 August 2017
<i>Request for Further Information responded to:</i>	1 December 2017
<i>Submission period commenced:</i>	11 December 2017
<i>Submission period end:</i>	18 January 2018
<i>Council request for additional time:</i>	27 February 2018
<i>Government Agency Response:</i>	1 March 2018
<i>Statutory due determination date:</i>	13 April 2018



**OFFICER'S RECOMMENDATION****RECOMMENDATION A**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Transport Depot and an Extractive Industry, made by G & L Thompson, on Lot 93 and Lot 96 on PL4022, Parish of Karkol, located at Lot 93 and Lot 96 Nine Mile Road, Pink Lily - Council resolves to Approve the application subject to the following conditions:

**1.0 ADMINISTRATION**

- 1.1 The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- 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 may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken, completed, and be accompanied by a Compliance Certificate for any operational works required by this development approval:
  - 1.3.1 to Council's satisfaction;
  - 1.3.2 at no cost to Council; and
  - 1.3.3 prior to the commencement of the use, unless otherwise stated.
- 1.4 Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the commencement of the use, unless otherwise stated.
- 1.5 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
  - 1.5.1 Operational Works:
    - (i) Road Works;
    - (ii) Access Works;
    - (iii) Stormwater Works;
    - (iv) Site Works; and
  - 1.5.2 Building Works.
- 1.6 The following Development Permits may be required (refer to condition 5.3) prior to the commencement of any works associated with their purposes:
  - 1.6.1 Plumbing and Drainage Works
- 1.7 All Development Permits for Operational Works and Plumbing and Drainage Works (if required) must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.9 All engineering drawings/specifications, design and construction works must be in accordance 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 any condition of this development approval:

Drawing/report title	Prepared by	Date	Reference number	Version/issue
Site Concept Plan	Dileigh Consulting Engineers	February 2018	D16.150-SK01 (Sheet 1 of 5)	Rev. D
Locality Plan	Dileigh Consulting Engineers	February 2018	D16.150-SK01 (Sheet 2 of 5)	Rev. D
Access Swept Paths	Dileigh Consulting Engineers	February 2018	D16.150-SK04 (Sheet 4 of 5)	Rev. D
Access Site Distance Check	Dileigh Consulting Engineers	February 2018	D16.150-SK05 (Sheet 5 of 5)	Rev. D
Post Developed Stormwater Catchments	Dileigh Consulting Engineers	28 June 2017	D16.150-SK12 (Sheet 2 of 4)	Rev. A
Music Sub-Catchments	Dileigh Consulting Engineers	28 June 2017	D16.150-SK13 (Sheet 3 of 4)	Rev. A
Site Sections (Lot 93)	Dileigh Consulting Engineers	28 June 2017	D16.150-SK14 (Sheet 4 of 4)	Rev. A
Acid Sulphate Soils Report	Construction Sciences	8 August 2017	2128E.P.639	Version A
Site Concept Plan (Mitigation Map)	Dileigh Consulting Engineers	June 2017	D16.150-SK01 (Sheet 1 of 2)	Rev. B
HES Wetland Impact Assessment	Denley Environmental	26 June 2017	Nil	Version C
Engineering Report	Dileigh Consulting Engineers	16 November 2017	Nil	Rev. 03
Flood Study of Riverine Flooding	Dileigh Consulting Engineers	28 September 2017	Nil	Rev. 01

- 2.2 Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

### 3.0 ROAD WORKS

- 3.1 A Development Permit for Operational Works (road works) must be obtained prior to

the commencement of any road works required by this development approval.

- 3.2 All road works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and relevant *Australian Standards* and *Austroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 3.3 Construction of the proposed access and associated road widenings at the intersection of Edwards Road and Nine Mile Road in accordance with the requirements of the *Capricorn Municipal Development Guidelines*, *Austroads Guidelines* and the *Main Roads Planning and Design Manual*.
- 3.4 Traffic signs and pavement markings must be provided in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*. Where necessary, existing traffic signs and pavement markings must be modified in accordance with the *Manual of Uniform Traffic Control Devices – Queensland*.

#### 4.0 ACCESS WORKS

- 4.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the development site.
- 4.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 4.3 All access, parking and vehicle manoeuvring areas must be constructed and surface treated in accordance with the approved site plan (refer to condition 2.1). All surface treatments must be constructed, operated and maintained in a manner so that there is no significant impact on the amenity of adjoining premises or the surrounding area being caused due to the emission of dust or resulting in sediment laden water.
- 4.4 The existing access to the development at Nine Mile Road must be closed.
- 4.5 A new access to the development must be provided within the unformed road reserve to align with Edward Street.

Note: 'Works In Road Reserve' (WIRR) approval must be obtained by the applicant to construct a private access within the road reserve.

- 4.6 The proposed access located within the road reserve must be maintained by the owner of the subject site at no cost to Council.
- 4.7 All vehicles must ingress and egress the development in a forward gear.
- 4.8 Any application for a Development Permit for Operational Works (access) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.
- 4.9 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"*.

#### 5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 All water works must be designed and constructed in accordance with the *Water Supply (Safety and Reliability) Act 2008* and *Plumbing and Drainage Act 2002*.
- 5.2 On-site water supply for domestic and fire-fighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each.
- 5.3 On-site sewerage treatment and disposal must be provided in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage

Policies. The on-site sewerage treatment and disposal area must not be located within the existing wetland areas or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.

Note: Alternatively, a portable toilet is accepted in place of on-site sewerage treatment and disposal being provided. The portable toilet must be appropriately secured to ensure it is resilient to weather conditions and must be located 500 millimetres above the Q100 Defined Flood Level. Waste generated by the portable toilet must be disposed of, when required, by an authorised regulated waste company. No contaminants are permitted to be released to land or water.

- 5.4 All sanitary drainage works must comply with *Australian Plumbing and Drainage Standard AS3500* Part 2 section 3 and 4 for flood affected areas.

6.0 STORMWATER WORKS

- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 6.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, and sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 6.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 6.5 Washdown bay must not be drained direct to the proposed wetland/detention basin without the water being treated. An oil and grease separator must be provided to the proposed washdown bay outlet. Oil and grease separator must be maintained by the owner at no cost to Council as per manufacture's standards.
- 6.6 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including retention systems, inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.
- 6.7 Any excavation or filling works occurring within the sand extractive area must not concentrate or divert stormwater into an adjoining property exceeding the existing pre-development scenario. Furthermore, should pondage occur this must be managed on-site and must not cause or allow ponding of water on any adjoining property. Any discharge of such pondage water to adjacent properties must be approved prior to any such occurrence.
- 6.8 The detention basin/bio-basin as identified on the approved plans (refer to condition 2.1) must be landscaped in accordance with Council's requirements. Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by detailed plans, specifications and a maintenance plan for the detention basin/proposed on Lot 93, and the design must:
- 6.8.1 be suitable to the climate and incorporate predominately native species;
  - 6.8.2 maximise areas suitable for on-site infiltration of stormwater;
  - 6.8.3 incorporate shade trees; and
  - 6.8.4 demonstrate that all areas apart from garden beds are fully turfed or

hydromulched.

7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 7.1 All roof and allotment 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.
- 7.2 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.

8.0 SITE WORKS

- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
- 8.2.1 the location of cut and/or fill;
  - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
  - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
  - 8.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
  - 8.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 8.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 8.4 Any application for a Development Permit for Operational Works (site works) must be accompanied by a detailed acid sulphate soil investigation report considering the whole extraction area. Should the results of the investigation indicate the presence of acid sulphate soils, then an appropriate management plan must be submitted to Council as part of any application for a Development Permit for Operational Works (site works). The detailed investigation and associated management plan must be carried out in accordance with the *Queensland Acid Sulphate Soil Technical Manual* and *State Planning Policy 2017*.
- 8.5 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 surrounding land or infrastructure.
- 8.6 Retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 8.7 All site works must be undertaken to ensure that there is:
- 8.7.1 a lawful point of discharge to which the approved works drain during construction phase.
- 9.0 BUILDING WORKS
- 9.1 A Development Permit for Building Works must be obtained for the proposed structures on the development site.
- 9.2 All buildings or structures located on site must not exceed a maximum height of ten (10) metres above the natural ground level.
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- 9.3 All non-habitable areas subjected to flood inundation during a one per cent (1%) Annual exceedance probability (AEP) flood event must be designed and constructed using suitable flood resilient materials.
- 9.4 A sealed area for the storage of oils, fuel and other fluids must be provided and must be a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability (AEP) floods inundation level.
- 9.5 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability (AEP) flood level.

#### 10.0 LANDSCAPING WORKS

- 10.1 A landscape buffer must be provided towards the front boundary of Lot 93 on PL4022. The buffer must be of an adequate length to screen the development from residences located to the east on the other side of Nine Mile Road. The buffer must incorporate dense planting of mature trees and be suitably designed in accordance with *Rockhampton Region Planning Scheme 2016 - Planning Scheme Policy 6.12*.
- 10.2 The landscaping buffer must be established within six (6) months of this decision taking effect, and is to predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 10.3 The landscape buffer must be subject to:
- 10.3.1 a watering and maintenance plan during the establishment moment; and
  - 10.3.2 an ongoing maintenance and replanting programme.
- 10.4 Landscaping, or any part thereof, upon reaching full maturity, must not obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications.

#### 11.0 ELECTRICITY

- 11.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.

#### 12.0 TELECOMMUNICATIONS

- 12.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.

#### 13.0 ASSET MANAGEMENT

- 13.1 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 undertaken and completed at no cost to Council.
- 13.2 Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway (including removal of concrete slurry from public land and Council infrastructure), that occurs while any works are being carried out in association with this development approval must be repaired at full cost to the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

#### 14.0 ENVIRONMENTAL

- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:
- (i) objectives;
  - (ii) site location and 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.

- 14.2 The Erosion and Sediment Control Plan must be prepared by a Registered Professional Engineer of Queensland in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the development works, and until all exposed soil areas are permanently stabilised (for example, turfed, hydromulched, concreted, landscaped). The plan must be available on-site for inspection by Council Officers whilst all works are being carried out.

- 14.3 No works are to commence on the site unless and until an Erosion and Sediment Control Plan has been approved by Council.

#### 15.0 ENVIRONMENTAL HEALTH

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

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

- 15.3 No contaminants are permitted to be released to land or water, including soil, silt, oils, detergents, etcetera. Any wash-down areas used for the maintenance or cleaning of equipment (including vehicles) must be appropriately bunded and drained to a holding tank and evaporated.

- 15.4 All chemicals and/or environmentally hazardous liquids must be contained within a covered, bunded storage area that has a volume of at least that of the largest container in the bund plus twenty-five percent (25%) of the total storage capacity.

- 15.5 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:

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

15.5.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and

15.5.3 waste bags and ties.

- 15.6 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.

- 15.7 All fuel dispensing areas must be drained to a holding tank. Contaminants within the holding tank must be removed and disposed of as regulated waste (for example, fuel, oil). Clean water can then be deposited to the stormwater system.

#### 16.0 OPERATING PROCEDURES

- 16.1 The extractive industry is approved for extracting and screening activities at a maximum threshold of 4,999 tonnes per annum. The development must be undertaken in accordance with the approved plans (refer to condition 2.1) and is not to include blasting or dredging.

Note: A detailed record of the extraction, including date, quantity extracted and transported from site must be maintained on site for inspection by Council.

- 16.2 During the course of the extractive industry use, overburden material is to be progressively returned to the worked areas. Rehabilitation must be the subject of ongoing management and maintenance during the course of the use and include revegetation of worked areas using appropriate species endemic to the area. Once the use has ceased, within six (6) months, the site must be fully rehabilitated and revegetated to reflect the pre-development condition of the land.

- 16.3 All overburden extraction material must be stored on the site's elevated gravel hardstand pad (refer to condition 2.1) at least 500 millimetres above the Q100 Defined Flood Level.

Note: Any incidental stock piling occurring within the extraction area must not exceed three (3) metres above the pre-development ground level scenario.

- 16.4 Any water encountered within the extractive pit must be appropriately returned free of contaminants, to within the pit. This water must not be pumped or extracted in any way as part of sand extraction operations for external use or drainage purposes.

- 16.5 To prevent the emission of dust, all extraction materials must be securely covered when stored and/or transported to or from the site.

- 16.6 The hours of operations for the development site must be limited to:

- (i) 0600 hours to 1800 hours on Monday to Friday, and
- (ii) 0630 hours to 1430 hours on Saturday,

with no operations on Sundays or Public Holidays.

- 16.7 Truck movements (to and from the development site) are to involve a maximum of ten (10) vehicle trips, on average, per day.

Note: One (1) trip is equivalent to the movements to arrive and depart the development site, or vice versa.

- 16.8 Vehicle servicing and maintenance is only to occur within the dedicated vehicle maintenance shed as per the approved plans (refer to condition 2.1).

- 16.9 For public safety purposes, it is the responsibility of the owner to keep (or upgrade) the site's existing fencing and ensure it is maintained for security and safety purposes.

- 16.10 Operations on the site must have no significant impact on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.

- 16.11 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine 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.

- 16.12 Where un-sealed surface treatments are utilised in access, parking and vehicle manoeuvring areas, contaminants such as oils or chemicals must not be released onto the surface treatment. All surface treatments must be operated and maintained in a manner so that there is no significant impact on the amenity of adjoining premises or the surrounding area being caused due to the emission of dust or resulting in sediment laden water.

Note: If the amenity impacts cannot be mitigated, the area must be sealed to



Council's satisfaction.

- 16.13 Contaminated water must not be directly or indirectly released from the premises on to the ground, into groundwater or natural run-off systems.
- 16.14 The developer must prepare a Flood Contingency Plan for the subject site that addresses but is not limited to the following:
- 16.14.1 The evacuation time;
  - 16.14.2 The distance to flood free land;
  - 16.14.3 The evacuation route; and
  - 16.14.4 The stage of the flood (defined flood event) when evacuation routes will be cut.
  - 16.14.5 Trigger points related to the Fitzroy River Gauge Height so adequate notice is given for evacuation. Supportive details as to how the amount of water over the evacuation route was determined for each trigger point;
  - 16.14.6 Details of how and where workshop items, motor parts, tyres, fluids and other equipment are to be stored 500 millimetres above the Q100 Defined Flood Level so they are not washed away; and
  - 16.14.7 Details of where the vehicles are to be stored during Flood Events
- Note: It is the responsibility of the owner or occupier of the land to implement the contingency plan during a flood event or if there is a risk of flooding near the land. A review and amendment of the plan must be undertaken with any change in the owner or occupier of the land. Council is not required to approve the Flood Contingency Plan and does not accept any liability for loss of or damage to property, or injury, or loss of life as a result of any person using or relying on the plan or failing to use the plan during a flood event.
- 16.15 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera) which is located on the elevated gravel hardstand pad (refer to condition 2.1) at least 500 millimetres above the Q100 Defined Flood Level. The owner of the land must ensure that:
- 16.15.1 the area is kept in a clean and tidy condition;
  - 16.15.2 no waste material is stored external to the waste storage area/s;
  - 16.15.3 must be treated properly within the site or removed by the owner;
  - 16.15.4 all wash down of refuse containers takes place in the existing washdown facility;
  - 16.15.5 contaminants/washdown does not discharge into water courses, drainage lines or onto adjoining properties; and
  - 16.15.6 the area is maintained in accordance with *Environmental Protection Regulation 2008*.
- 16.16 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Nine Mile Road.

#### 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 Partnerships website [www.datsip.qld.gov.au](http://www.datsip.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 development site during all stages of the development including earthworks, construction and operation.

**NOTE 3. Licensable Activities**

Should an activity licensable by Rockhampton Regional Council be proposed for the premises, Council's Environment and Public Health Unit should be consulted to determine whether any approvals are required. Such activities may include storage of flammable and combustible liquid and environmentally relevant activities such as motor vehicle workshop operations. Approval for such activities is required before 'fitout' 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. Clearing within Road Reserve**

It is a requirement under the *Nature Conservation Act 1992* that an approved Tree Clearing Permit is obtained from the Department of Environment and Heritage Protection, prior to any tree clearing activities that are to occur within a road reserve that is under Council control.

**RECOMMENDATION B**

That in relation to the application for a Development Permit for a Material Change of Use for a Transport Depot and an Extractive Industry, made by G & L Thompson, on Lot 93 and Lot 96 on PL4022, Parish of Karkol, located at Lot 93 and Lot 96 Nine Mile Road, Pink Lily - Council resolves not to issue an Infrastructure Charges Notice for the development.

**BACKGROUND**

**PROPOSAL IN DETAIL**

The proposed development is to establish an Extractive Industry (sand quarry) located at Lot 96 on PL4022 and an associated Transport Depot located at Lot 93 on PL4022. The co-location of the land uses is due to the availability of a sand resource on the rear lot which is to be extracted for use in the applicant's earthmoving business. The transport depot has two functions both as an ancillary aspect of the quarry use as well as to store and maintain owner/operator heavy vehicles and plant equipment to be used in the applicant's earthmoving business. Access to the site is to be gained utilising the site's adjacent unallocated road reserve.

The extractive material will not typically be used for resale purposes and will generally be used as part of the applicant's earthmoving activities on external construction sites. The extractive industry is of a scale less than 5,000 tonnes per annum for sand material extraction and screening activities. The proposed total extraction area will be around 3.52 hectares with only one (1) operational quarry pit at any given time being around 900m<sup>2</sup> in area.

The Transport Depot seeks to utilise an existing shed of 84m<sup>2</sup> for storage of plant and equipment, as well as a vehicle maintenance shed which will incorporate an unenclosed dome-style roof structure being approximately 300m<sup>2</sup> incorporating an enclosed gross floor area of 87.1m<sup>2</sup> for additional plant and equipment storage. The site will incorporate a base

pad for the existing storage shed and staff parking. The elevated pad will be used for heavy vehicle parking, plant and equipment storage, as well as vehicle servicing and maintenance purposes. An associated wash bay on the elevated pad will be used to clean plant, equipment and vehicles.

### **SITE AND LOCALITY**

The site is located on Nine Mile Road, Pink Lily and comprises of two lots described as Lot 93 on PL4022 and Lot 96 on PL4022. The site is located on the western side of Nine Mile Road, adjacent to the intersection with Edwards Road. The total site area is approximately 18.5 hectares and is currently utilised for rural purposes for small-scale cattle grazing. The site's topography is generally flat with the northern half of the site sloped slightly to the north with the balance of the site generally sloping toward a central depression. Lot 96 is vacant, unimproved land whereas Lot 93 has an existing base pad with a shed used to store items associated with the applicant's existing earthmoving business.

The site is designated in the Rural Zone and is surrounded by land within the same designation generally utilised for rural and large homestead purposes. The site is constrained by a number of overlays including but not limited to Flood Hazard (Fitzroy River) and Biodiversity, the latter predominantly concerned with the protected wetland areas located to the south and north of the site. The site is predominantly cleared except for scattered trees towards the southern boundary of both allotments and a small dense area of vegetation towards the northern boundary of Lot 93 on PL4022. The site is located outside of the priority infrastructure area and has existing access to a bore water supply and electricity connection however does not currently have a telecommunication connection or an on-site sewerage system.

### **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 assessment process provisions of the Development Assessment Rules, 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.

#### **Development Engineering Comments – (21 March 2018)**

Support, subject to conditions and comments.

#### **Public and Environmental Health Comments – (2 August 2017)**

Support, subject to conditions and comments.

### **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 2017**

The current State Planning Policy (SPP) came into effect on 3 July 2017 and replaces the previous SPP (April 2016). The new policy expresses the state's interests in land-use planning and development and contains a number of changes to better align with the *Planning Act 2016*. This policy requires development applications to be assessed against its requirements where they have not been appropriately reflected in the local planning scheme.

However, it is considered that the State Planning Policy is appropriately reflected in the current local planning scheme.

**Rockhampton Region Planning Scheme 2015****Strategic framework**

This application is situated within the Rural Area designation under the scheme's strategic framework map. The strategic framework themes and their strategic outcomes, as identified within Part 3 of the *Rockhampton Region Planning Scheme 2015* are applicable:

**(i) Settlement pattern**

- (1) The pattern of settlement is reinforced in accordance with the Strategic framework – settlement pattern maps (SFM-1 to SFM-4) and as defined in Table 3.3.2.2 – Strategic map designations and descriptions. Sufficient land has been allocated for residential, commercial, industrial and community uses to meet the needs of the region for at least twenty (20) years.
- (2) Residential development within Rockhampton and Gracemere will occur in urban areas, urban infill and intensification areas and new urban areas (greenfield areas). These areas are shown on the strategic framework maps SFM-2 to SFM-3.
- (3) Urban development in Mount Morgan will only occur within the urban area and local centre as shown on strategic framework map SFM-4.
- (4) Residential development is compact, encourages strong neighbourhoods with attractive places for residents, makes efficient use of land and optimises the delivery and use of infrastructure and services. Expansion beyond these identified areas will not occur to ensure a focus on urban infill and intensification areas and to avoid further encroachment on natural assets and ecologically vulnerable areas.
- (5) Sufficient land for employment growth has been identified in industrial areas, new industrial areas and centres (including proposed centres) at locations that can be most efficiently serviced with infrastructure and facilities.
- (6) Future urban areas and future industrial areas are the preferred location for greenfield development beyond 2026.
- (7) The settlement pattern provides for a diverse range of housing to meet changing demographic needs, and creates opportunities for more affordable living close to services and facilities. These housing options will help stimulate centres and community focal points, and assist in making the most efficient use of infrastructure and other public investment.
- (8) Higher density development is focussed around centres and public transport nodes and corridors. Increased residential densities will be encouraged in the urban infill and intensification areas in a range of dwelling types that are located to make public transport, walking and cycling more convenient, safe and viable.
- (9) The design of the built environment (including buildings, streets and public spaces) is consistent with the existing or desired character of the area and buildings are oriented to the street and public places. Development is undertaken in accordance with urban design principles.
- (10) Centres provide for employment, retail, accommodation, entertainment and community services that meet the needs of residential communities that are well connected by the public transport network.
- (11) Centres are based on a hierarchy that ensures the scale and form of development is appropriate to the location, and that the centres' roles and functions are appropriate within the wider planning scheme area.
- (12) Centres are consolidated within designated areas, and expansion does not occur into adjoining residential areas.

- (13) An integrated and high quality public open space network caters for the needs of residents, particularly in and around centres and higher density areas.
- (14) The continuing viability of areas that provide for economic development such as industrial and specific use areas is protected from incompatible land uses.
- (15) Limited rural residential areas provide for semi-rural living; however, these areas do not expand beyond the areas designated.
- (16) The productive capacity of all rural land is protected.
- (17) ***Rural lands and natural areas are maintained for their rural and landscape values.***
- (18) The scenic and environmental values of areas identified as nature conservation or natural corridor link are protected.
- (19) The cultural heritage of Rockhampton is conserved for present and future communities.
- (20) ***Development responds to natural hazards (flooding, bushfire, steep land, storm tide inundation and coastal erosion) by avoiding, mitigating, adapting and building resilience to natural hazards in areas mapped as being susceptible.***

### 3.3.6 Element – Rural (3.3.6.1 Specific outcomes)

- (1) ***Rural land has important economic, environmental and scenic values and provides for uses including primary production, mining and tourism.***
- (2) ***Rural land is not used for urban development within the 25 year planning horizon and is to be protected for its productive, landscape and natural resource values.***
- (3) ***Sensitive land use(s) in rural areas are not supported when in proximity to incompatible development (for example industrial and intensive rural uses) where the impacts cannot be mitigated.*** The special management area overlay provides a separation distance between industry (such as the Lakes Creek meatworks, Bajool explosives reserve, Marmor limeworks, landfill sites and the Gracemere industrial area) and new sensitive land use(s). Within this overlay no further subdivision or the establishment of new sensitive land use(s) is supported.
- (4) ***Development will not alienate or impact on the productive agricultural capacity of rural areas unless:***
  - (a) ***there is a significant and demonstrated need and public benefit from the proposal. It must also be demonstrated that the proposal cannot be located on alternative sites of lesser agricultural value; or***
  - (b) the subject land is located so that farming, either alone or in association with surrounding parcels, is not practicable.

***Editor's note—Productive agricultural land has been identified on the Agricultural Land Classification (ALC) overlay maps.***

- (5) Subdivision of rural land will be regulated by minimum lot sizes established to maintain land in viable sized parcels (no further fragmentation), aimed at maximising the productive potential of the land.
- (6) Subdivision of rural land into rural residential lots will not be supported, including areas adjoining land designated for rural residential development.
- (7) Residential and rural residential development is directed away from historical subdivisions as these areas are subject to constraints (such as flooding),

- have limited or no access to services and infrastructure and are isolated from community and other urban facilities.
- (8) Intensive rural uses that will have a negative impact on the water quality in mapped wetlands and waterways, in particular the Fitzroy River and Dam 7 at Mount Morgan will not be supported.
  - (9) The cropping and intensive horticulture precinct identifies areas where land use and development is primarily associated with cropping and intensive horticulture and the amalgamation of existing smaller lots into larger portions is encouraged.
  - (10) Intensive animal industry (particularly feedlots), is a potential growth industry but will be required to be located away from sensitive land use(s), areas subject to natural hazards and areas of environmental significance. These uses will also need to consider the impact and location with respect to the local transport network.
  - (11) The establishment of farm-stays and ecotourism will be supported to capitalise on the natural and scenic attractiveness of the area.
  - (12) Value-adding cottage industries in proximity to horticultural areas that could lead to strengthening of the local economy and promotion of collocated like uses will be supported. However, they should not detract from the productive capacity of the land and environmental and scenic values.
  - (13) ***Other uses with a nexus to rural uses will be accommodated where they do not impact on adjoining or nearby uses, on the capacity and safety of state controlled roads or result in fragmentation of rural land.***
  - (14) ***Transport and freight uses, which do not meet the definition of a home based business (heavy vehicle business), must be located within designated industrial areas or areas specifically identified elsewhere within this strategic framework rather than in rural areas.***
  - (15) Renewable energy technology uses will be supported where potential adverse impacts on adjoining and nearby uses can be mitigated, including impacts associated with noise, light, emissions, infrastructure requirements or transport movements on transport networks.
  - (16) Sustainable forestry and processing of forestry products will be encouraged in preferred locations such as designated state forest areas.
  - (17) The ongoing use of the Benedict Road, Peak Hill and Pink Lily key resource areas will be protected from the encroachment of incompatible uses by appropriate separation distances. Expansion of extractive operations in key resource areas and new extractive operations is supported, but will be required to minimise potential conflicts with nearby land uses, the natural environment and naturally occurring hazards. They must maintain a suitable standard of infrastructure services.

Editor's note—The extractive resources overlay identifies key resource areas and separation distances where incompatible land uses must not be located.

### **Complies.**

The development site is designated in a Rural Area of the strategic framework. The outcomes of this designation seek to ensure the productive capacity of all rural land is protected and rural values are maintained whilst also promoting suitable rural land to be used for purposes such as mining. It is noted that the balance site areas outside of the development footprint will continue to be used for small-scale grazing purposes considered an intrinsically rural use. The subject site is not designated as protected agricultural land and is considered suitable under the strategic outcomes to be utilised for mining activities.

The sand quarry material will not typically be used for re-sale purposes and is intended to only be used for the applicant's earthmoving activities on other construction sites, therefore the capacity and safety of both the local and State road network will not be compromised by the development. Whilst Transport Depot uses are not supported by the strategic outcomes in the Rural Area, the use is small-scale and is co-located to operate in conjunction with the extractive industry which is within the nexus of a rural use. The Transport Depot assists the Extractive Industry in leveraging economic benefits whilst the site continues to retain the rural and landscape values associated with the land.

Therefore the proposal complies with the strategic outcomes of the strategic framework for settlement pattern.

(ii) **Natural environment and hazards**

- (1) The natural environment and landscape are highly valued by the community for their contribution to the planning scheme area's biodiversity, economic prosperity, culture, character and sense of place. These areas are to be protected from incompatible development.
- (2) Development does not create unsustainable impacts on:
  - (a) the natural functioning of floodplains;
  - (b) environmentally significant areas, including areas of state and locally significant vegetation, which provide fauna habitat and support biodiversity; and
  - (c) the quality of water entering waterways, wetlands and local catchments.
- (3) Development does not increase the risk to human life and property in areas that are affected, or potentially affected, by storm-surge, erosion, sea-level rise or other coastal processes, flooding, bushfire, or landslide. This occurs through the avoidance of natural hazards in new development areas, particularly greenfield areas and the mitigation of risks in existing built up areas.
- (4) Strategic and iconic scenic and landscape values are protected from potential adverse impacts of development.

**Complies.**

The development avoids impacts to the mapped wetlands located within the northern and southern portions of the development site. Furthermore the application has demonstrated that the function of floodplains as a designated hazard on the development site will not be detrimentally impacted as a result of the development which incorporates some filling to provide flood immunity for the proposed elevated pad area.

Therefore the proposal complies with the strategic outcomes within the strategic framework for natural environment and hazards.

(iii) **Community identity and diversity**

- (1) The quality of life of residents is enhanced through equitable access to social infrastructure, community services and facilities necessary to support community health and well-being.
- (2) The community is self-sufficient and does not rely on services and facilities located in other regions. Development contributes to the provision of new social infrastructure, including land.
- (3) Cultural heritage including character housing and heritage buildings are conserved and enhanced.
- (4) Public places are safe, functional, characterised by good urban design, and include a range of facilities to encourage healthy and active lifestyles.

- (5) Crime prevention through environmental design is achieved in urban areas including public spaces to improve public safety.

**Not applicable.**

(iv) **Access and mobility**

- (1) Connectivity is achieved between residential uses, employment centres and services through the provision of active transport infrastructure integrated with efficient public transport services.
- (2) The trunk transport network (as shown on the strategic framework maps SFM-9 to SFM-12 and in plans for trunk infrastructure in the local government infrastructure plan) supports the settlement pattern and the local economy by facilitating the efficient and safe movement of people and goods both within the planning scheme area (especially between the main urban centres of Rockhampton and Gracemere), and to and from other locations.
- (3) The transport network encourages and supports active living in centres by providing for integrated walking, cycling, and public transport infrastructure to support a progressive reduction in car dependency.
- (4) The safety and efficiency of transport infrastructure, including the Bruce and Capricorn highways and other state and local roads, rail, airport and seaports, are not compromised by development.

**Complies.**

The development will incorporate approximately twenty (20) vehicle movements, on average, on a daily basis and gains access via Nine Mile Road which is classified as a Rural Arterial within the scheme's road hierarchy. The application has demonstrated that the road has sufficient capacity to incorporate the vehicle movements generated by the development. Furthermore, the location of the development's access within Council's road reserve is proposed to ensure safe ingress and egress movements to and from the site.

Therefore the proposal complies with the strategic outcomes within the strategic framework for access and mobility.

(v) **Infrastructure and services**

- (1) ***Infrastructure and services are planned and delivered in a logical and cost efficient manner in support of the planned settlement pattern. It is fit for purpose and is sensitive to cultural and environmental values. In particular:***
  - (a) ***efficient, affordable, reliable, timely and lasting infrastructure makes best use of public resources;***
  - (b) ***the long-term needs of the community, industry and business are met;*** and
  - (c) the desired standards of service in Part 4 — Local government infrastructure plan are achieved.

**3.7.2 Element – Inter-regional networks (3.7.1.1 Specific outcomes)**

- (1) ***Key sites and corridors for current and future infrastructure and services are identified, preserved and protected (for example through the use of separation areas). These sites and corridors include those shown on the strategic framework maps (SFM-9 to SFM-12).***
- (2) Federal, state and approved private infrastructure networks are delivered in an integrated and coordinated way that support the settlement pattern.



- (3) Telecommunications infrastructure meets the needs of the community, industry and business by ensuring reliable connection to national and international services.
- (4) Utility installations and infrastructure services and their corridors including bulk water supply and networks, gas pipelines and electricity transmission and distribution lines, are protected from encroachment and impacts of development. The location of these installations will be considerate of the amenity and safety of sensitive land use(s) (as shown on the strategic framework maps SFM-9 to SFM-12).
- (5) Development provides for the safe and efficient provision of energy infrastructure adequate to satisfy community's needs and where possible accommodate sustainable/alternative energy options such as solar.
- (6) Development in urban expansion areas provides adequate suitable land for electricity infrastructure, including land for substations and transmission lines, required to service or traverse the area.

#### **Complies.**

The proposal does deviate with respect to the strategic outcomes associated with the inter-regional networks. This outcome states that future infrastructure and services corridors are identified, preserved and protected to serve the long-term needs of the community, industry and businesses. The conflict occurs, as the site is located within the proposed alignment of the future State infrastructure road and rail corridor. The project is at an early stage and as a result, the proposed corridor is not subject to formal referral to the Department of Transport and Main Roads. The extractive industry is located within the proposed alignment and it is likely this will need to cease operations through an acquisition process led by the State to purchase the site. It is anticipated the Transport Depot may be able to operate within its existing or a smaller footprint if necessary to accommodate the State's corridor.

Therefore the application complies with the strategic outcomes within the strategic framework for infrastructure and services.

#### **(vi) Natural resources and economic development**

- (1) The economy of the planning scheme area continues to grow and provides the community with diverse and new employment opportunities. Rockhampton continues to strengthen as the retail, service, cultural and administrative centre for both the planning scheme area and the wider Central Queensland region.
- (2) ***The strategic importance of Rockhampton for transport and logistics industries is fostered, given its central location at the junction of the Bruce Highway, the Capricorn Highway (through to the Landsborough Highway) and the Burnett Highway (through to the Leichhardt Highway).***
- (3) The local community continues to value its traditional economic assets and natural resources and protects and conserves them and the contribution they make to maintaining and growing the region's economic prosperity, culture, character and sense of place. The region's traditional economic sectors of tourism and agriculture (including the iconic beef industry) continue to strengthen.
- (4) ***Development protects and, where possible, leverages the intrinsic economic value of the region's natural resources, including productive grazing, agricultural and forestry land, extractive and mineral resources, marine and coastal resources, and existing and planned water resources, including watercourses, water bodies and groundwater.***
- (5) Natural assets identified by this planning scheme are protected as they underpin current and emerging tourism opportunities and important lifestyle values for residents.

**Complies.**

The extractive industry land use is supported by the framework. The application has demonstrated it can protect the natural assets of the region most notably the designated wetlands located within and adjacent to the site. The use is expected to contribute to the local and regional economy as it leverages the intrinsic economic value within the site. Furthermore, the extractive industry development footprint will be rehabilitated and revegetated to allow future rural uses to occur on the site once the operations have ceased. The Transport Depot will support the Extractive Industry in its economic contribution to the region.

Therefore the application complies with the strategic outcomes within the strategic framework for natural resources and economic development.

The performance assessment of the proposal demonstrates that the development will not compromise the *Rockhampton Region Planning Scheme 2015* strategic outcomes.

**Rural Zone**

The subject site is situated within the Rural Zone under the *Rockhampton Region Planning Scheme 2015*. The purpose of the Rural Zone identifies that: -

- (1) The purposes of the rural zone code is to:
  - (a) provide for rural uses including cropping, intensive horticulture, intensive animal industry, animal husbandry, animal keeping and other primary production activities;
  - (b) ***provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and the landscape character of the rural area where they do not compromise the long-term use of the land for rural purposes; and***
  - (c) ***protect or manage significant natural resources and processes to maintain the capacity for primary production.***
- (2) The local government purpose of the zone code is to:
  - (a) ***ensure that land with productive capacity is maintained for a range of existing and emerging rural uses that are significant to the economy of the planning scheme area;***
  - (b) ***recognise that different types of rural land are suited to specific uses such as animal industries, horticulture, cropping, intensive animal industries, intensive grazing and extractive industries;***
  - (c) ***prevent the establishment of development which may limit the productive capacity of the land;***
  - (d) provide for diversification of rural industries where impacts can be managed; and
  - (e) ***maintain the environmental values of all rural land.***
- (3) The purpose of the zone will be achieved through the following outcomes:
  - (a) development in the zone accommodates predominantly rural uses;
  - (b) ***development:***
    - (i) ***does not detract from the scenic landscape features of rural land including the Fitzroy River, floodplains, lagoons, wetlands, salt pans, mountains and ridges and the coastline;***
    - (ii) ***is responsive to the environmental characteristics and constraints of the land, and minimises impacts on natural features such as waterways, wetlands and remnant vegetation;***

- (iii) ***has legal and practical access to the road hierarchy;***
- (iv) ***is serviced by infrastructure that is commensurate with the needs of the use; and***
- (v) ***maximises energy efficiency and water conservation;***
- (c) ***non-rural uses may be appropriate where they do not detract from the productivity or residential amenity of rural areas and can demonstrate:***
  - (i) a direct relationship with the rural use in the immediate locality; or
  - (ii) the potential to make a contribution to primary production or the diversification of rural industries; or
  - (iii) ***a need to be remote from urban uses as a result of their impacts;*** or
  - (iv) a need for a larger land area than is generally available in urban areas (for example, development for outdoor sport and recreation or community use);
- (d) ***development does not alienate or impact on the productive agricultural capacity of rural areas, in particular on land identified on the agricultural land classification (ALC) overlay maps;***

Editor's note—Agricultural land classified as Class A or Class B is identified on the agricultural land classification overlay map OM-13.
- (e) all rural land is protected from further fragmentation. A lack of viability for an existing farm or other small holdings does not justify their further subdivision or use for non-rural purposes;
- (f) animal keeping (being kennels and catteries), intensive animal industries, intensive horticulture, aquaculture and rural industries establish where they:
  - (i) are located on sites that are large enough to accommodate appropriate buffering to sensitive land uses, residential and emerging community zones. Intensive animal industries are preferred in proximity to the lower Fitzroy River, west of Ridgeland;
  - (ii) do not cause adverse impacts on sensitive land uses in relation to traffic, noise and air quality;
  - (iii) minimise water quality impacts;
  - (iv) protect natural, scenic and environmental values;
  - (v) do not diminish the productive capacity of other land nearby;
  - (vi) gain access from roads which are constructed to accommodate the traffic generated by the use; and
  - (vii) are not located in areas identified on the Agricultural Land Classification (ALC) overlay maps (except for intensive horticulture);
- (g) Rural workers' accommodation is appropriate where:
  - (i) directly associated with the primary rural use undertaken at the site;
  - (ii) compatible with the rural character of the zone;
  - (iii) not compromising the existing or potential future operation of rural uses on adjoining lots; and
  - (iv) not located in areas identified on the Agricultural Land Classification (ALC) overlay maps;
- (h) urban and rural residential development is contained within the designated growth areas and does not expand into the rural zone;
- (i) sensitive land uses are adequately separated from animal keeping (being kennels and catteries), intensive animal industry, aquaculture, rural industry, and

- industrial zoned areas (including the Gracemere industrial area, Stanwell power station, Bajool explosives reserve and Bouldercombe brickworks);
- (j) renewable energy facilities are located on sites that are large enough to accommodate appropriate buffering from sensitive uses and minimise adverse impacts on the natural environment;
  - (k) ***extractive industries (including Marmor limeworks) on rural land are protected from development and encroachment by incompatible uses;***
  - (l) ***extractive industry minimises environmental and traffic impacts. Once the operation has ceased the site is rehabilitated;***
  - (m) aquaculture activities may be integrated with horticulture operations, where benefits of diversification are evident and there are no adverse impacts on amenity, water quality and ecological values.

The development cannot be considered consistent with the purpose of the Rural Zone. The Extractive Industry use is supported by the purpose of the zone and is appropriately located on a site which is not high quality agricultural land and therefore not taking away productive land from rural purposes. Furthermore the application has demonstrated it can retain rural amenity and can effectively minimise environmental and traffic impacts. Once the Extractive Industry use has ceased operating, the site will be rehabilitated to its pre-development state to enable rural uses to occur on the site in the future. However, the Transport Depot land use is not consistent with the purpose of the zone despite operating in conjunction with the Extractive Industry. Despite this, the site is adequately separated from existing residences and is appropriately located in a remote area, minimising the influence of impacts associated with the use such as noise, dust and traffic. Furthermore the development indicates that small-scale cattle grazing will be retained on the site.

### **Rockhampton Regional Planning Scheme Codes**

The following codes are applicable to this application: -

- Rural Zone Code;
- Extractive Industry Code;
- Access, Parking and Transport Code;
- Filling and Excavation Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code;
- Water and Sewer Code;
- Flood Hazard Overlay Code;
- Biodiversity Overlay Code;
- Bushfire Hazard Overlay Code;
- Acid Sulfate Soils Overlay Code; and
- Airport Environs Overlay Code.

An assessment has been made against the requirements of the abovementioned codes and the proposed development generally complies with the relevant Performance outcomes and Acceptable outcomes. An assessment of the Performance outcome/s which the application is in conflict with, is outlined below:

Rural Zone Code		
Performance Outcome/s		Officer's Response
PO29	Transport and freight uses, which do not meet the definition of a home based business involving (heavy vehicles), are not established in the rural zone.	<p><b><u>Justified:</u></b></p> <p>The proposal cannot comply with the performance outcome as the development seeks approval for a Transport Depot land use involving heavy vehicles.</p> <p>The application has however demonstrated that the use will be of a small-scale with there being an average of ten (10) vehicle trips occurring within the business' daily hours of operation which has been included in condition 14.3. Furthermore, the land use operates in association with the Extractive Industry to transport extractive materials from the site to be used externally. The application has demonstrated the safety and capacity of the transport network is capable of incorporating the use. Furthermore, the application has demonstrated that any amenity impacts associated with the use are minimal. Therefore the Transport Depot use is justified despite conflicting with the performance outcome.</p>

Extractive Industry Code		
Performance Outcome/s		Officer's Response
PO2	Where practical the extractive industry is to be screened from nearby sensitive land use(s) or residential zoned areas and from state controlled roads.	<p><b><u>Justified:</u></b></p> <p>The proposal does not provide a vegetated buffer along all boundaries of the site. However it will be appropriately screened from nearby sensitive land uses located to the east of the site as required by condition 9.1. Despite this the site is located over 500 metres from the nearest dwelling house located at Lot 92 on SP120229 (17 Edwards Road, Pink Lilly). Furthermore the proposal will retain the site's existing vegetation located outside of the extractive area. The extractive industry is not located in close proximity to sensitive land uses, residentially zoned areas or State-controlled roads. Therefore the alternative solution to provide screening on part of the site's road frontage boundary is justified against the performance outcome.</p>
PO4	The development minimises dust impacts upon adjoining properties.	<p><b><u>Justified:</u></b></p> <p>The proposal does not provide sealed internal access however will be constructed of a gravel hardstand material. Dust emissions are not anticipated to impact on adjoining properties and condition 14.4 has</p>

		been included to ensure the development manages amenity matters associated with the development. Furthermore all heavy vehicles transporting materials are required to be securely covered as required by condition 13.5 and condition 13.6 requires that any overburden extractive materials be securely covered and stored on the proposed elevated pad area. Therefore the Extractive Industry use is justified against the performance outcome.
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Access, Parking and Transport Code		
Performance Outcome/s		Officer's Response
PO1	<p>Access driveways are located to avoid conflicts and designed to operate efficiently and safely, taking into account:</p> <ul style="list-style-type: none"> <li>(a) the size of the parking area;</li> <li>(b) the volume, frequency and type of vehicle traffic;</li> <li>(c) the need for some land uses (for example hospitals) to accommodate emergency vehicle access;</li> <li>(d) the type of use and the implications on parking and circulation, for example long-term or short-term car parking;</li> <li>(e) frontage road function and conditions; and</li> <li>(f) the capacity and function of the adjoining street system.</li> </ul>	<p><b><u>Justified:</u></b></p> <p>The proposal does not comply with the requirement for access driveways to be located a minimum of twenty-five (25) metres from a signalised road intersection. The proposed location of the access driveway is within Council's road reserve as recommended by Council's engineers. This was considered to be the best outcome in integrating the development efficiently and safely with the capacity and function of Nine Mile Road and its intersection with Edwards Road. Therefore the proposal is justified against the performance outcome.</p>
PO2	<p>Access driveways do not disrupt existing road or footpath infrastructure.</p>	<p><b><u>Justified:</u></b></p> <p>The proposal does not comply with the requirement for access driveways to be sealed. Despite this, the development's access driveway will be constructed of gravel hardstand and surface treated to minimise any dust emissions caused by vehicle movements, as required by condition 3.4. Furthermore, due to the location of the access driveway being within a Council road reserve at the current intersection of Edwards Road and Nine Mile Road there is anticipated to be changes to the associated street signs which may be removed, added and/or relocated as a result of the access location as required by condition 3.11. The access driveway will integrate with the existing roads infrastructure and therefore the proposal is justified against the performance outcome.</p>

Flood Hazard Overlay Code		
Performance Outcome/s		Officer's Response
PO9	<p>Development directly, indirectly and cumulatively avoids:</p> <ul style="list-style-type: none"> <li>(a) creating flowpath obstacles; or</li> <li>(b) increasing water flow velocity or flood levels; and</li> <li>(c) does not increase the potential for flood damage on the premises or on other properties.</li> </ul>	<p><b><u>Justified:</u></b></p> <p>The development does not comply with the requirement for there to be no changes to depth, duration or velocity of floodwaters within the premises or to any changes to flood characteristics outside the premises.</p> <p>The application included a site-based flood study which demonstrated the development does have minor impacts on the above flood characteristics. The proposal includes filling to construct an elevated pad area which includes an unenclosed vehicle maintenance structure, overburden extractive materials, heavy vehicles, as well as plant and equipment. The result of filling the area will result in a finished surface level of this elevated pad area which will be approximately 900 millimetres above the defined flood level.</p> <p>The flood hazard assessment demonstrated that the off-site floodwater characteristics are minimal with respect to variances levels and velocity. The rural properties with dwellings located to the east of the site will have an increased flood level of approximately seven (7) millimetres and an increased velocity of seven (7) millimetres (per second) or less than a 0.7% increase. These changes to off-site flood characteristics are an accepted deviation from the existing off-site flood characteristics. The development does not create flowpath obstacles with the proposed vehicle maintenance structure located above the defined flood levels and the potential for flood damage on the premises or on affected properties is a negligible increase.</p> <p>Therefore the proposal is justified against the performance outcome.</p>
PO12	<p>Development has safe access to the local evacuation centres and evacuation services.</p>	<p><b><u>Justified:</u></b></p> <p>The development cannot provide trafficable access to and from the development site if affected by a flood event with the height of inundations with respect to the road access for the development, approximately 1.24 metres.</p> <p>However due to the nature of the business, vehicles can remain on-site and be kept on the elevated pad above the defined flood level and workers will not be on-site during an inundation with operations closed</p>

		temporarily. Condition 14.5 requires the applicant to develop and implement an evacuation plan prior to the commencement of use. This can be implemented in the development's operational procedures and ceases the necessity for the development to provide trafficable access to local evacuation centres and services. Therefore the proposal is justified against the performance outcome.
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Based on a performance assessment of the above mentioned codes, it is determined that the proposal is acceptable and generally complies with the relevant Performance outcomes 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 Region Planning Scheme 2015*. Council should note, however, that pursuant to the *Planning Act 2016* a development can be approved on its merits. The merits to support the development are as follows:

- a) The proposed Transport Depot is small-scale and will operate in conjunction with the Extractive Industry use which is a productive use of the small rural site.
- b) The subject site can be rehabilitated once the Extractive Industry has ceased. Therefore the development will not restrict the land being used for rural purposes in the future or possible State Infrastructure to utilise the land.
- c) The proposed activities will not restrict or adversely impact on the nearby rural uses or the capacity and safety of the road network.
- d) The proposal is well buffered to sensitive uses by both distance and landscape screening.
- e) The proposed development will not detract from the scenic landscape features and environmental characteristics of the locality.
- f) The flood impacts of the development are negligible with respect to both people and property.
- g) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- h) Assessment of the development against the relevant zone purpose, 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
- i) 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 merits to justify a decision that favours the alternative land uses proposed herein.

### **INFRASTRUCTURE CHARGES**

Adopted Infrastructure Charges Resolution (No. 5) 2015 for non-residential development applies to the application and it falls within Charge Area 3. The Infrastructure Charges are as follows:

Column 1 Use Schedule		Column 2 Charge Area	Column 3 Adopted Infrastructure Charge	Column 4 Adopted Infrastructure Charge for	Calculated Charge
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					stormwater network		
			(\$)	Unit	(\$)	Unit	
Industry	All other uses as per AICN 4/14 Table 2.2.1	Area 3	12.50	per m <sup>2</sup> of GFA	0	per m <sup>2</sup> of impervious area	171.1m <sup>2</sup> of GFA x \$12.50 = \$2,138.75
Specialised Uses	All uses as per AICN 4/14 Table 2.2.1	All Areas	Decided by <i>Local Government</i> at time of assessment.				Nil
			Total				\$2,138.75
			Less credit				<b>\$14,000.00</b>
							<b>Nil</b>

This is based on the following calculations:

- (a) A charge of \$2,138.75 for Gross Floor Area being 171.1 square metres (existing storage shed and shipping containers); and
- (b) An Infrastructure Credit of \$14,000.00, made up as follows:
  - (i) \$14,000.00 - Infrastructure Credit applicable for the existing two (2) allotments.

Therefore, no infrastructure charges are payable for the development and an Infrastructure Charges Notice will not be issued.

### **CONSULTATION**

The proposal was the subject of public notification between 11 December 2017 and 18 January 2018, as per the requirements of the *Planning Act 2016* and the Development Assessment Rules, and one (1) properly made submission was received.

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

<b>Issue</b>	<b>Officer's Response</b>
Rural Character	<p>The submission expressed concerns as to the nature of the development with respect to the character of the rural zoning designation.</p> <p>The application has demonstrated that the Extractive Industry can be supported as a productive use of the land whilst managing associated environmental and amenity impacts. The Transport Depot operates in association with the mining use and is co-located for operational efficiency benefits. Furthermore, the application indicates that small-scale grazing, an intrinsically rural use, will continue to occur on the unimproved areas of the site.</p> <p>The application has demonstrated the benefits of the Extractive Industry whilst managing and mitigating any amenity issues including but not limited to dust, noise and traffic associated with the Transport Depot use within the Rural Zone.</p> <p>Therefore the application has addressed the submitter's concern.</p>
Flood Levels	<p>The submission expressed concerns as to the potential impacts to flood levels as a result of the development.</p> <p>The applicant's site-based flood hazard assessment indicated the proposed filling to construct an elevated pad area would be negligible impacts to off-site flood levels.</p>

Issue	Officer's Response
	<p>The highest change to off-site flood levels is approximately thirteen (13) millimetres to the north of the development site which is mapped Wetlands and this has been approved by the Department of Environment and Heritage Protection as a referral agency for the application. The affect to rural properties with dwellings, located to the east of the site is a maximum of seven (7) millimetres affecting the northern portion of Lot 92 on SP120229 at 17 Edwards Road, areas where there are structures and the dwelling located on this property are only affected by an increased flood level of approximately one (1) millimetre.</p> <p>The impacts to flood levels are negligible and do not change the characteristics of the floodplain. Therefore the application has addressed the submitter's concern.</p>
Dust	<p>The submission expressed concerns about the potential for dust to be generated by the development.</p> <p>The application indicated that extraction material would be stored in stockpiles on the elevated pad area and the gravel hardstand as the road-base for the internal access. Both aspects are appropriately managed through conditions to manage the impacts and this can be monitored by Council should a nuisance complaint be received in the future. Furthermore heavy vehicle loads and the extractive material stockpile areas are both required to be securely covered as an operational procedure.</p> <p>The impacts generated by dust are minimal and are appropriately managed by the conditions of the development. Therefore the application has addressed the submitter's concern.</p>
Noise	<p>The submission expressed concerns about the potential for noise to be generated by the development.</p> <p>The application will operate within the hours of 6.00AM to 6.00PM from Monday to Friday and 6.30AM to 2.30PM on Saturday with no operations proposed for Sunday or public holidays. These operating hours align with the requirements of the planning scheme.</p> <p>It is noted the development footprint of the site which will involve sand extraction and heavy vehicle operations/maintenance is located over 510 metres from the closest sensitive land use being a dwelling house at Lot 92 on SP120229 at 17 Edwards Road. Furthermore the vehicle trips associated with the development will be on average, ten (10) per day considered to be of an appropriate scale with respect to the surrounding land uses in the area. The development can be monitored by Council should a nuisance complaint be received in the future.</p> <p>The impacts generated by noise are minimal and are appropriately managed by the conditions of the development. Therefore the application has addressed the submitter's concern.</p>
Traffic	<p>The submission expressed concerns the traffic generated by the development would have a detrimental impact to the road network.</p> <p>The applicant undertook a Traffic Impact Assessment which incorporated Council's traffic count data as well as current development approvals utilising Nine Mile Road. The assessment demonstrated the road has sufficient capacity as a Rural Minor Collector (as classified by the Planning Scheme) to facilitate the development without causing detrimental impacts to the road network's safety or capacity. The development can be monitored by Council should a nuisance complaint be received in the future.</p>

Issue	Officer's Response
	<p>The impacts generated by traffic are minimal and are appropriately managed by the conditions of the development. Therefore the application has addressed the submitter's concern.</p>
Ring Road Alignment	<p>The submission expressed concerns about the site's location being in proximity to the alignment of the future State road and rail corridor (i.e. ring road).</p> <p>The Department of Transport and Main Roads (DTMR) was afforded the opportunity to provide their comments as a 3<sup>rd</sup> Party Advice agency for the application (not a formal referral agency). The department's initial comments were received on 23 August 2017 and they expressed objections to the project on a number of grounds including but not limited to: protecting the corridor, costs implications and the precedent of an approval for the establishment of new land uses or intensification of existing uses within the corridor.</p> <p>As the application underwent the process of public notification, the department was given the opportunity to make formal representations to object to the proposal however no submission was received. The development does not propose any buildings or structures that would necessarily impact on the project corridor. The Transport Depot is likely to remain when the ring road is constructed with only a small portion of Lot 93 affected. Lot 96 where the extractive industry is located is affected more and would either have to significantly down-scale operations or cease entirely which is more likely as there will no longer be a legal access to a Council road and the State have already advised no direct access will likely be granted to the proposed Ring Road. Furthermore, the proposal is a small-scale quarry with proposed pit dimensions at any given time of 900m<sup>2</sup>. The land can be returned to its natural state with rehabilitation (i.e. filling the pit and re-vegetating worked areas) and this is included with the requirements of condition 16.2 for full rehabilitation to be completed within 6 months of operations ceasing.</p> <p>It is considered unreasonable to refuse the application on the basis of the State's project with which there still remains uncertainty of its operational date and as the land uses subject to this application can otherwise be supported. The submitter's concern has been addressed by the application.</p>
Water Table (Hydrology)	<p>The development has existing access to bore and tank water which is sufficient in providing water supply for the development. The extractive industry pit is likely to come into contact with the water table due to the nature of the use. Condition 16.4 requires the development to return any water contacted within the pit directly to the water table and that this water must be free of contamination, water will not be extracted or pumped for external use. Initial soil testing conducted indicates there is no presence of acid sulphate soils however the applicant will be required to conduct a more detailed assessment prior to operational works to confirm this. Should this result in acid sulphate soils being found and at risk of being disturbed within the extractive pit, then an acid sulphate management plan will need to be prepared which addresses this issue including its interaction with groundwater contacted in the water table to ensure no contamination occurs and the integrity of the underground water supply is not compromised.</p> <p>Therefore the application can be adequately managed to protect the hydrology of the water table and therefore addressed the submitter's concern.</p>

## **REFERRALS**

The application was required to undergo referral to the State Referral Agency under the provisions of the *Planning Regulation 2017* as per the trigger: Schedule 10, Part 20, Division 4, Table 3 – Material Change of Use of premises in a wetland protection area.

The application was approved subject to conditions which are to be attached to the Decision Notice.

### **STATEMENT OF REASONS**

<b>Description of the development</b>	The proposed development is for Material Change of Use - Transport Depot and Extractive Industry
<b>Reasons for Decision</b>	<p>a) The proposed Transport Depot is small-scale and will operate in conjunction with the Extractive Industry use which is a productive use of the small rural site.</p> <p>b) The subject site can be rehabilitated once the Extractive Industry has ceased. Therefore the development will not restrict the land being used for rural purposes in the future or possible State Infrastructure to utilise the land.</p> <p>c) The proposed activities will not restrict or adversely impact on the nearby rural uses or the capacity and safety of the road network.</p> <p>d) The proposal is well buffered to sensitive uses by both distance and landscape screening.</p> <p>e) The proposed development will not detract from the scenic landscape features and environmental characteristics of the locality.</p> <p>f) The flood impacts of the development are negligible with respect to both people and property.</p> <p>g) The proposed use does not compromise the strategic framework in the Rockhampton Region Planning Scheme 2015;</p> <p>h) Assessment of the development against the relevant zone purpose, 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</p> <p>i) The proposed development does not compromise the relevant State Planning Policy.</p>
<b>Assessment Benchmarks</b>	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> <li>• Rural Zone Code;</li> <li>• Extractive Industry Code;</li> <li>• Access, Parking and Transport Code;</li> <li>• Filling and Excavation Code;</li> <li>• Landscape Code;</li> <li>• Stormwater Management Code;</li> <li>• Waste Management Code;</li> <li>• Water and Sewer Code;</li> </ul>

	<ul style="list-style-type: none"> <li>• Flood Hazard Overlay Code;</li> <li>• Biodiversity Overlay Code;</li> <li>• Bushfire Hazard Overlay Code;</li> <li>• Acid Sulfate Soils Overlay Code; and</li> <li>• Airport Environs Overlay Code.</li> </ul>	
<b>Compliance with assessment benchmarks</b>	The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.	
	<b>Assessment Benchmark</b>	<b>Reasons for the approval despite non-compliance with benchmark</b>
	Rural Zone Code	The application has demonstrated that the Transport Depot use will be of a small-scale and that its amenity impacts such as dust, traffic and noise can be appropriately managed through its operations and with effective conditions. Furthermore the use supports the Extractive Industry which is a consistent use within the purpose of the zone and will safely and efficiently integrate with the transport network.
	Extractive Industry Code	The application has demonstrated that the development will be appropriately screened for nearby sensitive land uses with a proposed vegetation buffer toward its road frontage with Nine Mile Road. The proposed internal access will be constructed of gravel hardstand and surface treated as required to minimise the effect of dust emissions.
	Access, Parking and Transport Code	The access driveway will be sealed and is proposed to be located within Council's road reserve as the best outcome to ensure the development efficiently and safely integrates with the road network.
	Flood Hazard Overlay Code	The site-based flood hazard assessment demonstrated that the development has a negligible impact to the flood levels and velocity for off-site and does not provide an increased risk to people or property. The development will not have trafficable access during a flood event however the flood contingency plan will ensure the operations are resilient in their processes to evacuate the site before inundation occurs.

Matters raised in submissions	Issue	How matter was dealt with
	Rural Character	The application demonstrated that the Extractive Industry can be supported as a productive use of the land whilst managing associated environmental and amenity impacts. The Transport Depot operates in association with the mining use and is co-located for operational efficiency benefits.
	Flood Levels	The application's site-based flood assessment demonstrated the change to flood levels was negligible and determined there is not an increased risk to people or property.
	Dust	The dust emissions for the development will be managed through operational requirements to secure extractive materials when stored and transported from the site. Furthermore, nuisance complaints received by Council will require the applicant to undergo monitoring of the issue and provide mitigation measures.
	Noise	The noise emissions for the development will be managed through appropriate operating hours and through managing vehicle movements to ensure the operational scale is managed. Furthermore, nuisance complaints received by Council will require the applicant to undergo monitoring of the issue and provide mitigation measures.
	Traffic	The application's traffic impact assessment demonstrated the development would not have a detrimental impact to the road network having regard to both safety and capacity. Furthermore the operating hours and the vehicle movements have been managed in conditions to ensure the operation remains at a scale appropriate in maintaining the surrounding local amenity.
	Ring Road Alignment	The application is not proposing any buildings or structures within the alignment and the Department of Transport and Main Roads did not make formal representations to object to the application during the public notification stage. Furthermore, the extractive pit

		can be rehabilitated to facilitate the alignment once the project is more mature and the State take action to acquire the land associated with the development. It is considered unreasonable to refuse the application due to the uncertainty with the operational date of the alignment project and as the land uses subject to the application can otherwise be supported.
	Water Table (Hydrology)	The development involving extraction is required to return any water contacted back to the pit and this must not be contaminated. The application included an initial assessment which indicated there are no acid sulphate soils within the extractive pit. The applicant is required to conduct a more prior to operational works. If acid sulphate soils are found, the applicant will need to prepare a management plan which includes addressing the water table/hydrology matter with respect to water contacted by the extractive operations.
<b>Matters prescribed by regulation</b>	<ul style="list-style-type: none"> <li>• The <i>State Planning Policy – Part E</i>;</li> <li>• The <i>Central Queensland Regional Plan</i>;</li> <li>• The <i>Rockhampton Region Planning Scheme 2015</i>.</li> <li>• The common material, being the material submitted with the application.</li> </ul>	

## CONCLUSION

The proposal for an Extractive Industry is supported by the purpose of the Rural Zone however the Transport Depot land use cannot be considered consistent with the purpose of the zone designation. However, the development does not conflict with the strategic framework and generally complies with the requirements of the relevant codes. In addition there was only one (1) properly made submission received for the application and all matters raised have been appropriately addressed by the applicant.

Therefore the proposal is regarded as having sufficient grounds to recommend approval subject to conditions outlined in the recommendation.

**D/90-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A TRANSPORT  
DEPOT AND AN EXTRACTIVE  
INDUSTRY**

**Locality Plan**

**Meeting Date: 3 April 2018**

**Attachment No: 1**



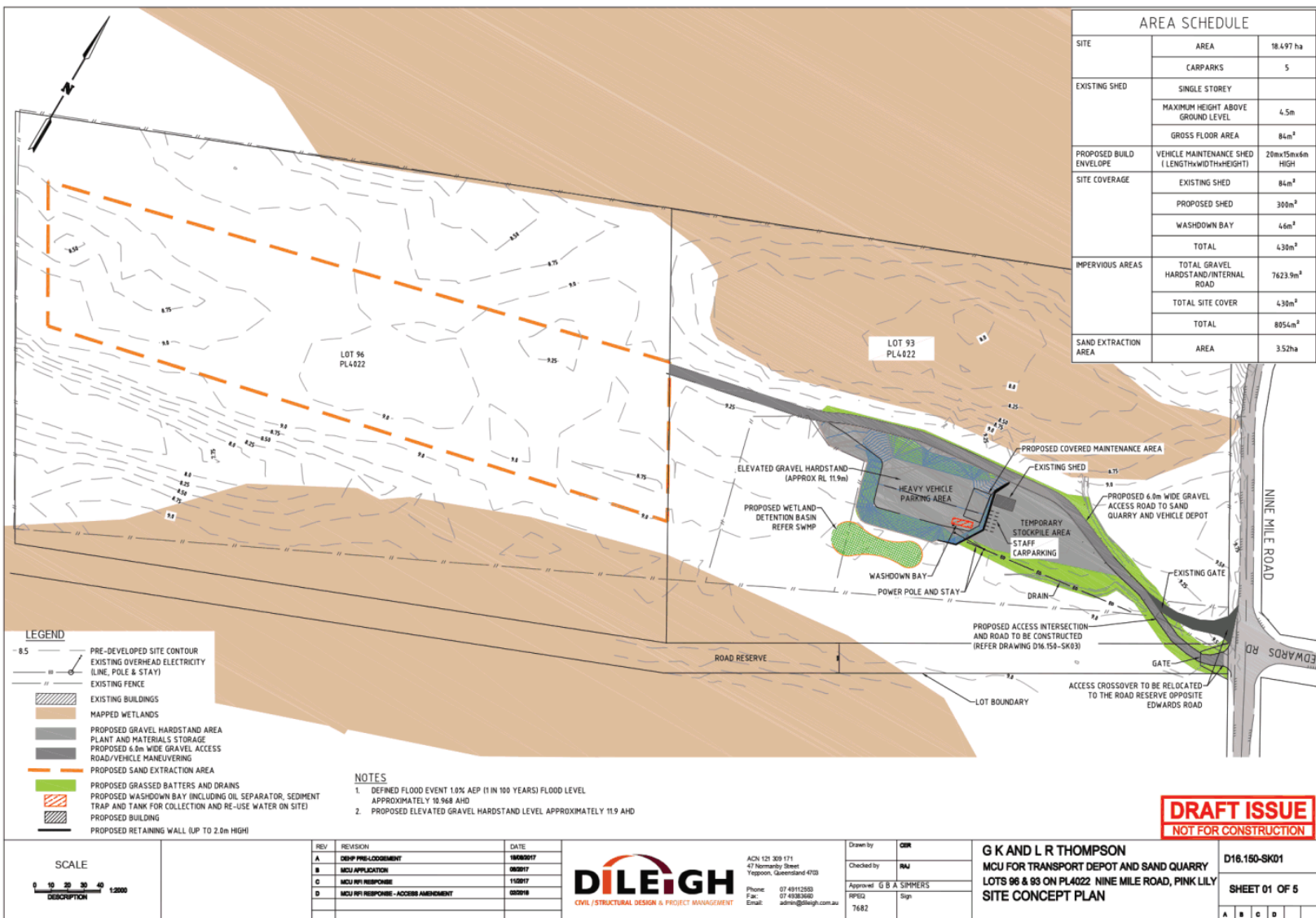


**D/90-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A TRANSPORT  
DEPOT AND AN EXTRACTIVE  
INDUSTRY**

**Site Plan**

**Meeting Date: 3 April 2018**

**Attachment No: 2**



**8.2 DECISIONS UNDER DELEGATION - FEBRUARY 2018**

**File No:** 7028  
**Attachments:** Nil  
**Authorising Officer:** Steven Gatt - Acting General Manager Community Services  
**Author:** Tarnya Fitzgibbon - Coordinator Development Assessment

**SUMMARY**

*This report outlines the development applications received in February 2018 and whether they will be decided under delegation or decided by Council.*

**OFFICER'S RECOMMENDATION**

THAT this report into the applications lodged in February 2018 be received.

**BACKGROUND**

Matters are referred to Committee for decision where:

- Refusals;
- The development is inconsistent with the intent of the zone;
- Submissions are received during the notification period.

The following applications were received in February 2018. They will be decided in the following manner:

Application type	Address	Decision
D/7-2018 – Operational Works for Road Works, Drainage Works, Stormwater, Earthworks, Water and Sewage Infrastructure. The primary approvals are ROL (one lot into 9 lots) and MCU for Multiple Dwelling (10 Units).	Lot 172 Foulkes Street, Norman Gardens	Delegation
D/8-2018 – Operational Works for Landscaping Riverside Estate Stages 8A and 8B. The primary approval is for ROL (one lot into 93 lots, plus public use land)	Lot 501 Riverside Drive, Parkhurst	Delegation
D/10-2018 – ROL (two lots into two lots)	6 Birch Street, Park Avenue	Delegation
D/11-2018 – Building Works Assessable Against the Planning Scheme (Community Use – Amenities Block)	16-20 Bridge Street, Berserker	Already approved under delegation.
D/12-2018 – MCU for Food and Drink Outlet	106 George Street and 73 Archer Street, Rockhampton City	Impact assessable so may go to Committee

D/13-2018 – Building Works Assessable Against the Planning Scheme (Outdoor Sport and Recreation – Brothers AFL Coaches Boxes)	128 Western Street, West Rockhampton	Already approved under delegation
D/14-2018 – Operational Works for an Advertising Device (Wall Sign)	341-380 Bolsover Street, Depot Hill	Delegation
D/17-2018 – ROL (one lot into two lots)	Lot 3 Alton Downs-Nine Mile Road, Alton Downs	Impact assessable so may go to Committee
D/18-2018 – Operational Works for Roadworks. The primary approval is for a House.	625 Montgomerie Street, Lakes Creek	Delegation

For some matters it is not possible to determine if they will go to Committee until the notification period ends. If there have been submissions the application will go to Committee to be decided.

#### **CONCLUSION**

This report outlines the applications received in February 2018 and the manner in which they will be decided.

**8.3 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - FEBRUARY 2018****File No:** 1464**Attachments:**

1. Monthly Operations Report for Planning and Regulatory Services - February 2018 [↓](#)
2. Traffic Light Report - February 2018 [↓](#)

**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Steven Gatt - Acting General Manager Community Services

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**SUMMARY**

*The Monthly Operations Report for the Planning and Regulatory Services Section for February 2018 is presented for Councillor's information.*

**OFFICER'S RECOMMENDATION**

THAT the Planning and Regulatory Services Monthly Operations Report for February 2018 be 'received'.

**COMMENTARY**

The monthly operations report for the Planning and Regulatory Services Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2017/2018 Operational Plan Key Performance Indicators.

# **MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - FEBRUARY 2018**

## **Monthly Operations Report for Planning and Regulatory Services - February 2018**

**Meeting Date: 3 April 2018**

**Attachment No: 1**





## Monthly Operations Report

*Planning and Regulatory Services*

*February 2018*

### 1. Highlights

#### **Health and Environment – Environmental Health**

Westwood experienced an influx of little red flying foxes during month. This is the first time Westwood has experienced such a significant influx of flying foxes. At the peak it is believed approximately 45,000 flying foxes were roosting in Westwood across a variety of land. Officers have continually monitored the sites and provided assistance and advice to the residents of Westwood. The public toilets were closed for a number of weeks and a consultant has been engaged to undertake an assessment of the area. It is believed, that at the end of February, the number of little red flying foxes in Westwood had decreased. Clean up processes are being planned.

### 2. Innovations, Improvements and Variations

#### **Local Laws**

The body-worn camera trial has concluded with successful results being achieved. The capturing of real time footage and automatic storage of documents has proven to be advantageous with time and cost savings incurred. Recommendation has been made to the ISSG to implement body-worn cameras throughout the unit.

#### **Health and Environment**

The weed trailer hire process has been transferred to the Booking module of Pathway. This streamlines the process and allows Customer Service Officers to advise a customer immediately if a trailer is available for hire.

#### **Development Assessment**

The design, layout and branding for the Development Advice Centre was completed with contractors scheduled to commence work in March.

All staff are trained and undertaking relevant duties providing customers with a consistent approach to all areas of development including building, plumbing and planning related matters.



### 3. Customer Service Requests

Response times for completing customer requests in this reporting period for *February* are outlined in the *Traffic Light Report for Planning and Regulatory Services*. Refer attachment 2.

The Planning and Regulatory Services section has received 2,294 customer requests for February. Of these 1,895 have been completed giving an average completion rate of 82% across the spectrum of operations.

#### **Local Laws**

Local Laws has received 625 customer requests in the reporting period of February, completing 423 within the period. The unit continues to provide quality customer service whilst experiencing high levels of requests for service.

A snapshot of high profile customer requests received for the month is provided below illustrating the high level of activity within the unit:

- 89 dog registration enquires;
- 103 wandering animal customer requests;
- 40 barking dog stage 1 complaints;
- 51 overgrown allotment customer requests.

#### **Health and Environment**

Councils Vector Management Unit received 42 misting complaints during February; this is attributed to the rainfall at the end of the month.

Councils Environmental Health Unit has received an increase in flying fox enquiries and complaints; these are directly related to the presence of the little red flying foxes in Westwood.

#### **Building, Plumbing and Compliance**

The unit received 117 requests for the month, of these 76 were completed. Of those received, 36 requests related to general building enquiries and 31 requests were for sanitary and drainage plans.

#### **Development Assessment**

The Development Assessment Unit received 176 requests during February. As at 1 March 2018 all but three had been completed.

#### 4. Service Delivery

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Local Laws			
Dog registration enquiry customer requests (89)	10 days	1.80 days	Operational
Wandering animal customer requests (103)	10 days	0.69 days	Operational
Barking dog stage 1 customer requests (40)	30 days	3.29 days	Operational
Health and Environment			
Annual inspection of licensed food businesses undertaken	488 premises	56% completed	Operational
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken	9 premises	33% completed	Operational
Annual inspection of devolved licensed environmentally relevant activities undertaken	16 premises	6% completed	Operational
Development Assessment			
Acknowledgement notices (where required) sent out within 10 business days of applications being properly made	100%	100%	Operational
Information Requests (where required) sent out within timeframes required under SPA and PA	100%	100%	Operational
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under SPA and PA)	100%	100%	Operational
Decision notices are issued within 5 business days of the decision being made	100%	100%	Operational
Building			
Action notices and confirmation notices (where required) sent out within 10 business days of applications being lodged	100%	91.5%	Operational
Information requests (where required) sent out within timeframes under <i>Planning Act 2016</i>	100%	100%	Operational
Building approvals – decisions are made within a 20 business day timeframe	100%	100%	Operational
Plumbing			
Plumbing and Drainage Approvals – decisions are made	100%	100%	Operational

within 20 business day timeframes			
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## 5. Legislative Compliance and Standards

### *Legislative timeframes*

Item	Due Date	Compliant? (Yes/No)	Status
Local Laws			
Certificate IV (Government Investigations)	Various	80%	Assessment due April 2018
Environment and Public Health			
Council's Ground Distribution Contract Licence	6 April 2020	Yes	Current
Pest Management Officers AC/DC Licenses	Various	Yes	Current
Vector Management Officers Pest Management Technicians Licenses	Various	Yes	Current
Payment of Pest Management Government Charges to DAFF	3 February 2018	Yes	Current
Building, Plumbing and Compliance			
Compliance Officers Powers of Entry	Various	Yes	Current
C Class Drivers Licence	Various	Yes	Current
Cert IV (Government Investigations)	Various	80%	Assessment due April 2018

## 6. Operational Plan Targets by Section

Operational Plan Ref	Action	Target	Status
1.1.4	Maintain Council buildings and facilities		
1.1.4.4	Completion of a new animal pound facility at Gracemere	Completed in accordance with project schedule	Plumbing and Drainage works were in progress throughout February.  Project is being closely monitored and is currently on schedule.
1.3.2	Public safety initiatives that enhance public amenity and lifestyle		
1.3.2.1	Prevention of disease an adverse impact of domestic animals	Implement actions in accordance with the Animal Management Guidelines	No incidents to report during the period.
		Implement public health programs in accordance with schedule	
2.2.3.1	Support programs that assist people with seeking employment		
2.2.3.1	Support programs that encourage residents to transition away for social support options	Consider options in budget planning to support employment programs in 2018/19	Options for suitable employment programs for 18/19 are being investigated.  It is anticipated that the Section will utilise the traineeship program currently offered.
3.1.3	Provide effective weed, pest animal and environmental health management programs		
3.1.3.1	Implement strategic plans to advise community on programs	Achieve strategy outcomes in the Biosecurity Plan in accordance with timeframes	With the plan now adopted work has commenced with the preparation of an action plan.
4.2.1	Ensure public health, safety, local policies and law are adhered to		
4.2.1.1	Provide effective development management programs in line with legislative requirements for environment health, food, safety, notice, odour and dust protection	Compliance with statutory codes and regulations	The Environmental Health Unit received 1 environmentally relevant activity, 1 odour and 3 water contamination complaints during February. All investigations have been completed.  36 food related enquiries and 1 complaint was received, two enquires are under current

Operational Plan Ref	Action	Target	Status
			investigations. 9 requests in relation to flying foxes were received, all in relation to the influx in Westwood. All of these requests have been completed.
4.2.1.2	Provide formal and informal education opportunities to the public to ensure the community are aware of their legislative obligations	Education program implemented in accordance with program milestones	Planning continues on a number of projects including: Wild Dog Workshop, Good Neighbour Guide and the Snip and Chip Program.
4.2.2	<b>Monitor compliance and trigger legislative changes</b>		
4.2.2.3	Provide a diverse range of compliance tools to a wide range of amenity, health, and safety issues across the community to enhance liveability	Develop an enforcement manual by 30 June 2018	Enforcement Manual is in the final stages of completion.
5.2.1	<b>Council's decision making, planning and reporting processes provide transparent and accountable governance</b>		
5.2.1.8	Monitor and review non-compliance of legislative requirements.	Report on legislative non-compliance included in sectional reports presented to Council on a monthly basis.	No non-compliances in decision making, planning and reporting processes identified.  These are investigated as required and updated process applied.
5.3.1	<b>Council's resources are allocated in an efficient and effective manner</b>		
5.3.1.1	Workforce planning is reviewed to ensure that resourcing levels meet business needs in accordance with budget allocations	Review workforce requirements in accordance with budget schedule	Resourcing levels are continually being monitored to ensure the business needs are being met, whilst in accordance with allocated budget.  Current resourcing in the Pest and Vector fields does not meet business needs but is in accordance with budget allocation.

## 7. Operational Projects

As at period ended February – 66% of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Local Laws					
Snip and Chip	Jan 18	May 18	Planning	\$17,000	
Issuing of Dog Registration Renewals	Jun 18	Sept 18	Planning	\$20,000	
Health and Environment					
Biosecurity Plan	Commenced	Dec 17	Completed	Operational budget	
Dengue Management Plan	Commenced	March 18	Adopted at Committee, to be presented to Council 6 March 2018.	Operational budget	
Enforcement Guideline			Awaiting enforcement manual and policy. Enforcement manual in final draft.	Operational budget	
Story Books (food safety, mosquitos) – education tools	Commenced	May 18	Story books second design received, final content review occurring.	Operational budget	
In field devices to record activity in the field	Commenced	May 18	The inspection application continues to be trialled. Anomalies identified, IT is assisting to rectify.	Operational budget	
Building, Plumbing and Compliance					
Backlog of outstanding customer requests	1 Jul 17	1 Jan 18	Completed	Operational	

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
				budget	
Business Improvement Project	1 Jul 17	1 Jun 18	Review of current process has been completed with the focus now on moving forward with implementation of efficiency gains.	Operational budget	Within budget
Work flow alignment	21 Aug 17	1 Jun 18	Proposed model has been built to align with the unit moving towards online lodgements of applications.	\$10,000	Nil
Development Assessment					
Outstanding infrastructure charges	Jun 2017	Dec 18	Outstanding charges continue to be collected by writing to the applicant and sending a tax invoice.	Within budget	Within budget
Development Advice Centre	Jul 2017	Jun 18	Staff are trained and undertaking the tasks identified for the Centre. Construction of the centre is due to commence in March with an expected opening of early April.	Within approved Budget for staff	Within budget

## 8. Budget

## End of Month General Ledger - (Operating Only) - COMMUNITY SERVICES



## As At End Of February

Report Run: 12-Mar-2018 14:28:21 ; Excluding 2914, 2918, 2919, 2814, 2917, 2924, 1801, 1806, 1807, 1901, 1906

	Adopted Budget FULL YR	Revised Budget YTD	Revised Budget	YTD Actual	EOM Commitments	Commit + Actual	Variance %	On target 66.7% of Year Gone
	\$	\$	\$	\$	\$	\$		
<b>Planning and Regulatory Services</b>								
<u>Development Assessment</u>								
Revenues	(807,066)	(560,604)	(840,906)	(519,565)	0	(519,565)	93%	★
Expenses	1,292,143	982,146	1,473,219	959,481	62,650	1,022,132	104%	✓
Transfer / Overhead Allocation	30,630	20,420	30,630	18,126	0	18,126	89%	★
<b>Total Unit: Development Assessment</b>	<b>515,707</b>	<b>441,962</b>	<b>662,943</b>	<b>458,043</b>	<b>62,650</b>	<b>520,693</b>	<b>118%</b>	<b>★</b>
<u>Building, Plumbing and Compliance</u>								
Revenues	(762,880)	(486,027)	(729,040)	(491,627)	0	(491,627)	101%	✓
Expenses	1,130,867	753,911	1,130,867	759,954	6,273	766,227	102%	✓
Transfer / Overhead Allocation	(105,696)	(70,464)	(105,696)	(71,566)	0	(71,566)	102%	✓
<b>Total Unit: Building, Plumbing and Compliance</b>	<b>262,291</b>	<b>197,420</b>	<b>296,131</b>	<b>196,761</b>	<b>6,273</b>	<b>203,033</b>	<b>103%</b>	<b>✓</b>
<u>Health &amp; Environment</u>								
Revenues	(189,489)	(126,326)	(189,489)	(84,902)	0	(84,902)	67%	★
Expenses	2,556,478	1,703,138	2,554,616	1,339,416	64,655	1,404,071	82%	★
Transfer / Overhead Allocation	353,717	235,811	353,717	168,589	0	168,589	71%	★
<b>Total Unit: Health &amp; Environment</b>	<b>2,720,707</b>	<b>1,812,623</b>	<b>2,718,845</b>	<b>1,423,103</b>	<b>64,655</b>	<b>1,487,758</b>	<b>82%</b>	<b>★</b>
<u>Local Laws</u>								
Revenues	(1,420,867)	(947,245)	(1,420,867)	(751,542)	0	(751,542)	79%	★
Expenses	2,853,790	1,861,878	2,792,816	1,556,815	100,676	1,657,491	89%	★
Transfer / Overhead Allocation	256,157	170,771	256,157	139,654	0	139,654	82%	★
<b>Total Unit: Local Laws</b>	<b>1,689,080</b>	<b>1,085,404</b>	<b>1,628,106</b>	<b>944,927</b>	<b>100,676</b>	<b>1,045,603</b>	<b>96%</b>	<b>✓</b>
<u>Planning and Regulatory Services Management</u>								
Expenses	917,963	491,258	736,887	239,043	1,533	240,576	49%	★
Transfer / Overhead Allocation	0	0	0	775	0	775		★
<b>Total Unit: Planning and Regulatory Services Management</b>	<b>917,963</b>	<b>491,258</b>	<b>736,887</b>	<b>239,818</b>	<b>1,533</b>	<b>241,351</b>	<b>49%</b>	<b>★</b>
<b>Total Section: Planning and Regulatory Services</b>	<b>6,105,748</b>	<b>4,028,668</b>	<b>6,042,912</b>	<b>3,262,651</b>	<b>235,787</b>	<b>3,498,438</b>	<b>87%</b>	<b>★</b>
<b>Grand Total:</b>	<b>6,105,748</b>	<b>4,028,668</b>	<b>6,042,912</b>	<b>3,262,651</b>	<b>235,787</b>	<b>3,498,438</b>	<b>87%</b>	<b>★</b>



## 9. Section Statistics

<i><b>Program Activity</b></i>	<i><b>Dates/s Held</b></i>	<i><b>Visitor/Participant Numbers</b></i>	<i><b>Comments</b></i>
Health and Environment			
Surveillance Program under Biosecurity Act - Monthly	1 – 28 Feb 2018	28 properties inspected	14 properties were detected with Rubber vine, 13 with Lantana and 9 with Harissa Cactus
Surveillance Program under Biosecurity Act – total program	1 Dec 2017 – 30 Nov 2018	42 properties inspected	Rubber vine, Harissa Cactus and Lantana continue to be the most prevalent invasive plants identified. Over half of the properties inspected have these weeds identified as being present.
<b>Applications/Inspections</b>		<b>Feb 18</b>	<b>Comments</b>
Number of Food Business Licence Applications		2	
Number of Short Term Food Business Licence Applications		2	
Number of Mobile Food Business Licence Applications		1	
Total Number of Food Business Licences		490	Does not include short term food business licenses.
Number of Annual Inspections for Food Business Licences YTD		274	

**Local Laws*****Registered Dogs***

Description	Nov 17	Dec 17	Jan 18	Feb 18	Financial YTD
New Dogs Registered	209	124	151	167	1,785
Dog Registration Renewals	91	37	48	39	12,504
<b>Total</b>	<b>300</b>	<b>161</b>	<b>199</b>	<b>206</b>	<b>14,289</b>

***Declared Dogs***

Description	Nov 17	Dec 17	Jan 18	Feb 18	Financial YTD
Dangerous Dogs	5	3	1	1	42
Menacing Dogs	0	1	1	0	49
Restricted Dogs	0	0	0	0	1

***Infringements Issued***

Description	Nov 17	Dec 17	Jan 18	Feb 18	Financial YTD
Parking Infringements	558	304	270	303	3,056
Animal Infringements	77	13	32	33	490
Local Law Infringements	6	1	24	15	72
<b>Total</b>	<b>641</b>	<b>318</b>	<b>326</b>	<b>351</b>	<b>3,618</b>

**Development Assessment**

Description	Nov 17	Dec 17	Jan 18	Feb 18	Financial YTD
New Applications	11	9	7	11	93
Request to Change Applications	0	2	1	7	24
Development Incentives Applications	4	1	0	0	8
<b>Total Received</b>	<b>15</b>	<b>12</b>	<b>8</b>	<b>18</b>	<b>125</b>
<b>Total Decided</b>	<b>16</b>	<b>8</b>	<b>15</b>	<b>20</b>	<b>139</b>

**Building**

Description	Nov 17	Dec 17	Jan 18	Feb 18	Financial YTD
Concurrence Applications	17	7	10	14	90
Domestic Building Works	8	6	19	15	79
Commercial Building Works	4	0	1	2	19
<b>Total Received</b>	<b>29</b>	<b>13</b>	<b>30</b>	<b>31</b>	<b>188</b>
<b>Total Decided</b>	<b>22</b>	<b>17</b>	<b>18</b>	<b>28</b>	<b>167</b>

**Plumbing**

Description	Nov 17	Dec 17	Jan 18	Feb 18	Financial YTD
New Applications	31	20	28	35	250
<b>Total Decided</b>	<b>39</b>	<b>23</b>	<b>16</b>	<b>29</b>	<b>235</b>

# **MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES - FEBRUARY 2018**

## **Traffic Light Report - February 2018**

**Meeting Date: 3 April 2018**

**Attachment No: 2**

## All Monthly Requests (Priority 3) Planning & Regulatory Services 'Traffic Light' report February 2018

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Dog Registration Enquiry	23	22	89	83	7	0	10	● 1.80	● 4.31	● 3.81	3.18
Animals (more than permitted number)	5	5	11	3	7	1	30	● 4.00	● 15.48	● 41.20	14.81
Building Inspection Booking	0	0	0	0	0	0	1	● 0.00	● 1.00	● 11.60	11.00
Building Enquiry - General Info/Admin etc	11	9	36	28	5	5	5	● 3.25	● 4.05	● 7.82	4.37
Living in Illegal Premises	0	0	1	0	0	1	30	● 0.00	● 3.00	● 30.33	25.00
Other Building Compliant Issue	9	9	5	2	1	2	30	● 3.50	● 5.82	● 601.52	11.41
Poor Condition of Building	1	1	3	2	0	1	30	● 1.50	● 2.10	● 29.07	15.86
Pool Fence Issues	5	5	4	3	0	1	30	● 3.67	● 2,365.36	● 1,607.16	18.00
Retaining Wall Issues	1	0	0	0	1	0	30	● 0.00	● 0.00	● 8.25	8.25
Storm Water Complaint	1	1	3	2	0	1	30	● 3.50	● 7.83	● 16.63	6.68
Complaints MGM Landuse. (Section Use Only)	0	0	0	0	0	0	10	● 0.00	● 0.00	● 0.00	0.00
Planning Compliance Request/Enquiry	20	16	23	14	8	5	30	● 15.43	● 31.48	● 30.74	32.65
Dog Attack on Animal (Confirmed)	0	0	0	0	0	0	10	● 0.00	● 0.00	● 0.00	0.00
Dog Attack on Person (Fear) CSO	7	5	11	3	10	0	20	● 6.33	● 12.05	● 13.45	9.50
Dog Attack on Animal (Alleged) CSO	18	11	13	3	16	1	20	● 3.00	● 13.96	● 14.75	9.92
Dog Attack on Person (Bite) CSO	3	1	3	2	3	0	20	● 4.50	● 17.17	● 14.43	9.09
Duty Planner (New Enquiry)	5	5	77	74	0	3	1	● 0.49	● 2.80	● 1.74	1.73
Temporary Relocation of Business DueTo Disaster	0	0	0	0	0	0	35	● 0.00	● 0.00	● 0.00	0.00
Plan Sign Sealling - Contributions	0	0	0	0	0	0	10	● 0.00	● 0.00	● 7.00	7.00
Telephone Enquiry (Existing Application/Call Back)	1	1	24	24	0	0	1	● 0.38	● 0.70	● 1.59	1.52
GIA Moratorium (Compliance)	0	0	0	0	0	0	45	● 0.00	● 0.00	● 0.00	0.00
Heavy Vehicle Parking	0	0	3	0	3	0	10	● 0.00	● 14.88	● 13.41	5.75
Overgrown Allotments	71	52	51	17	33	20	45	● 5.71	● 83.38	● 54.29	51.39
Regulated Parking	5	5	48	39	9	0	10	● 2.64	● 6.25	● 6.73	4.64
Dust Complaint	0	0	0	0	0	0	10	● 0.00	● 6.00	● 4.00	1.33
Litter/Illegal Dumping	2	2	13	4	8	1	20	● 3.50	● 7.56	● 10.47	6.09
Noise Complaint	0	0	4	2	2	0	10	● 5.00	● 7.30	● 7.65	5.05
Plumbing Inspection Booking	0	0	0	0	0	0	1	● 0.00	● 0.00	● 0.33	0.33
P&D Works without a Plumbing Permit	3	1	0	0	2	0	30	● 0.00	● 2.00	● 8.40	29.00
Requests for Toilet Counts	0	0	4	3	1	0	30	● 10.00	● 17.33	● 12.80	6.17
Onsite (Private) Treatment Plant Odours	0	0	0	0	0	0	30	● 0.00	● 0.00	● 33.20	0.00
P&D Waste Water Leaking to Adjoining Properties	1	1	0	0	0	0	30	● 0.00	● 10.00	● 12.00	25.00
Plumbing and Drainage - Quote Required	0	0	0	0	0	0	5	● 0.00	● 0.00	● 0.00	0.00
Plumbing and Drainage - Sanitary Drainage Plan	1	1	31	31	0	0	30	● 0.55	● 0.40	● 0.57	0.56
Plumbing Issues General	3	3	7	5	2	0	30	● 2.20	● 6.85	● 183.37	4.27
Limited Planning Development Certificate	0	0	24	24	0	0	5	● 2.29	● 1.38	● 1.52	1.33

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	On Hold	Completion Standard (days)	Avg Completion Time (days) Current Mth	Avg Completion Time (days) 6 Months	Avg Completion Time (days) 12 Months	Avg Duration (days) 12 Months (complete and incomplete)
			Received	Completed							
Barking Dog Complaint - Stage 1	12	11	40	31	9	1	30	● 3.29	● 6.69	● 6.59	4.04
Barking Dog Complaint - Stage 2 LLEO Use Only	6	5	6	1	2	4	30	● 6.00	● 38.40	● 48.89	24.20
Vector Misting	1	1	42	36	6	0	7	● 1.03	● 1.44	● 3.62	3.56
Nuisance Vehicle	7	7	32	20	8	4	10	● 3.95	● 8.51	● 8.96	5.79
Wandering Animals / Livestock	13	10	103	71	29	6	10	● 0.69	● 1.11	● 3.79	3.61
Wandering Stock	0	0	0	0	0	0	10	● 0.00	● 0.00	● 3.26	2.10

## **9 NOTICES OF MOTION**

Nil

## **10 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.*



## 11 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.

#### 12.1 Development Compliance Issue

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

## 12 CONFIDENTIAL REPORTS

### 12.1 DEVELOPMENT COMPLIANCE ISSUE

**File No:** 8037

**Attachments:**

1. Site Map
2. Site Overlays

**Authorising Officer:** Martin Crow - Manager Engineering Services  
Peter Kofod - General Manager Regional Services

**Author:** Jamie McCaul - Coordinator Development Engineering

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

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#### SUMMARY

*Illegal filling has occurred on a rural property. The filling conducted to date triggers the requirement for an Operational Works application to be assessed and approved by Council. As part of the major amendment to the Rockhampton Regional Planning Scheme (RRPS), the Operational Works triggers are proposed to be amended for rural properties.*

## **13 CLOSURE OF MEETING**