



# **PLANNING AND REGULATORY COMMITTEE MEETING**

## **AGENDA**

**3 MAY 2016**

*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 May 2016 commencing at 9.00am for transaction of the enclosed business.*

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

**CHIEF EXECUTIVE OFFICER**  
27 April 2016

Next Meeting Date: 17.05.16

**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:

Mr R Holmes- General Manager Regional Services (Executive Officer)  
Mr E Pardon – Chief Executive Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

**4 CONFIRMATION OF MINUTES**

Minutes of the Planning & Development committee held 27 January 2016

Minutes of the Health & Compliance committee held 2 February 2016

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

## **6 BUSINESS OUTSTANDING**

Nil

## **7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 D/183-2015 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES

**File No:** D/183-2015

**Attachments:** 1. Locality Plan  
2. Site Plan

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

**Author:** Thomas Gardiner - Planning Officer

#### SUMMARY

*Development Application Number:* D/183-2015

*Applicant:* Anna and David Houghton

*Real Property Address:* Lot 1 on RP602720, Parish of Rockhampton

*Common Property Address:* 176 Campbell Street, Rockhampton City

*Area of Site:* 341 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Low-medium density residential zone

*Planning Scheme Overlays:* Nil

*Existing Approvals:* Building permits for a Domestic Garage and Enclosed Veranda

*Approval Sought:* Development Permit for a Material Change of Use for Health Care Services

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

*Referral Agency(s):* Not applicable

*Infrastructure Charges Area:* Charge Area 1

*Application Progress:*

<i>Application Lodged:</i>	22 December 2015
<i>Acknowledgment Notice issued:</i>	7 January 2016
<i>Submission period commenced:</i>	27 January 2016
<i>Submission period end:</i>	16 February 2016
<i>Council request for additional time:</i>	17 March 2016
<i>Last receipt of information from applicant:</i>	22 February 2016
<i>Statutory due determination date:</i>	20 May 2016

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

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Anna and David Houghton, on Lot 1 on RP602720, Parish of Rockhampton, located at 176 Campbell Street, Rockhampton City, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The proposed Health Care Services use will not involve the construction of a new facility in a residential area as it is located in an existing building which is small in scale and has previously been used for commercial and retail operations;
- b) Several existing retail and commercial businesses located on Campbell Street are located in proximity to the site and as such, the proposed development is consistent with the surrounding built form and streetscape;
- c) The proposed development will not compromise the primary purpose of the low-medium density residential zone from providing a range and mix of low-medium density dwelling types as the proposal is small-scale and consistent with the surrounding urban form;
- d) The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;
- e) 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
- f) The proposed development does not compromise the relevant State Planning Policy.

**RECOMMENDATION B**

That in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Anna and David Houghton, on Lot 1 on RP602720, Parish of Rockhampton, located at 176 Campbell Street, Rockhampton City, Council resolves to Approve the application subject to the following conditions:

**1.0 ADMINISTRATION**

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



- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.6.1 Plumbing and Drainage Works; and
- 1.6.2 Building Works.
- 1.7 All Development Permits for Operational Works and Plumbing and Drainage Works must be obtained prior to the issue of a Development Permit for Building Works.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

## 2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Proposed Podiatry Clinic	079-14-15-01, Revision A	9 June 2015

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

## 3.0 PLUMBING AND DRAINAGE WORKS

- 3.1 Alteration or relocation of internal plumbing and sanitary drainage works associated with the existing building must be in accordance with regulated work under the *Plumbing and Drainage Act*.

## 4.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 4.1 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

## 5.0 ASSET MANAGEMENT

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

## ADVISORY NOTES

### NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal Cultural Heritage legislation. The information on Aboriginal Cultural Heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website [www.datsima.qld.gov.au](http://www.datsima.qld.gov.au)

**NOTE 2. Asbestos Removal**

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

**NOTE 3. General Environmental Duty**

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

**NOTE 4. General Safety Of Public During Construction**

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

**BACKGROUND****PROPOSAL IN DETAIL**

The proposal is for a Material Change of Use for Health Care Services located at 176 Campbell Street, Rockhampton City. The facility will accommodate a podiatry practice to be conducted from the existing building on the subject site.

The layout of the proposal includes three (3) treatment rooms, a reception area, and kitchen and toilet facilities. The existing awning at the front of the building will be maintained and car parking spaces will be located on the Campbell Street road reserve.

**SITE AND LOCALITY**

The subject site is located in the Low-medium density residential zone under the Rockhampton Region Planning Scheme 2015. The existing building on the site is historic and has previously been used as commercial premises. The structure is a typical early 1900's shop with a single pitched roof, window awnings, and a shop awning over the footpath.

Dwelling houses are located on two (2) of the adjoining lots to the rear and southern boundaries of the site. The adjoining lot located on the northern boundary is vacant. Surrounding the subject site are predominantly single-detached dwelling houses with a series of existing commercial businesses also located in proximity to the site on Campbell Street.

**MATTERS FOR CONSIDERATION**

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

Development Engineering Comments – (11 January 2016)

Support, subject to conditions.

Public and Environmental Health Comments – (23 December 2015)

Support, subject to conditions.

Other Staff Technical Comments

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

## **PLANNING ASSESSMENT**

### **TOWN PLANNING COMMENTS**

#### **Central Queensland Regional Plan 2013**

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

#### **State Planning Policy 2014**

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

#### **Liveable communities**

Not Applicable.

#### **Mining and extractive resources**

Not Applicable.

#### **Biodiversity**

Not Applicable.

#### **Coastal environment**

Not Applicable.

#### **Water quality**

Not Applicable.

#### **Natural hazard, risk and resilience**

Not Applicable.

#### **Emissions and hazardous activities**

Not Applicable.

#### **State transport infrastructure**

Not Applicable.

#### **Strategic airports and aviation facilities**

Not Applicable.

#### **Rockhampton Region Planning Scheme 2015**

### **Strategic framework**

This application is situated within the urban infill and intensification 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:

#### **3.3.10 Element – Urban infill and intensification**

##### **3.3.10.1 Specific outcomes**

- (1) Urban infill and intensification areas are designated for higher density and walkable neighbourhoods that accommodate different dwelling choice. These areas include older suburbs in proximity to centres located at Gracemere and Rockhampton, as shown on the strategic framework maps (SFM-1 to SFM-3).

**Does not comply.** The proposal does not involve the construction of higher density residential uses which accommodate different dwelling choices. Notwithstanding, the proposal will not compromise the role of Rockhampton's urban infill and intensification areas in facilitating walkable neighbourhoods which provide for a range of higher density residential uses.

- (2) Urban infill and intensification areas are characterised by residential uses, providing ready access to a range of shopping, community and other local services and facilities. Long-term and short-term residential land uses are within easy walking and cycling distance to non-residential uses and public transport.

**Does not comply.** The proposal does not involve the establishment of a new long- or short-term residential uses. The proposal for Health Care Services will provide a community services which is in ready access to existing residential developments on Campbell Street and the surrounding area.

- (3) Urban infill and intensification areas provide for medium and high density developments that are consistent with the low-medium and high density residential zone codes. These neighbourhoods have a sense of enclosure at the street level provided by small building setbacks, with the built environment part of its character usually dominant. Streets are characterised by street trees which provide shade and character, footpaths for walking trips, and through pavements shared by cars and bikes. These streets are usually grid-based and well connected, reducing the need to drive.

**Does not comply.** The site is located in the Low-medium density residential zone however, the proposal does not involve the construction of a medium or high density development which is consistent with the zone code. However, the proposal for Health Care Services is located in an existing building and will not compromise the built environment which defines the local medium and high density residential areas. Further, the proposal will not involve the felling of any existing street trees located on Campbell Street or compromise the quality of footpaths or pavements used for pedestrians, cyclists and vehicles.

- (4) The expansion of industrial areas and centres (including specialised centres) into the urban infill and intensification area will not be supported.

**Complies.** The proposal does not involve the introduction of any industrial use or the expansion of industrial areas into the regions urban and infill intensification areas.

- (5) Development provides for land uses consistent with the zone outcomes, densities and urban form which supports walkable, self-contained communities that:
- (a) provide choice of housing types and contributes to "affordable living" by including smaller and inexpensive options close to centres;
  - (b) reduce vehicle-based trip making and travel costs;
  - (c) provide access to employment, retail and commercial services, recreational opportunities and community facilities; and
  - (d) protect residential amenity commensurate with its location.

**Does not comply.** The proposal is for a Health Care Services use which is not with the zone outcomes outlined in the Low-medium density residential zone code. Notwithstanding, the proposal is located in an existing building and will not compromise the purpose of the zone from providing for a range of housing types which defines the local residential amenity. Further, the proposal does provide for a commercial-based service in proximity to existing residential uses in the zone, ensuring that the Health Care Services use is readily accessible for residents.

**Rockhampton**

- (6) Victoria Parade, Bolsover Street and Alma Street (identified by the high density residential zone) will be the primary focus for high density residential development. Non-residential uses are appropriate at ground level and focused on the consumptive and entertainment needs of surrounding residents including land uses such as small-scale food and drink outlets, shops and community related activities. Urban infill and intensification areas located outside of this area will provide for low-medium density residential development.

**Complies.** The site is not located in a high density residential zone, nor is it situated on Victoria Parade, Bolsover Street or Alma Street.

- (7) No further expansion of commercial, retail or industrial uses along High Street, and east and west of Musgrave Street will be supported.

**Complies.** The proposal is not located in proximity to High Street or Musgrave Street.

- (8) Residential development in proximity to Moores Creek will be required to be resilient to potential flood events.

**Complies.** The proposal does not involve residential development and is not located in proximity to Moores Creek.

The performance assessment of the proposal demonstrates that the proposal generally complies with the Strategic Framework of the *Rockhampton Region Planning Scheme 2015*. The proposal involves the establishment of a Health Care Services Use which is not consistent with the intent of the Low-medium density residential zone or the urban infill and intensification area identified under the *Rockhampton Region Planning Scheme 2015*.

While the Health Care Services use is not consistent with the zone, the use will provide a commercial service which is readily accessible to existing and future residential developments in the surrounding area. Further, the proposal will not compromise the intent of the Low-medium density residential zone or the region's urban infill and intensification areas from promoting future residential uses.

**Low-medium density residential zone**

The subject site is situated within the Low-medium density residential zone under the *Rockhampton Region Planning Scheme 2015*. The purpose of the Low-medium density residential zone identifies that: -

- (1) The purpose of the low-medium density residential zone code is to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community related activities and small-scale services and facilities that cater for local residents.
- (2) The local government purpose of the zone code is to:
  - (a) provide locations preferred for the consolidation of a range and mix of dwelling types developed at low-medium densities in the planning scheme area;
  - (b) minimise land use conflict and ensure that uses supporting low-medium density development predominantly develop in the zone; and
  - (c) ensure that development within the zone has appropriate standards of infrastructure and essential services.
- (3) The purposes of the zone will be achieved through the following overall outcomes:
  - (a) development provides for dwellings, dual occupancies and multiple dwellings being generally a low to medium-rise built form and low-medium density;
  - (b) infill development and greenfield areas are developed in a manner that makes efficient use of land and can provide for the development of a range and mix of accommodation and residential types;

- (c) non-residential uses only occur within the zone where they:
  - (i) do not compromise the residential character and existing amenity of the surrounding area;
  - (ii) are small-scale and consistent with the surrounding urban form;
  - (iii) primarily function to service the needs of the immediate local residential community;
  - (iv) do not detract from the role and function of centres;
  - (v) do not result in the expansion of a centre zone;
  - (vi) in proximity to higher order roads (minor urban collector or higher); and

Editor's note—To remove any doubt a centre zone includes specialised centres

- (vii) provide for uses along Albert Street that can demonstrate a dependence on having a highway frontage, therefore limited to:
    - (A) products predominantly displayed outside of any enclosed building and are demonstrably dependent on high visibility for attracting customers or businesses and typically include outdoor sales; or
    - (B) products predominantly displayed inside a building, consistent with the showroom definition with gross floor area of no more than 500 square metres and is demonstrably dependent on high visibility for attracting customers or business; and
    - (C) other uses which service and support the broad range of needs to highway users and include a food and drink outlet, service station, car wash and the like;
- (d) development for an office is limited in scale (200 square metres gross floor area) to ensure the primacy of the principal centre and involves the reuse of an existing building to promote renewal;
- (e) new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;
- (f) with the exception of a local centre at North Parkhurst (along William Palfrey Road on Lot 5 SP238731), no other neighbourhood or local centres are required within the low-medium density residential zone;
- (g) short-term accommodation, rooming accommodation and tourist parks occur where there is access to public transport and higher order roads (minor urban collector or higher);
- (h) development has a built form that creates an attractive and pedestrian oriented streetscape and is integrated with nearby centres, community facilities, open space and recreation facilities via pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;
- (i) development maximises opportunities for surveillance, activation of street fronts, integration with surrounding streetscapes, and presents an attractive appearance to the street with variations in built form, shape and colour;
- (j) development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;
- (k) new residential developments are not located in proximity to existing incompatible uses such as rural uses, industry uses and major community facilities without separation distances, buffering, landscaping and screening that minimise a loss of amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;

- (l) new residential developments are located and integrated with existing neighbourhoods and in proximity to existing community infrastructure;
- (m) development is sited and designed to respond to the region's climate (sustainable practices for maximising energy efficiency, water conservation and public/active transport use), local heritage features, natural landscape features and environmental constraints (including but not limited to topography, bushfire and flooding); and
- (n) development is serviced by infrastructure that is commensurate with the needs of the use.

This application is not consistent with the purpose of the Zone. However, the proposal is small in scale, is located in a building which has previously been used for commercial and retail operations, and is situated in proximity to several commercial and retail businesses and is considered to be consistent with the surrounding built form and streetscape.

### Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application: -

- Low-medium density residential zone code;
- Access, parking and mobility code;
- Landscape code;
- Stormwater management code; and
- Waste management 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:

Low-medium density residential code		
Performance Outcome		Officer's Response
PO8	<p>The development is located and designed so that buildings and structures make provision for:</p> <ul style="list-style-type: none"> <li>(a) an appropriate scale and size that reflects the purpose of the zone;</li> <li>(b) access to natural light and ventilation;</li> <li>(c) landscaping;</li> <li>(d) privacy and noise attenuation</li> <li>(e) screening of materials when stored outside buildings;</li> <li>(f) integration with the streetscape and built form;</li> <li>(g) oriented to the street frontage;</li> <li>(h) landscape features of the site; and</li> <li>(i) access to open space.</li> </ul>	<p>The proposed development is sited within the three (3) metre road setback from Campbell Street, and within the 1.5 metre side boundary setback for a wall up to 4.5 metres high.</p> <p>The Health Care Services use is located within an existing building which has a commercial history since at least 1952. The encroachment of the front and side setbacks is a common feature in historic shops in residential areas.</p> <p>The site is located adjacent to a vacant block of land along the northern side boundary while the adjoining property along the southern side boundary contains an existing dwelling.</p> <p>Despite the setback encroachments, the proposed development is located in an existing building and is of a size and scale that complies with the zone intent. Further, the scale of the proposal will not unduly</p>

		compromise the residential amenity of the Campbell Street and is consistent with the surrounding built form and streetscape. There are a number of other non-residential uses in the vicinity which service the local community.
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Access, parking and mobility code		
Performance Outcome		Officer's Response
PO5	<p>Provision is made for on-site vehicle parking:</p> <p>(a) to meet the demand likely to be generated by the development; and</p> <p>(b) to avoid on-street parking where that would adversely impact on the safety or capacity of the road network or unduly impact on local amenity.</p>	<p>The proposal is unable to provide car parking spaces in accordance with the rates established in the access, parking and mobility code due to the size constraints of the site. The minimum parking requirement for cars associated with a Health Care Services use is one (1) space per twenty-five (25) square metres or part thereof of gross floor area, meaning that five (5) spaces were required for the proposed use.</p> <p>This non-compliance is justified as there is sufficient on-street car parking available directly in front of the subject site which can accommodate approximately four (4) car parking spaces. Further, given that the site is adjoining a vacant lot, and that some parts of the surrounding area are largely undeveloped, there is sufficient on-street car parking spaces available to accommodate employees and patients associated with the podiatry facility.</p>

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 Section 326(1)(b) of the *Sustainable Planning Act 2009*, the assessment manager's decision may conflict with the planning scheme if there are sufficient grounds to justify the decision despite the conflict. Sufficient grounds to support the development are as follows:

- The proposed Health Care Services use will not involve the construction of a new facility in a residential area as it is located in an existing building which is small in scale and has previously been used for commercial operations;
- Several existing retail and commercial businesses located on Campbell Street are located in proximity to the site and as such, the proposed development is consistent with the surrounding built form and streetscape;
- The proposed development will not compromise the primary purpose of the low-medium density residential zone from providing a range and mix of low-medium density dwelling types as the proposal is small-scale and consistent with the surrounding urban form;
- The proposed use does not compromise the strategic framework in the *Rockhampton Region Planning Scheme 2015*;



- e) 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
- f) The proposed development does not compromise the relevant State Planning Policy.

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

### INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 5) 2015 for non-residential development applies to the application and it falls within Charge Area 1. The Infrastructure Charges are as follows:

Column 1 Use Schedule		Column 2 Charge Area	Column 3 Adopted Infrastructure Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
			(\$)	Unit	(\$)	Unit	
Essential Services	All uses as per AICN 4/14 Table 2.2.1	Areas 1 and 2	119	per m <sup>2</sup> of GFA			\$14,294.88
					8.50	per m <sup>2</sup> of impervio us area	\$1,263.53
	Total						\$15,558.41
	Less credit						\$21,000.00
	TOTAL CHARGE						\$00,000.00

This is based on the following calculations:

- (a) A charge of \$14,294.88 for Gross Floor Area being 120.125 square metres (treatment rooms, reception and display area, and storage space);
- (b) A charge of \$1,263.53 for Impervious Area being 148.65 square metres (roof area, and hardstand area); and
- (c) An Infrastructure Credit of \$21,000.00, made up as follows:
  - (i) \$21,000.00 - Infrastructure Credit applicable for the existing allotment.

Therefore, no infrastructure charges are applicable for the proposed development. An infrastructure credit of \$5,441.59 will be attached to the property for future development.

### CONSULTATION

The proposal was the subject of public notification between 27 January 2016 and 17 February 2016, as per the requirements of the *Sustainable Planning Act 2009*, and no submissions were received.

### REFERRALS

The application did not trigger any referrals to any concurrence agency.

**CONCLUSION**

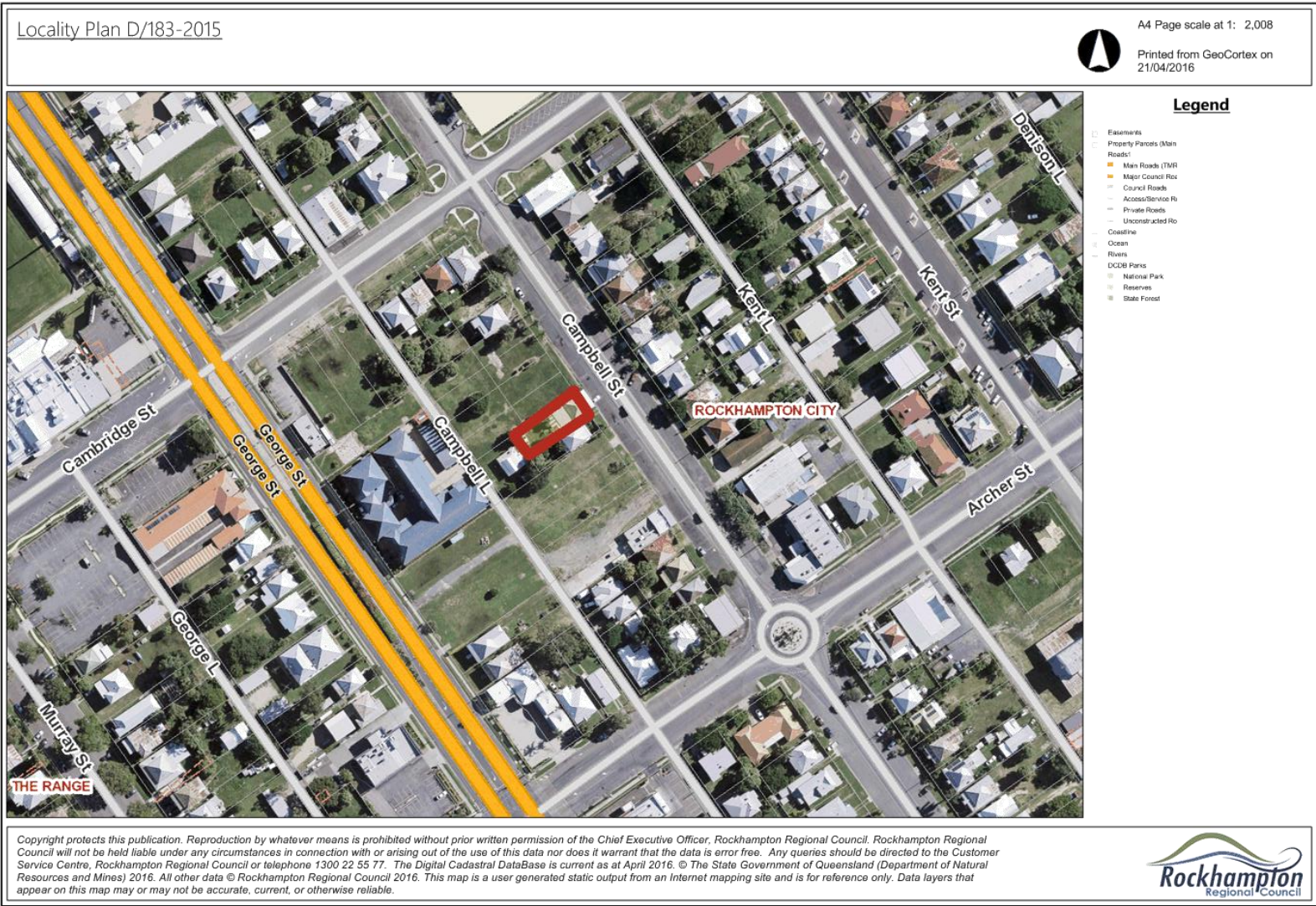
The application for a Material Change of Use for Health Care Services is not consistent with the intent of the Low-medium density residential zone. As demonstrated above, there are sufficient grounds to justify the conflict with the planning scheme and the proposal is also considered to be generally compliant with the relevant codes. Therefore, the application is recommended for approval subject to the conditions outlined in the recommendation.

**D/183-2015 DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR HEALTH CARE  
SERVICES**

**Locality Plan**

**Meeting Date: 3 May 2016**

**Attachment No: 1**



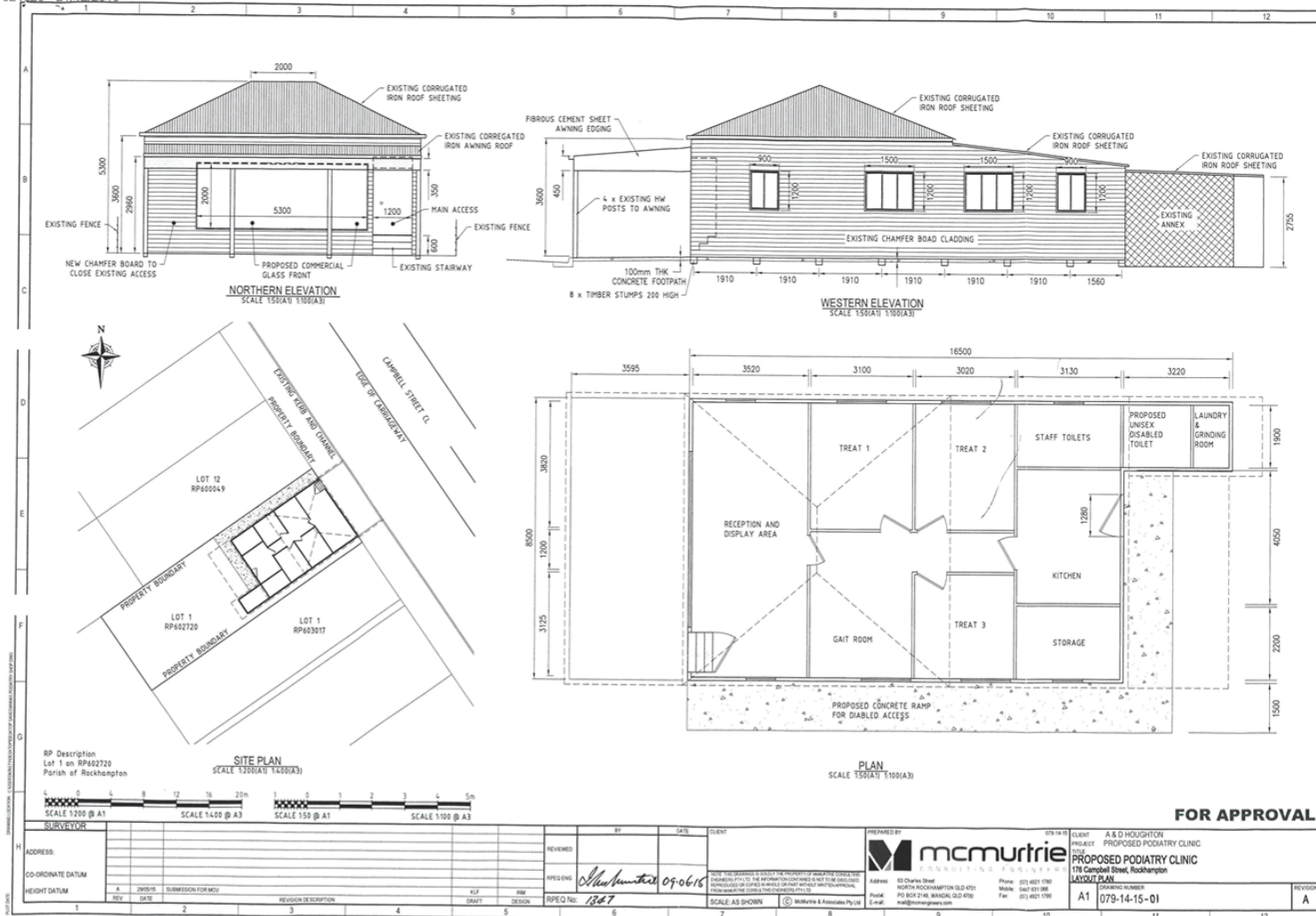
**D/183-2015 DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR HEALTH CARE  
SERVICES**

**Site Plan**

**Meeting Date: 3 May 2016**

**Attachment No: 2**

7624025 - 21/12/2015



**8.2 MONTHLY OPERATIONS REPORT FROM COMMUNITY STANDARDS AND COMPLIANCE UNIT UP TO MARCH 2016****File No:** 1464**Attachments:**

1. Monthly Operations Report Community Standards and Compliance Section - March 2016
2. Traffic Light Report March 2016
3. Financial Matters Report up to March 2016

**Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Catherine Hayes - Manager Community Standards and Compliance

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**SUMMARY**

*The monthly Operations Report for Community Standards and Compliance Unit as at 31 March 2016 is presented for Councillor's information.*

**OFFICER'S RECOMMENDATION**

THAT the Community Standards and Compliance Monthly Operations Report up to March 2016 be 'received'.

**COMMENTARY**

This report provides information about the activities of Rockhampton Regional Council's Community Standards and Compliance Unit up to and including March 2016.

This Unit consists of five sections namely Environment and Public Health, Local Laws, Vector Management, Pest Management and Support Services.

# **MONTHLY OPERATIONS REPORT FROM COMMUNITY STANDARDS AND COMPLIANCE UNIT UP TO MARCH 2016**

## **Monthly Operations Report Community Standards and Compliance Section - March 2016**

**Meeting Date: 3 May 2016**

**Attachment No: 1**



**MONTHLY OPERATIONS REPORT**  
**COMMUNITY STANDARDS AND COMPLIANCE SECTION**  
**Period Ended March 2016**

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**VARIATIONS, ISSUES AND INNOVATIONS**

***Innovations***

*Nil*

***Improvements / Deterioration in Levels of Services or Cost Drivers***

**January – March 2016**

- Review of all Parvo virus Procedures with veterinarian undertaken.
- Six staff undertook Animal Behaviour Assessment training presented by the RSPCA.
- Three staff undertook training in Small Animal First Aid, Breed Identification and Zoonotic Diseases.
- Installation and fitting out of the quarantine facility.
- The Pest Management Officers received training for the incoming *Biosecurity Act 2014*, due to supersede the *Land Protection Pest and Stock Route Management Act 2002* that our unit currently runs under. This will commence from June 2016.

**LINKAGES TO OPERATIONAL PLAN****1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS**

The response times for completing the predominant customer requests in the reporting period up to and including March 2016 are outlined in Attachment 2.

***Comments & Additional Information***

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

### **Safety Statistics**

The safety statistics for the reporting period are:

	January	February	March
<b>Number of Lost Time Injuries</b>	0	0	0
<b>Number of Days Lost Due to Injury</b>	0	0	0
<b>Total Number of Incidents Reported</b>	1	2	4
<b>Hazard Inspections Completed</b>	0	2	0

### **Risk Management Summary**

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

Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed
<b>Pest Management</b> -Council does not have appropriate and implemented pest management planning for pest plants and pest animal management leading to public complaints about service delivery, localized damage to Council's reputation, temporary redirection/addition of staff/resources required.	Moderate	Legislative changes occurring in 2016.  Review and realign plan with newly identified changes.  Review of service level arrangements/requirements	2016	0
<b>Local Laws</b> – Council does not meet its legislative and service delivery responsibilities for Local Laws' community compliance leading to the possibility of legal action, significant damage to Council's reputation with multiple complaints, and general public dissatisfaction.	Very High 3	1. Effective infringement financial management process to be put in place. 2. Internal Process Review	30/06/14	10% as at 30/4/15
<b>Local Laws</b> – Inconsistent regulation and enforcement of local laws and legislation resulting in poor service and considerable public dissatisfaction.	High 4	1. Reviewed to be completed: Internal Audit, Process Review, Legal review of Local Laws 2. membership subscription to LGAQ's Legislation Compliance Section. 3. Join SEQ Regional Animal Management Group (SEQRAM).	31/12/14	5% as at 24/3/15

***Legislative Compliance & Standards***

<b>Legislative Compliance Matter</b>	<b>Due Date</b>	<b>% Completed</b>	<b>Comments</b>
Council's Ground Distribution Contract Licence outdated	6 April 2017		Not due until 6 April 2017
Pest Management Officers AC/DC Licenses	Various	100%	Completed
Vector Management Officers Pest Management Technicians Licenses	Various	100%	Completed
Local Laws Power of Entry Training	Various	100%	Completed
Investigation Skills	Various	9%	Not completed
Animal Management	Various	100%	Completed

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

No capital projects are relevant to the Community Standards and Compliance Section.

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

<b>Project</b>	<b>Revised Budget</b>	<b>Actual (incl. committals)</b>	<b>% Budget Expended</b>	<b>Explanation</b>
<b>Issue of Dog Registration Renewals</b>	\$21 000.00	\$10 611.64	50.53%	Renewals and reminders issued
<b>Micro Chipping Days</b>	\$15 000.00	\$1340.00	8.93%	Minor equip

**5. DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS*****Adopted/Operational Service Level Standards & Performance***

<b>Service Level</b>	<b>Target</b>	<b>Current Performance</b>
Annual inspection of licensed food businesses undertaken	100%	77%
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken	100%	44%
Annual inspection of devolved licensed environmentally relevant activities undertaken	100%	54%

Please note the service levels depicted in the above table are operational standards only and have not been formally adopted by Council.

***Registered Dogs/Declared Dog Totals***

Description	Registrations/Declared in January	Registrations/Declared in February	Registrations/Declared in March	To Date
Dogs Registered	356	268	207	15781
Dangerous Dogs	0	0	1	30
Menacing Dogs	0	0	0	53
Restricted Dogs	0	0	0	1

***Infringements Issued***

Description	Number of Tickets Issued in January	Number of Tickets Issued in February	Number of Tickets Issued in March	Financial Year to Date
Parking Infringements	352	219	568	3872
Animal Infringements	143	196	59	1581
Local Law Infringements	4	9	13	62
Total	499	424	640	5515

**FINANCIAL MATTERS**

The Financial Matters report is outlined in Attachment 3.

# **MONTHLY OPERATIONS REPORT FROM COMMUNITY STANDARDS AND COMPLIANCE UNIT UP TO MARCH 2016**

## **Traffic Light Report March 2016**

**Meeting Date: 3 May 2016**

**Attachment No: 2**

## All Monthly Requests (Priority 3) Community Standards Compliance 'Traffic Light' report March 2016

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	Under Long Term Investigation	Completion Standard (days)	Avg Completion Time (days) Current Mth		Avg Completion Time (days) 6 Months		Avg Completion Time (days) 12 Months		Avg Duration (days) 12 Months (complete and incomplete)	Avg Completion Time (days) Q3	
			Received	Completed												
Dog Registration Enquiry	52	50	118	107	12	0	10	🟢	6.28	🟢	4.44	🟢	3.63	2.43	🟢	6.80
Animals (more than permitted number)	9	6	12	7	8	0	30	🟢	4.57	🟢	10.90	🟢	15.27	8.32	🟢	9.82
Comm Compliance Barking Letter/Visitors Advice	5	4	6	5	2	0	5	🟢	0.40	🟢	2.33	🟢	3.05	1.39	🟢	2.27
Dog Attack on Animal (Confirmed)	0	0	0	0	0	0	10	🟢	0.00	🟢	0.00	🟢	0.00	0.00	🟢	0.00
Dog Attack on Person (Fear) CSO	27	6	24	4	41	0	20	🟢	1.25	🟢	16.66	🟢	18.71	8.99	🟢	14.62
Dog Attack on Animal (Alleged) CSO	18	6	12	4	20	0	20	🟢	0.75	🟢	17.18	🔴	147.50	9.66	🟢	18.83
Dog Attack on Person (Bite) CSO	6	1	6	1	10	0	20	🟢	0.00	🟢	10.87	🔴	20.62	6.88	🟢	8.29
Heavy Vehicle Parking	1	1	5	3	2	0	10	🟢	4.33	🟢	3.86	🟢	6.64	3.36	🟢	5.38
Overgrown Allotments	81	59	221	84	151	0	45	🟢	4.20	🟢	11.69	🟢	16.88	12.07	🟢	9.37
Regulated Parking	11	9	44	38	7	0	10	🟢	3.32	🟢	4.32	🟢	4.12	3.12	🟢	4.66
Dust Complaint	1	1	0	0	0	0	10	🟢	0.00	🟢	7.40	🟢	7.13	5.29	🔴	14.00
Litter/Illegal Dumping	7	5	17	11	7	0	20	🟢	3.18	🟢	4.68	🟢	5.57	4.64	🟢	4.80
Noise Complaint	1	0	8	4	5	1	10	🟢	2.50	🟢	5.65	🟢	5.68	2.37	🟢	8.33
Barking Dog Complaint - Stage 1	9	7	47	40	7	0	3	🟢	1.38	🔴	3.22	🔴	3.50	0.67	🟢	2.87
Barking Dog Complaint - Stage 2 LLEO Use Only	8	6	3	0	5	0	30	🟢	0.00	🟢	14.48	🟢	18.29	12.48	🟢	10.42
Vector Misting	11	11	117	107	10	7	7	🟢	1.12	🟢	1.07	🟢	1.08	1.07	🟢	1.10
Nuisance Vehicle	6	6	32	21	11	0	10	🟢	5.14	🟢	5.28	🟢	6.58	3.88	🟢	5.78
Wandering Animals (dogs, cats, poultry)	17	16	115	81	34	0	10	🟢	0.68	🟢	0.86	🟢	1.05	0.68	🟢	0.98
Wandering Stock	2	2	18	14	4	0	10	🟢	2.57	🟢	4.39	🟢	6.90	2.39	🟢	3.52

**MONTHLY OPERATIONS REPORT  
FROM COMMUNITY STANDARDS AND  
COMPLIANCE UNIT UP TO MARCH  
2016**

**Financial Matters Report up to March  
2016**

**Meeting Date: 3 May 2016**

**Attachment No: 3**





## End of Month General Ledger - (Operating Only) - HEALTH &amp; ENVIRONMENT

As At End Of March

Report Run: 07-Apr-2016 14:49:26 Excludes Nat Accs: 2802,2914,2917,2924

	Adopted Budget \$	Revised Budget \$	EOM Commitments \$	YTD Actual \$	Commit + Actual \$	Variance %	On target 75% of Year Gone
<b>COMMUNITY SERVICES</b>							
<b>HEALTH &amp; ENVIRONMENT</b>							
<u>Pest Management</u>							
Revenues	(2,250)	(1,625)	0	(1,157)	(1,157)	51% ✖	
Expenses	552,680	506,580	17,464	425,011	442,475	80% ✓	
Transfer / Overhead Allocation	110,550	110,350	0	88,288	88,288	80% ✓	
<b>Total Unit: Pest Management</b>	<b>660,980</b>	<b>615,305</b>	<b>17,464</b>	<b>512,142</b>	<b>529,606</b>	<b>80% ✓</b>	
<u>Environment Health</u>							
Revenues	(116,925)	(117,075)	0	(83,267)	(83,267)	71% ✓	
Expenses	578,196	549,932	591	412,492	413,082	71% ✓	
Transfer / Overhead Allocation	50,250	50,450	0	28,594	28,594	57% ✖	
<b>Total Unit: Environment Health</b>	<b>511,521</b>	<b>483,306</b>	<b>591</b>	<b>357,819</b>	<b>358,410</b>	<b>70% ✓</b>	
<u>Vector Management</u>							
Revenues	(1,500)	(56,600)	0	(35,010)	(35,010)	2334% ✖	
Expenses	379,785	366,285	2,091	301,352	303,443	80% ✓	
Transfer / Overhead Allocation	60,000	61,538	0	49,419	49,419	82% ✖	
<b>Total Unit: Vector Management</b>	<b>438,285</b>	<b>371,223</b>	<b>2,091</b>	<b>315,762</b>	<b>317,853</b>	<b>73% ✓</b>	
<u>Local Laws</u>							
Revenues	(848,250)	(966,000)	0	(1,167,357)	(1,167,357)	138% ✓	
Expenses	1,346,518	1,475,220	169,710	1,271,414	1,441,124	107% ✖	
Transfer / Overhead Allocation	176,497	183,847	0	133,068	133,068	75% ✓	
<b>Total Unit: Local Laws</b>	<b>674,765</b>	<b>693,067</b>	<b>169,710</b>	<b>237,125</b>	<b>406,835</b>	<b>60% ✓</b>	
<u>CS&amp;C Support</u>							
Expenses	410,693	463,086	7,755	401,028	408,783	100% ✖	
<b>Total Unit: CS&amp;C Support</b>	<b>410,693</b>	<b>463,086</b>	<b>7,755</b>	<b>401,028</b>	<b>408,783</b>	<b>100% ✖</b>	
<u>CS&amp;C Management</u>							
Expenses	153,130	149,005	0	138,033	138,033	90% ✖	
<b>Total Unit: CS&amp;C Management</b>	<b>153,130</b>	<b>149,005</b>	<b>0</b>	<b>138,033</b>	<b>138,033</b>	<b>90% ✖</b>	
<b>Total Section: HEALTH &amp; ENVIRONMENT</b>	<b>2,849,375</b>	<b>2,774,992</b>	<b>197,611</b>	<b>1,961,909</b>	<b>2,159,520</b>	<b>76% ✓</b>	
<b>Total Department: COMMUNITY SERVICES</b>	<b>2,849,375</b>	<b>2,774,992</b>	<b>197,611</b>	<b>1,961,909</b>	<b>2,159,520</b>	<b>76% ✓</b>	
<b>Grand Total:</b>	<b>2,849,375</b>	<b>2,774,992</b>	<b>197,611</b>	<b>1,961,909</b>	<b>2,159,520</b>	<b>76% ✓</b>	

## **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 CLOSURE OF MEETING**