



# **PLANNING AND REGULATORY COMMITTEE MEETING**

## **AGENDA**

**15 AUGUST 2017**

*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 15 August 2017 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**  
8 August 2017

Next Meeting Date: 05.09.17

**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.

## TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING.....	1
2	PRESENT .....	1
3	APOLOGIES AND LEAVE OF ABSENCE .....	1
4	CONFIRMATION OF MINUTES .....	1
5	DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA.....	1
6	BUSINESS OUTSTANDING .....	2
6.1	BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE .....	2
7	PUBLIC FORUMS/DEPUTATIONS .....	5
7.1	D/30-2017 - DEPUTATION REPORT FOR A DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION, FOOD AND DRINK OUTLET AND SHOPS .....	5
8	OFFICERS' REPORTS.....	6
8.1	D/30-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION, FOOD AND DRINK OUTLET AND SHOPS .....	6
8.2	D/48-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A COMMUNITY USE .....	37
8.3	MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES FOR JULY 2017 .....	54
8.4	COMMITTEE REPORT DELEGATIONS - JULY 2017 .....	72
9	NOTICES OF MOTION.....	74
	NIL .....	74
10	URGENT BUSINESS/QUESTIONS .....	75
11	CLOSED SESSION .....	76
12.1	DEVELOPMENT IMPACTS ON COUNCIL'S HUNTER STREET PROPERTY .....	76
12	CONFIDENTIAL REPORTS.....	77
12.1	DEVELOPMENT IMPACTS ON COUNCIL'S HUNTER STREET PROPERTY .....	77
13	CLOSURE OF MEETING .....	78



**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 M Rowe – 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 1 August 2017

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

## **6 BUSINESS OUTSTANDING**

### **6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE**

**File No:** 10097  
**Attachments:** 1. Business Outstanding Table  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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#### **SUMMARY**

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

#### **OFFICER'S RECOMMENDATION**

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

# **BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE**

## **Business Outstanding Table**

**Meeting Date: 15 August 2017**

**Attachment No: 1**

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
14 February 2017	Riverine Aquatic Weed Control	<ol style="list-style-type: none"><li>1. THAT Council contact the State member regarding our concerns in relation to the weed infestation in the Fitzroy River and our desire to form a partnership with the State Government and Livingstone Shire Council to address the problem.</li><li>2. THAT Council investigate funding options to address the matter.</li></ol>	Michael Rowe	28/02/2017	Letter forwarded to State member and awaiting response.



## **7 PUBLIC FORUMS/DEPUTATIONS**

### **7.1 D/30-2017 - DEPUTATION REPORT FOR A DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION, FOOD AND DRINK OUTLET AND SHOPS**

**File No:** D/30-2017  
**Attachments:** Nil  
**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Steven Gatt - Manager Planning & Regulatory Services  
Michael Rowe - General Manager Community Services  
**Author:** Amanda O'Mara - Senior Planning Officer

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#### **SUMMARY**

*Council is in receipt of a Development Application for a Material Change of Use for a Service Station, Food and Drink Outlet and Shops, made by Ravcorp Developments Pty Ltd ATF Bluewater Property Trust c/ Adams + Sparkes Town Planning, on land described as Lot 2 on RP619938, Parish of Murchison, located at 353 Moores Creek Road, Norman Gardens.*

*The application is to be presented to the Planning and Regulatory Committee meeting on 15 August 2017.*

*Ravi Setu from Bluewater Property Trust (Applicant) has requested the opportunity to have a deputation with the Council at the Planning and Regulatory Committee meeting to provide further information regarding the proposed development.*

#### **OFFICER'S RECOMMENDATION**

THAT the deputation by Ravi Setu be 'received'.

## 8 OFFICERS' REPORTS

### 8.1 D/30-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION, FOOD AND DRINK OUTLET AND SHOPS

**File No:** D/30-2017

**Attachments:**

1. Locality Plan
2. Site Plan
3. Elevation 1
4. Elevation 2

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Steven Gatt - Manager Planning & Regulatory Services  
Michael Rowe - General Manager Community Services

**Author:** Amanda O'Mara - Senior Planning Officer

#### SUMMARY

*Development Application Number:* D/30-2017

*Applicant:* Ravcorp Developments Pty Ltd ATF Bluewater Property Trust c/ Adams + Sparkes Town Planning

*Real Property Address:* Lot 2 on RP619938, Parish of Murchison

*Common Property Address:* 353 Moores Creek Road, Norman Gardens

*Area of Site:* 3,758 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Low Density Residential Zone

*Planning Scheme Overlays:* Steep Land Overlay

*Existing Development:* Vacant Land

*Existing Approvals:* Nil

*Approval Sought:* Development Permit for a Material Change of Use for a Service Station, Food and Drink Outlet and Shops

*Level of Assessment:* Impact Assessable

*Submissions:* Sixty-one (61) Submissions

*Referral Agency(s):* NIL

*Infrastructure Charges Area:* Charge Area 1

*Application Progress:*

<i>Application Lodged:</i>	16 March 2017
<i>Acknowledgment Notice issued:</i>	20 March 2017
<i>Request for Further Information sent:</i>	30 March 2017
<i>Request for Further Information responded to:</i>	26 April 2017
<i>Submission period commenced:</i>	4 May 2017

<i>Submission period end:</i>	<i>26 May 2017</i>
<i>Council request for additional time:</i>	<i>26 June 2017</i>
<i>Last receipt of information from applicant:</i>	<i>12 July 2017</i>
<i>Statutory due determination date:</i>	<i>11 August 2017</i>

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

THAT in relation to the application for a Development Permit for a Material Change of Use for a Service Station, Food and Drink Outlet and Shops, made by Ravcorp Developments Pty Ltd ATF Bluewater Property Trust, on Lot 2 on RP619938, Parish of Murchison, located at 353 Moores Creek Road, Norman Gardens, Council resolves to approve the application and provides the following grounds to justify the decision:

- a) The development has been designed to ensure it can operate with no adverse impacts on nearby residential character, through the appropriate siting and design of buildings, landscaping and acoustic fencing;
- b) The proposal provides a convenience function only and will not impact on or compromise the role of existing centres;
- c) The subject site is ideally suited to the proposed development, given its highly accessible and visible location fronting Moores Creek Road;
- 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 a Service Station, Food and Drink Outlet and Shops, made by Ravcorp Developments Pty Ltd ATF Bluewater Property Trust, on Lot 2 on RP619938, Parish of Murchison, located at 353 Moores Creek Road, Norman Gardens, 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.
- 1.1 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:
  - 1.1.1 to Council's satisfaction;
  - 1.1.2 at no cost to Council; and
  - 1.1.3 prior to the commencement of the use unless otherwise stated.
- 1.2 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.

- 1.3 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:

1.3.1 Operational Works:

- (i) Road Works;
- (ii) Access and Parking Works;
- (iii) Sewerage Works;
- (iv) Water Works;
- (v) Stormwater Works;
- (vi) Site Works; and
- (vii) Landscaping Works.

- 1.4 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.

- 1.3 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.

- 1.4 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:

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Site Plan	01C	15 June 2017
Traffic Impact Assessment Report	16-002904 Rev B	19 April 2017
Intersection Details Plan	16-002904 Rev C	June 2017
Site Stormwater Management Plan	103 Rev C	5 June 2017
Proposed Water Layout	SK103 Rev B	April 2017
Proposed Sewer Layout Plan	16-002904 Rev B	June 2017
Noise Assessment Report	1082R1-R0	20 February 2017
Unit 2 Elevations	17	7 March 2017
Unit 1 Elevations	14	7 March 2017

- 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 *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 3.3 A 100 metre long and 3.5 metre wide deceleration lane as shown on the approved plans (refer to condition 2.1), must comply with the requirements of the *Capricorn Municipal Development Guidelines*, relevant *Australian Standards*, *Austrroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).
- 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 AND PARKING WORKS

- 4.1 A Development Permit for Operational Works (access and parking works) must be obtained prior to the commencement of any access and parking works on the development site.
- 4.2 All access and parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.3 All car parking and access areas must be paved or sealed to Council's satisfaction. Design and construction must be in accordance with the provisions of a Development Permit for Operational Works (access and parking works).
- 4.4 Access to the site must be limited to 'left in, left out' only.
- 4.5 All vehicles must ingress and egress the development in a forward gear.
- 4.6 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.
- 4.7 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 4.8 Any application for a Development Permit for Operational Works (access and parking works) 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"*.
- 4.10 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
- 4.11 All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
- 4.12 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.
- 4.13 Bicycle parking facilities must be provided in accordance with *AUSTROADS Guide to Traffic Engineering Practice, Part 14 – Bicycles*.

**5.0 SEWERAGE WORKS**

- 5.1 A Development Permit for Operational Works (sewerage works) must be obtained prior to the commencement of any sewerage works on the development site.
- 5.2 All sewerage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002* and the provisions of a Development Permit for Operational Works (sewerage works).
- 5.3 The development must be connected to Council's reticulated sewerage network.
- 5.4 A new sewerage rising main of a fifty (50) millimetre diameter is to be provided along McColl Street and an on-site package pump station must be constructed as proposed in 'Proposed Sewer Layout Plan Rev. B dated 06/2017'. The discharge location will be determined at Operational Works stage.
- 5.5 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.

**6.0 WATER WORKS**

- 6.1 A Development Permit for Operational Works (water works) must be obtained prior to the commencement of any water works required by this development approval.
- 6.2 All water works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008, Plumbing and Drainage Act 2002* and the provisions of a Development Permit for Operational Works (water works).
- 6.3 The development must be connected to Council's reticulated water network in the existing 100 millimetre water main along McColl Street in accordance with the approved plans (refer to condition 2.1). A new 150 millimetre diameter water main must be constructed along Moores Creek Road from Feez Steet to Hassell Street in accordance with the approved plans (refer to condition 2.1). This non-trunk infrastructure is conditioned under section 665 of the *Sustainable Planning Act 2009*
- 6.4 All proposed services in the park area owned by council must be installed underground, shade trees must be retained and pathways, bollards, grassed areas must be returned to a serviceable standard after the works.
- 6.5 A new water connection point must be provided for the proposed use. A hydraulic engineer or other suitably qualified person must determine the size of connection required.
- 6.6 Adequate domestic and firefighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.
- 6.7 Water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

**7.0 STORMWATER WORKS**

- 7.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 7.2 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).
- 7.3 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.

- 7.4 The proposed catch drains (concrete invert) surrounding the site collecting flows from 355 Moores Creek Road must be sufficiently sized to convey the upstream one (1) per cent Annual Exceedance Probability flows.
- 7.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with detailed calculations of the capacity of stormwater pits and pipes to take major and minor storm flows.
- 7.6 Capacity of table drain to take the additional flow in a one (1) per cent Annual exceedance probability storm event must be determined at Operational Works stage and if not sufficient, improvements in table drain must be proposed. Proposed location of High flow discharge outlet must be revised at Operational Works Stage to discharge stormwater towards the table drain without affecting 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 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.
- 8.5 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).
- 8.6 Retaining structures close to or crossing sewerage infrastructure must comply with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."* The structure must be self-supporting and no additional load must be applied to Council's sewerage infrastructure.
- 8.7 Details of vegetation proposed to be cleared must be provided as part of the Environmental Management Plan.
- 8.8 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.
- 8.9 All site works must be undertaken to ensure that there is:
  - 8.9.1 no increase in upstream or downstream flood levels for all levels of immunity up to a one per cent (1%) Annual exceedance probability flood event;

- 8.9.2 no increase in velocity profiles, for which no remedy exists to prevent erosion and/or scouring. In the event that modelling shows non-compliance with the above, works must be undertaken within the system to satisfy the above criteria for development; and
- 8.9.3 a lawful point of discharge to which the approved works drain during construction phase.

Easements will be required over any other land to accommodate the flows.

#### 9.0 BUILDING WORKS

- 9.1 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"*.
- 9.2 All external elements, such as air conditioners and associated equipment, must be adequately screened from public view, to Council's satisfaction.
- 9.3 The development site must be fenced in accordance with the approved plans (refer to condition 2.1). All fencing must be constructed of materials and finishes that are aesthetically pleasing and commensurate with the surrounding residential area.
- 9.4 Impervious paved waste storage area/s must be provided in accordance with the approved plans (refer to condition 2.1) and the *Environmental Protection Regulation 2008* and must be:
  - 9.4.1 designed and located so as not to cause a nuisance to neighbouring properties;
  - 9.4.2 screened so as not to be visible from a public space;
  - 9.4.3 of a sufficient size to accommodate commercial type bins that will be serviced by a commercial contractor plus clearances around the bins for manoeuvring and cleaning;
  - 9.4.4 setback a minimum of two (2) metres from any road frontage; and
  - 9.4.5 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2002*.

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.

#### 10.0 LANDSCAPING WORKS

- 10.1 A Development Permit for Operational Works (landscaping works) must be obtained prior to the commencement of any landscaping works required by this development approval.

A Landscaping Plan must be submitted with the first application for a Development Permit for Operational Works. The landscaping must be constructed and/or established prior to the commencement of the use and the landscape areas must predominantly contain plant species that are locally native to the Central Queensland region due to their low water dependency.
- 10.2 All landscaping must be constructed and/or established, in accordance with the requirements of the Development Permit for Operational Works (landscaping works), prior to the commencement of the use.
- 10.3 Any application for a Development Permit for Operational Works (landscaping works) must be generally in accordance with the approved plans (refer to condition 2.1) and



must include, but is not limited to, the following:

10.3.1 A plan documenting the “Extent of Works” and supporting documentation that includes:

- (i) location and name of existing trees, including those to be retained (the location of the trees must be overlayed or be easily compared with the proposed development design);
- (ii) the extent of soft and hard landscape proposed;
- (iii) important spot levels and/or contours. The levels of the trees to be retained must be provided in relation to the finished levels of the proposed buildings and works;
- (iv) underground and overhead services;
- (v) typical details of critical design elements (stabilisation of batters, retaining walls, trees in car park areas, fences);
- (vi) details of landscape structures including areas of deep planting; and
- (vii) specification notes on mulching and soil preparation.

10.3.2 A “Planting Plan” and supporting documentation that includes:

- (i) landscape areas predominantly containing plant species that are locally native to the Central Queensland region due to their low water dependency;
- (ii) trees, shrubs and groundcovers to all areas to be landscaped;
- (iii) position and canopy spread of all trees and shrubs;
- (iv) the extent and type of works (including but not limited to paving, fences and garden bed edging). Edging must be provided for all garden beds;
- (v) a plant schedule with the botanic and common names, total plant numbers and pot sizes at the time of planting; and
- (vi) mature screen planting to the rear and side boundaries.

10.4 Large trees must not be planted within one (1) metre of the centreline of any sewerage and/or water infrastructure; small shrubs and groundcover are acceptable.

10.5 Landscaping, or any part thereof, upon reaching full maturity, must not:

- (i) obstruct sight visibility zones as defined in the *Austroads ‘Guide to Traffic Engineering Practice’* series of publications;
- (ii) adversely affect any road lighting or public space lighting; or
- (iii) adversely affect any Council infrastructure, or public utility plant.

10.6 The landscaped areas must be subject to:

10.6.1 a watering and maintenance plan during the establishment moment; and

10.6.2 an ongoing maintenance and replanting programme.

## 11.0 ELECTRICITY

11.1 Underground electricity services must be provided to the development in accordance with the approved Operational Works Plans and the standards and requirements of the relevant service provider.

11.2 Evidence of acceptance of the works from the relevant service provider must be provided to Council, prior to the commencement of the use.

## 12.0 TELECOMMUNICATIONS

12.1 Underground telecommunications services must be provided to the development in accordance with the approved Operational Works Plans and the standards and requirements of the relevant service provider.

12.2 Evidence of acceptance of the works from the relevant service provider must be provided to Council, prior to the commencement of the use.

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 a detailed Environmental Management Plan that addresses, but is not limited to, the following:

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

14.2 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.

- 14.3 The Environmental Management Plan approved as part of a Development Permit for Operational Works must be part of the contract documentation for the development works.
- 14.4 The Erosion Control and Stormwater Control Management Plan 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.

15.0 ENVIRONMENTAL HEALTH

- 15.1 Noise emitted from the activity must not cause an environmental nuisance.
- 15.2 When requested by Council, noise monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise. The monitoring data, an analysis of the data and a report, including noise mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation. Council may require any noise mitigation measures identified in the assessment to be implemented within appropriate timeframes. Noise measurements must be compared with the acoustic quality objectives specified in the most recent edition of the *Environmental Protection (Noise) Policy 2008*.
- 15.3 Operations on the development 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.
- 15.4 Noise mitigation measures must be constructed and implemented in accordance with the recommendations in the report titled Noise Assessment Report (refer to condition 2.1).
- 15.5 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.
- 15.6 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 the sewer network in accordance with a trade waste permit.
- 15.7 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.
- 15.8 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:
- 15.8.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
  - 15.8.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and

- 15.8.3 waste bags and ties.
- 15.9 All fuel dispensing areas must be drained to a holding tank or the sewer through a trade waste approved oil interceptor/separation system.
- 16.0 OPERATING PROCEDURES
- 16.1 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 Moores Creek Road or McColl Street.
- 16.2 The hours of operations for the Food and Drink Outlet must be limited to:
- (i) 0600 hours to 2100 hours on Sunday to Thursday, and
  - (ii) 0600 hours to 2200 hours on Friday and Saturday.
- 16.3 The hours of operations for the shops must be limited to:
- (i) 0600 hours to 2100 hours on Monday to Sunday.
- 16.4 The hours of operations for the Service Station must be limited to:
- (i) 0500 hours to 2200 hours on Monday to Sunday.
- 16.5 Access to, and use of, the loading area must be limited to between 0800 and 1700 hours, Monday to Friday (inclusive) only. Access to, and use of, the loading dock area must not occur on Saturday or Sunday or any public holiday.

#### 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 development site, Council's Environment and Public Health Unit must be consulted to determine whether any approvals are required. Such activities may include food preparation, storage of dangerous goods or environmentally relevant activities. Approval for such activities is required before 'fit out' 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. Infrastructure Charges Notice

This application is subject to infrastructure charges in accordance with Council

policies. The charges are presented on an Infrastructure Charges Notice.

### **RECOMMENDATION C**

That in relation to the application for a Development Permit for a Material Change of Use for a Service Station, Food and Drink Outlet and Shops, made by Ravcorp Developments Pty Ltd ATF Bluewater Property Trust, on Lot 2 on RP619938, Parish of Murchison, located at 353 Moores Creek Road, Norman Gardens, Council resolves to issue an Infrastructure Charges Notice for the amount of \$117,672.14.

### **BACKGROUND**

#### **PROPOSAL IN DETAIL**

The proposed development comprises a Service Station, one (1) Food and Drink tenancy (Roxi's Marketplace) and three (3) Shop tenancies. The proposal comprises two (2) separate single storey buildings, fuelling areas under a canopy, thirty-six (36) car parking spaces, dedicated bicycle storage spaces, refuse storage areas and landscaped areas. The areas of the buildings are as follows:

- Service Station – 211.88 square metres;
- Service Station Canopy – 282.70 square metres; and
- Food and Drink Outlet and Shops – 507.01 square metres plus 71.75 square metres of covered terrace.

Access to the site will be via Moores Creek Road.

#### **SITE AND LOCALITY**

The subject site is currently vacant, with minimal vegetation and has a total area of 3,758 square metres. The site falls from the rear (north east boundary) towards Moores Creek Road. The site is burdened by an existing easement, providing right of way to the adjacent property.

Immediately north of the site is a large residential site with one (1) dwelling house. The site fronts Moores Creek Road arterial to the east and Col Austin Park is situated on the opposite side of Moores Creek Road. Immediately south is reserve land fronting Moores Creek Road and to the west and south west are a number of residential lots containing single detached dwelling houses which all gain access off McColl Street.

### **PLANNING ASSESSMENT**

#### **MATTERS FOR CONSIDERATION**

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

#### **Development Engineering Comments – 27 July 2017**

Support, subject to conditions / comments.

#### **Public and Environmental Health Comments – 21 March 2017**

Support, subject to conditions / 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 2016**

This policy came into effect in April 2016 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. 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 Urban 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-five (25) 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.

**Complies:** Despite the subject site being located within the Low Density Residential Zone, the sites locational characteristics provides an appropriate opportunity to accommodate a commercial development that is designed and sited to complement and not adversely impact on nearby sensitive land uses, whilst taking advantage of the site's high exposure and accessibility to a key Urban Arterial Route (Moores Creek Road). The proposed buildings have been designed to provide visual interest and orientation to Moores Creek Road, whilst ensuring appropriate setbacks and noise attenuation is provided to the side and rear property boundaries.

The development is of a scale to provide a localised convenience function, without compromising the residential amenity of surrounding properties and without adversely impacting on the role and function of designated centres. The proposed development will provide a localised convenience function and will not result in inappropriate 'out of centre' development. Service station and convenience centres, such as that proposed, are commonly located on highway or arterial routes, as this is critical to their viability and accessibility.

(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 proposed development is not affected by any natural hazard overlays. In addition, the proposal will not impact on the natural environment and landscape as the site is not located in an environmentally significant area.

(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 safety and efficiency of the road network will not be affected by the proposed development. The Traffic Impact Assessment undertaken confirms that the proposed left in left out arrangement provides the most functional and safe method of gaining access to the development. It is indicated that the proposed development will be able to safely gain left entry and left exit access in a fashion that does not impede the flow of through traffic northbound on Moores Creek Road, when assessed against the worst case PM peak hour traffic flows. The proposed development is also located along a key cycle route, providing a destination stop for cyclists.



**(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.

**Complies:** The proposed development has been designed to ensure the function and efficiency of the road network is uncompromised. As outlined in the Traffic Impact Assessment, the proposed access and egress arrangement is considered viable, as it has been demonstrated to have no adverse impact on the performance, safety, efficiency and function of Moores Creek Road as an Urban Arterial route. Further, the Traffic Impact Assessment also demonstrates that should widening of Moores Creek Road ever be required, the proposed entry deceleration lane and exit only access onto Moores Creek Road can be accommodated solely within the road reserve should the road reserve be widened to provide three (3) lanes in both directions.

**(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 proposed development will contribute to the local community and its economic diversity, by providing additional employment opportunities.

In addition, the proposed development will not impact on the region's natural resources / assets.

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

### Low Density Residential Zone

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

*The purposes of the zone will be achieved through the following overall outcomes:*

- (a) *development provides for predominantly single detached dwellings and dual occupancies on individual lots of varying sizes maintaining a generally a low-rise built form and low density character;*
- (b) *residential development within the zone is of a type which primarily provides for the long-term accommodation of residents;*
- (c) *low-rise multiple dwellings, relocatable home parks, residential care facilities, retirement facilities and tourist parks develop in the zone when they are situated in proximity (convenient walking distance) to parks, centres and major community facilities (hospital, university, etcetera) and have access to higher order roads (minor urban collector or higher), or public transport;*
- (d) ***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; and***
  - (vi) ***in proximity to higher order roads (minor urban collector or higher);***

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

- (e) *no additional local centres or higher order centres are required within the low density residential zone. South Gracemere is to accommodate a neighbourhood centre commensurate with the population of the immediate catchment;*
- (f) *new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;*
- (g) *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;*
- (h) *development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;*
- (i) *new residential developments are not located in proximity to existing incompatible uses such as rural uses, industrial uses and major community facilities without separation distances, landscaping and screening that minimise impacts on amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;*
- (j) *new residential developments are located and integrated with existing neighbourhoods;*
- (k) *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);*

- (l) *development provides connection to pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;*
- (m) *development is serviced by infrastructure that is commensurate with the needs of the use; and*
- (n) *the establishment of one (1) precinct within the zone where particular requirements are identified:*
  - (i) *residential stables precinct.*

This application is considered consistent with the purpose of the Zone on the following basis:

- The proposed development has been designed to ensure the residential character and amenity of surrounding residential properties is uncompromised. Appropriate setback and acoustic attenuation is proposed to ensue noise, odour and light spillage is appropriately managed.
- The development is of a scale that is complementary to the surrounding area;
- The development will primarily function to service the surrounding local residential areas and northbound motorist and cyclist along Moores Creek Road;
- The proposal will not distract from the role and function of the centres;
- The proposal does not result in an expansion of a centre zone; and
- The proposal fronts a higher order road, which is desirable for service station sites.

### Rockhampton Region Planning Scheme Codes

The following codes are applicable to this application: -

- Low Density Residential Zone Code;
- Access, parking and Transport Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code; and
- Water and Sewer 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 Density Residential Zone Code		
Performance Outcome/s		Officer's Response
PO11	<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> </ul>	<p>The proposed buildings have been setback towards the rear of the site to ensure the majority of car parking spaces and vehicle manoeuvring areas are located towards the Moores Creek Road frontage, which ensures that the privacy and noise attenuation to nearby residential properties is maximised. The proposed setbacks are considered appropriate and ensure the proposed buildings act as additional noise attenuation to rear and side boundaries. The proposed built form is of a bulk and scale that is appropriate for the nature of the proposed use and its location in</p>

	<p>(f) integration with the streetscape and built form;</p> <p>(g) orientated to the street frontage;</p> <p>(h) landscape features of the site; and</p> <p>(i) access to open space.</p>	<p>proximity to existing residential properties. The proposal has been designed to ensure there are no negative impacts on amenity as a result of the placement of built form and the architectural design of the buildings. The provision of acoustic barrier fencing and lower floor levels to that of nearby residential dwellings will ensure the outlook from these dwellings is uncompromised by the proposal.</p> <p>Any building plant and equipment will be screened and located to ensure these are not visible from adjoining properties and the Moores Creek Road frontage.</p>
PO12	Vehicle parking facilities are located and concealed to ensure an attractive streetscape and built form.	Given the commercial nature of the proposal, it is considered more appropriate to locate buildings towards the rear and side of the site, which effectively provides screening and noise attenuation to nearby properties. Proposed car parking and vehicle manoeuvring areas are located towards the centre of the site and the Moores Creek Road frontage.
PO20	The development minimises adverse impacts on the amenity of adjoining land uses and the surrounding area.	<p>The proposed development seeks to operate between 05:00 – 22:00, seven (7) days. The proposed hours of operation are considered appropriate given the nature of the use. Potential impacts on nearby properties can be effectively managed through appropriate and effective approval conditions. A two (2) metre high acoustic barrier is proposed along the sides and rear of the site, with one section increasing to 3.5 metres near the Moores Creek Road frontage of the site to accommodate the grade change and to protect the amenity of the nearby two (2) storey residence.</p>

Access, Parking and Transport Code		
Performance Outcome/s		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 proposed development will provide a total of thirty-six (36) car parking spaces. The proposal will be two (2) car parking spaces short. However, the provision of bicycle spaces will cater for and encourage cyclist reducing the demand on the provision of car parking spaces on site. Therefore, the car parking spaces proposed are considered adequate to service the proposed uses.</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**

Sufficient grounds to support the development are as follows:

- a) The development has been designed to ensure it can operate with no adverse impacts on nearby residential character, through the appropriate siting and design of buildings, landscaping and acoustic fencing;
- b) The proposal provides a convenience function only and will not impact on or compromise the role of existing centres;
- c) The subject site is ideally suited to the proposed development, given its highly accessible and visible location fronting Moores Creek Road;
- 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.

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 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 Infrastructur e Charge		Column 4 Adopted Infrastructure Charge for stormwater network		Calculated Charge
			(\$)	Unit	(\$)	Unit	
Commercial (Retail)	Service Station (fuel pumps)	All areas	Nil Charge				Nil
	Service station (all other areas)	Areas 1	153	per m <sup>2</sup> of GFA			\$109,990.17
	and All other uses as per AICN 4/14 Table 2.2.1				8.50	per m <sup>2</sup> of impervio us area	\$28,681.97

	Total	138,672.14
	Less credit	\$21,000.00
	<b>TOTAL CHARGE</b>	<b>\$117,672.14</b>

This is based on the following calculations:

- A charge of \$109,990.17 for Gross Floor Area being 718.89 square metres (Service Station (211.88 square metres), Food and Drink Outlet and Shops (507.01 square metres);
- A charge of \$28,681.97 for Impervious Area being 3,374.35 square metres (roof area, hardstand areas, access and parking areas); and
- An Infrastructure Credit of \$21,000.00 applicable for the existing allotment.

Therefore, a total charge of \$117,672.14 is payable and will be reflected in an Infrastructure Charges Notice for the development.

### **CONSULTATION**

The proposal was the subject of public notification between 5 May 2017 and 26 May 2017, as per the requirements of the *Sustainable Planning Act 2009*, and fifty-eight (58) properly made and three (3) not properly made submissions were received. Forty-seven (47) of the submissions were supporting the proposal and fourteen (14) of the submissions were against the proposal.

The submissions supporting the proposed development included the following grounds:

- Convenience for local residents and commuters;
- The point of difference Roxi Market Place will offer; and
- The benefit to the economy by the proposal creating additional jobs.

The following is a summary of the submissions objecting to the proposal, with Council officer comments:

<b>Issue</b>	<b>Officer's Response</b>
Surrounding businesses will be severely impacted. There are already plenty of shops and Service Stations in the surrounding area.	The development is of a scale to provide a localised convenience function, without adversely impacting on the role and function of designated centres. The proposed development will not result in inappropriate 'out of centre' development.
Amenity of nearby residents will be affected by the development.	The proposed development has been designed to ensure the residential character and amenity of surrounding residential properties is uncompromised. Appropriate setback and acoustic attenuation is proposed to ensure noise, odour and light spillage is appropriately managed.  A two (2) metre high acoustic barrier is proposed along the sides and rear of the site, with one section increasing to 3.5 metres near the Moores Creek Road frontage of the site to accommodate the grade change and protect the amenity of the nearby residential properties.
Excessive hours of trading are not in keeping with a residential area.	The proposed development seeks to operate between 05:00 – 22:00, seven (7) days. The proposed hours of operation are considered appropriate given the nature of the use. Potential impacts on nearby properties can be effectively managed through appropriate and effective approval conditions. A two (2) metre high acoustic barrier is proposed along the sides and rear of the site, with one section increasing to 3.5 metres near the Moores Creek

Issue	Officer's Response
	Road frontage of the site to accommodate the grade change and protect the amenity of the nearby two (2) storey residence.
There is not sufficient car parking spaces provided on site.	The proposed development will provide a total of thirty-six (36) car parking spaces. The proposal will be two (2) car parking spaces short. However, the provision of bicycle spaces will cater for and encourage cyclist reducing the demand on the provision of car parking spaces on site. Therefore, the car parking spaces proposed are considered adequate to service the proposed uses.
Stormwater flows will be impacted by the development.	A stormwater management plan has been provided which has demonstrated that the proposed development can adequately discharge stormwater to a lawful point of discharge.
The construction of new buildings, structures and sound barrier installations will have a negative impact upon visual amenity and natural airflow.	The subject site falls from the rear (north east boundary) towards Moores Creek Road, therefore will be set below the residential properties. Landscaping will be incorporated in the screening to soften the visual impacts. In addition, the proposed screening and landscaping will mitigate the existing impacts on the residential amenity from the Moores Creek Road traffic.
The existing sewer main is not designed to cope with the proposed load from the subject site.	A new fifty (50) millimetre diameter rising main is proposed to connect the site with the existing 150 millimetre diameter sewerage main in Hassell Street road reserve. Therefore, the proposed upgrades will be able, to adequately service the proposed use.
The proposal will cause adverse environmental impacts on the surrounding area.	<p>The proposed development has been conditioned that 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) will be appropriately bunded and drained to the sewer network in accordance with the trade waste permit.</p> <p>In addition, the proposed development will provide adequate screening by landscaping and acoustic fencing which will provide suitable mitigation to adjoining properties and subsequently offset any potential impacts by the way of dust, noise, odour and light emissions associated with the proposal.</p>
Entering and exiting the site will be difficult and dangerous and the development will increase traffic along Moores Creek Road.	A Traffic Impact Assessment has been provided for the proposal. The assessment has confirmed that the proposed development will be able to safely gain left entry and left exit access in a fashion that does not impede the flow of through traffic northbound on Moores Creek Road when assessed against the worst case PM peak hour traffic flows. A 3.5 metre wide and one (1) hundred metre long deceleration lane will be constructed to safely convey traffic from Moores Creek Road and provide access to the development. Egress from the proposed development site will be a separate left turn onto Moores Creek Road at a high entry angle that provides maximum sight distance for turning vehicles. A

Issue	Officer's Response
	dedicated acceleration lane for this development is unnecessary given the expected turning volumes and sufficient sight distance available for both departing and approaching vehicles. Therefore, the proposed access and egress arrangement is considered adequate as it has been demonstrated to have no adverse impacts on the performance, safety, efficiency and function of Moores Creek Road as an Urban Arterial roadway. In addition, due to the proposal being for local convenience, the nature of the uses and the site not being accessible by both directions it is not expected the proposal will generate an increase in traffic.
There is a large fig tree which is at risk from the development.	The fig tree is within the adjoining property, therefore will not be at risk from the development.

## CONCLUSION

The proposed development is considered to be in keeping with the purpose of the Low Density Residential Zone. Furthermore, the proposal generally complies with the provisions included in the applicable codes. The proposal is, therefore, recommended for approval in accordance with the approved plans and subject to the conditions outlined in the recommendation.



**D/30-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A SERVICE  
STATION, FOOD AND DRINK OUTLET  
AND SHOPS**

**Locality Plan**

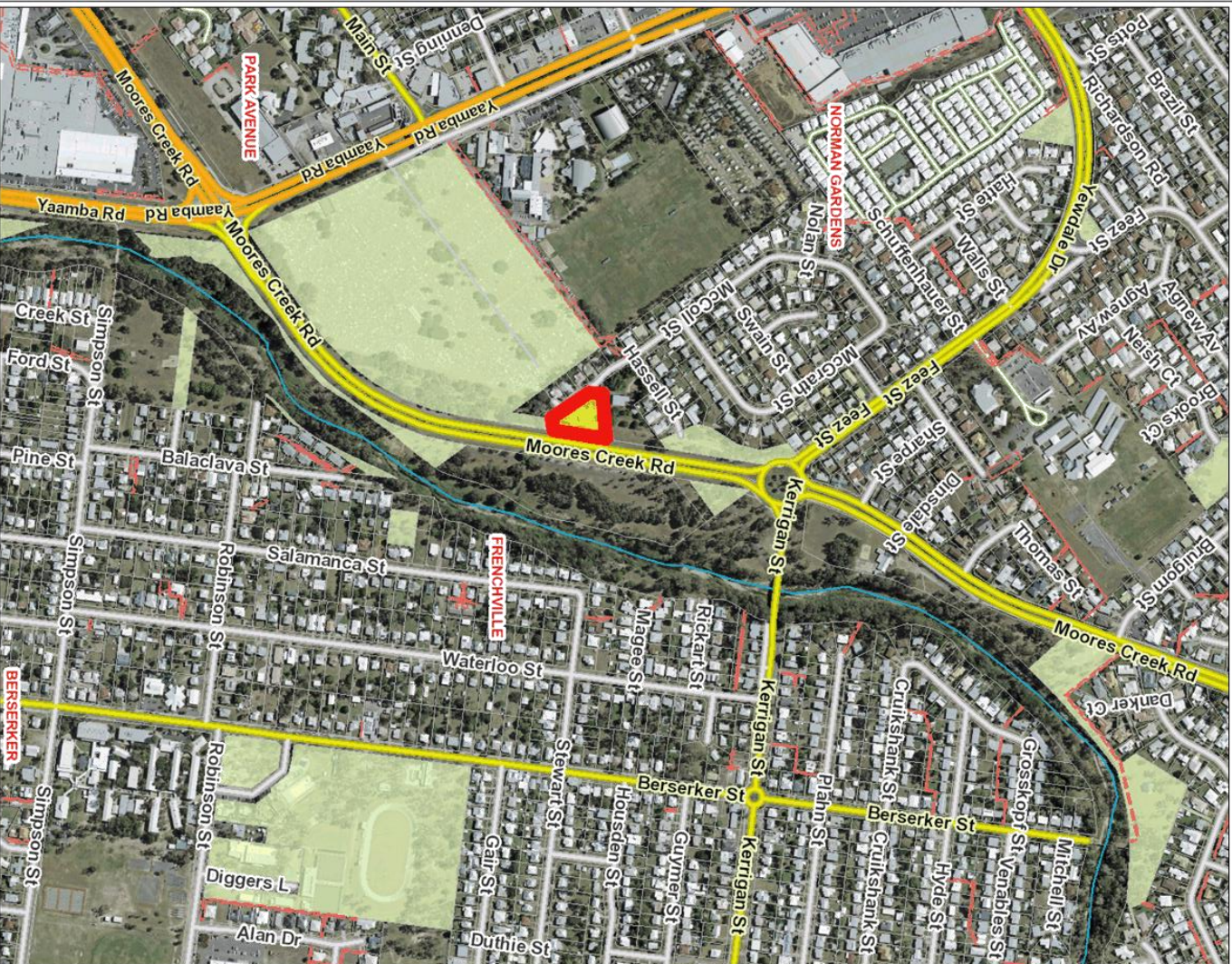
**Meeting Date: 15 August 2017**

**Attachment No: 1**

D/30-2017 - Locality Plan



A4 scale at 1: 7,562,35  
Printed from GeoCortex on 31/07/2017



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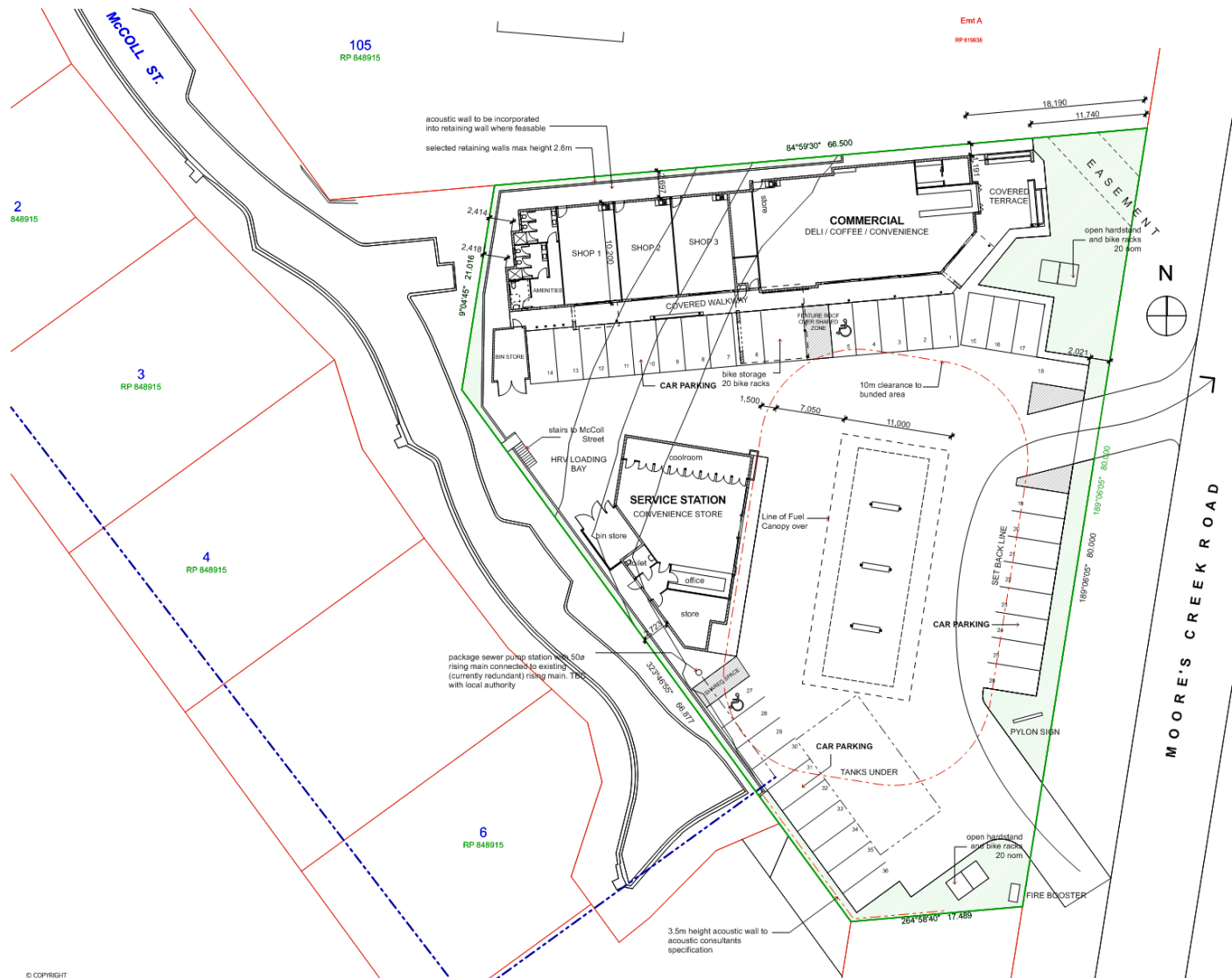
**D/30-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A SERVICE  
STATION, FOOD AND DRINK OUTLET  
AND SHOPS**

**Site Plan**

**Meeting Date: 15 August 2017**

**Attachment No: 2**





**SITE PLAN**  
SCALE 1:400

**DEVELOPMENT SUMMARY:**

Site Area - 3758m <sup>2</sup>	- 211.88m <sup>2</sup>
Area of Service Station Building	- 503.88m <sup>2</sup>
Area of Commercial / Shop	- 71.75m <sup>2</sup>
Area of Covered Terrace	- 93.20m <sup>2</sup>
Area of Covered Walkway	- 282.70m <sup>2</sup>
Area of Fuel Bowser Canopy	- 1163.41m <sup>2</sup>
<b>TOTAL</b>	<b>- 31%</b>
Site cover	- 363.85m <sup>2</sup>
Landscaping	- 36 spaces
Number of Car Parks	- 56.37m <sup>2</sup>
Shop 1 Area	- 56.37m <sup>2</sup>
Shop 2 Area	- 56.37m <sup>2</sup>
Shop 3 Area	- 56.37m <sup>2</sup>
Bicycle Allocation	- 60 nominal

**PROPERTY DESCRIPTION:**  
LOT 2 ON RP619938  
PARISH OF MURCHISON  
COUNTY OF LIVINGSTONE  
SITE AREA 3758m<sup>2</sup>

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## PROPOSED SERVICE STATION, SHOPS AND FOOD AND DRINK OUTLET

At: L2 RP 619938, 353 Moores Creek Road, Norman Gardens

For: The Bluewater Property Trust



DRAWING TITLE:  
Site Plan

PROJECT No.:  
S3933

DWG No.:  
01C

DATE: 08/01/16  
DRAWN BY: PJP  
SCALE: 1:400 @ A3  
PLOT DATE: 15/06/2017

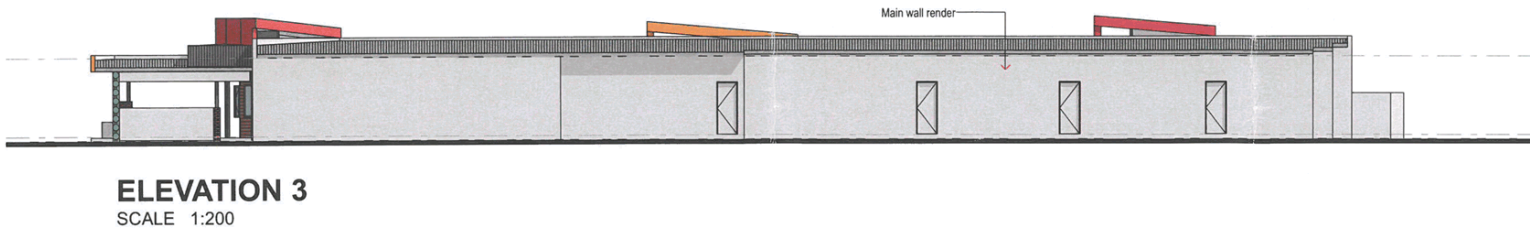
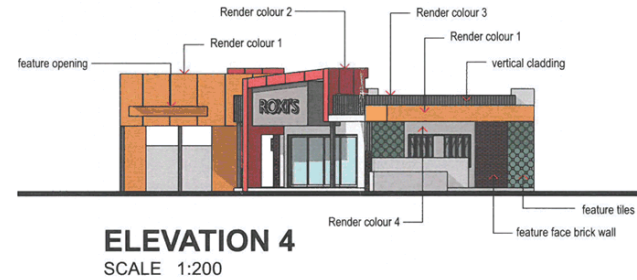
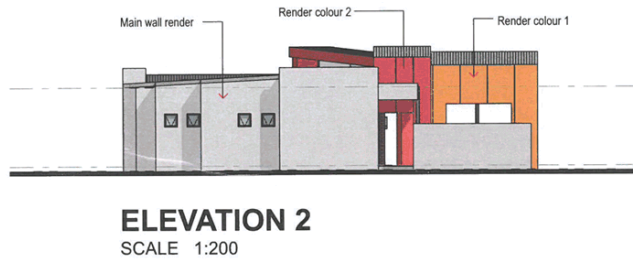
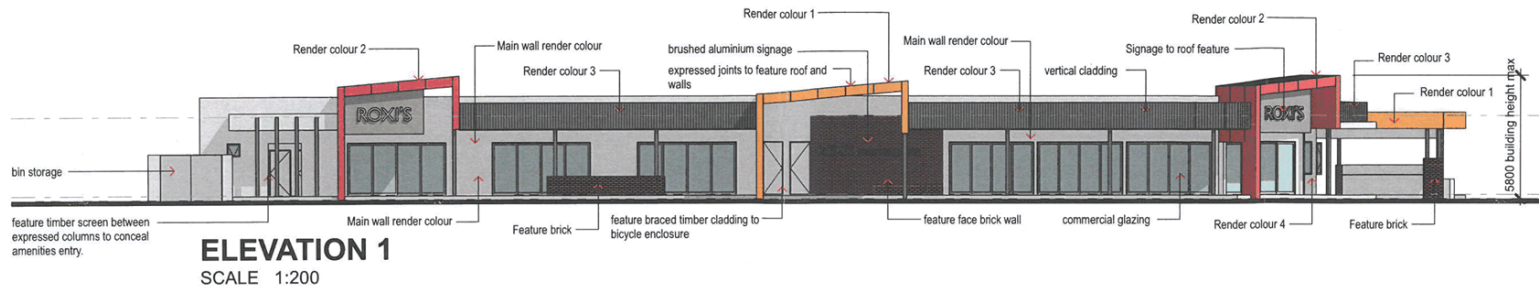
Volume/FW Drive/Projects/Job No. S3933/S3933-Moores Creek Service Centre/S3933-Site Plan/S3933-Moores Creek Site V2-AMENDED.dgn

**D/30-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A SERVICE  
STATION, FOOD AND DRINK OUTLET  
AND SHOPS**

**Elevation 1**

**Meeting Date: 15 August 2017**

**Attachment No: 3**



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**PROPOSED SERVICE STATION, SHOPS AND FOOD AND DRINK OUTLET**  
At: L2 RP 619938, 353 Moores Creek Road, Norman Gardens  
For: The Bluewater Property Trust

**Bluewater**  
PROPERTIES

**ROXI'S**  
Cafe & Eatery

**AGDF**  
MEMBER

**W.N. WEBB & ASSOCIATES PTY. LTD.**  
**ARCHITECTS**  
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TEL: +61 7 5525 3188 FAX: +61 7 5525 3188  
A.C.N. 015 316 837 Email: mail@wnwebb.com.au  
Web site: http://www.wnwebb.com.au

**PROJECT No.:**  
**S3933**

**DRAWING TITLE:**  
**Unit 1 Elevations**

**DATE:** SEP 2016  
**DRAWN BY:** mp  
**SCALE:** 1:200 @ A3  
**PLOT DATE:** 7/03/2017  
**DWG No.:** 14

/Volumes/FW Drive/Projects/Job No. 53900-53999/S3933-Moores Creek Service Centre/S3933-Site Plan/S3933-Moores Creek Site V2-Amended.pln

**D/30-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A SERVICE  
STATION, FOOD AND DRINK OUTLET  
AND SHOPS**

**Elevation 2**

**Meeting Date: 15 August 2017**

**Attachment No: 4**



**SERVICE STATION STREET PERSPECTIVE**  
SCALE 1:111.11

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**PROPOSED SERVICE STATION, SHOPS AND FOOD AND DRINK OUTLET**  
At: L2 RP 619938, 353 Moores Creek Road, Norman Gardens  
For: The Bluewater Property Trust

**Bluewater**  
PROPERTIES

**ROXI'S**  
RESTAURANT

**AGDF**  
MEMBER

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Web site: http://www.wnwebb.com.au  
/Volumes/PW Drive/Projects/job No. S3900-S3999/S3933-Moores Creek Service Centre/S3933-Moores Creek Site V2-Amended.pln

**ARCHITECTS**

DRAWING TITLE:  
Unit 2 Image  
PROJECT No.:  
S3933

DATE: SEPT 2016  
DRAWN BY: mp  
SCALE: 1:111.11 @ A3  
PLOT DATE: 7/03/2017  
DWG No.: 15



**8.2 D/48-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A COMMUNITY USE**

**File No:** D/48-2017

**Attachments:**

1. Locality Plan
2. Site Plan, [Concept Site Master Plan /1194-1 CON01]
3. Floor Plan, [Concept Site Master Plan /1194-1 CON02]

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Steven Gatt - Manager Planning & Regulatory Services  
Michael Rowe - General Manager Community Services

**Author:** Bevan Koelmeyer - Planning Officer

**SUMMARY**

*Development Application Number:* D/48-2017

*Applicant:* Bauhinia Architects Pty Ltd

*Real Property Address:* Lot 12 on SP227126, Parish of Rockhampton

*Common Property Address:* 13 Cavell Street, Wandal

*Area of Site:* 2,558 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Low Density Residential zone

*Planning Scheme Overlays:* Nil Applicable

*Existing Development:* Office of Not for Profit Organisation (Home Support Association Inc.) with an ancillary community garden

*Existing Approvals:* D-R/2009-949: Development Permit for a Material Change of Use for a Community Facility (Community Garden) and an Educational Establishment

*Approval Sought:* Development Permit for a Material Change of Use for a Community Use

*Level of Assessment:* Impact

*Submissions:* Nil

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

*Infrastructure Charges Area:* Charge Area 1

*Application Progress:*

<i>Application Lodged:</i>	28 April 2017
<i>Acknowledgment Notice issued:</i>	15 May 2017
<i>Request for Further Information sent:</i>	Not Applicable
<i>Request for Further Information responded to:</i>	Not Applicable

<i>Submission period commenced:</i>	<i>12 June 2017</i>
<i>Submission period end:</i>	<i>3 July 2017</i>
<i>Council request for additional time:</i>	<i>26 July 2017</i>
<i>Government Agency request for additional time:</i>	<i>Not Applicable</i>
<i>Government Agency Response:</i>	<i>26 June 2017</i>
<i>Last receipt of information from applicant:</i>	<i>4 July 2017</i>
<i>Statutory due determination date:</i>	<i>29 August 2017</i>

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

THAT in relation to the application for a Development Permit for a Material Change of Use for a Community Use, made by Bauhinia Architects Pty Ltd on behalf of Home Support Association Inc., located at 13 Cavell Street, Wandal, described as Lot 12 on SP227126, Parish of Rockhampton, 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) Stormwater Works.
  - 1.5.2 Plumbing and Drainage Works; and
  - 1.5.3 Building Works:
- 1.6 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.
- 1.7 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.8 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:

<u>Plan/Document Name</u>	<u>Plan No / Rev</u>	<u>Dated</u>
Concept Site Master Plan	1194-1 CON01 / P3	13 March 2017
Concept Proposed Floor Plan	1194-1 CON02 / P3	13 March 2017
Engineering Infrastructure Report	17-000629 / Issue A	April 2017

- 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 PARKING WORKS

- 3.1 All parking works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and *Australian Standard AS2890 "Parking facilities"*.
- 3.2 The existing two parking bays located towards the southern side of the concrete carpark off Haig Street must be relocated to the northern side to align with the existing aisle. Chevron must be provided on the bay closest to the existing gate with a removable bollard in accordance with *Australian Standard AS2890 "Parking facilities"* requirements.
- 3.3 Universal access parking spaces must be provided on-site in accordance with *Australian Standard AS2890.6 "Parking facilities - Off-street parking for people with disabilities"*.
- 3.4 Parking spaces must be line-marked in accordance with the approved Site Plan (refer to condition 2.1) and in accordance with the *Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access and parking works).
- 3.5 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

## 4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All internal plumbing and drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, *Water Supply (Safety and Reliability) Act 2008*, *Plumbing and Drainage Act 2002*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.2 The development must be connected to Council's reticulated sewerage and water networks.
- 4.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 4.4 Adequate domestic and fire-fighting protection must be provided to the development, and must be certified by a hydraulic engineer or other suitably qualified person.
- 4.5 Sewer connections and water meter boxes located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

4.6 Alteration, disconnection 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 2002* and Council's Plumbing and Drainage Policies.

4.7 Sewerage trade waste permits must be obtained for the discharge of any non-domestic waste into Council's reticulated sewerage network. Arrestor traps must be provided where commercial or non-domestic waste is proposed to be discharged into the sewer system.

#### 5.0 STORMWATER WORKS

5.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.

5.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).

5.3 All stormwater must drain to a 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.

5.4 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.

#### 6.0 ROOF AND ALLOTMENT DRAINAGE WORKS

6.1 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* and sound engineering.

6.2 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.

#### 7.0 SITE WORKS

7.1 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.

7.2 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

7.3 Any vegetation cleared or removed must be:

(i) mulched on-site and utilised on-site for landscaping purposes to Council's satisfaction, or in accordance with the approved landscaping plan; or

(ii) removed for disposal at a location approved by Council, within sixty (60) days of clearing. Any vegetation removed must not be burnt.

#### 8.0 BUILDING WORKS

8.1 All building works must be undertaken in accordance with *Queensland Development Code, Mandatory Part 1.4 "Building over or near relevant infrastructure."*

8.2 Impervious paved waste storage area/s must be provided in accordance with the *Environmental Protection Regulation 2008* and must be:

8.2.1 designed and located so as not to cause a nuisance to neighbouring properties;

- 8.2.2 surrounded by at least a 1.8 metre high screen fence that obstructs from view the contents of the waste storage area by any member of the public from any public place;
- 8.2.3 should the residential-type bins not be adequate for the development; commercial-type bins are required and must be serviced by a commercial contractor;
- 8.2.4 of a sufficient size to accommodate bins and clearances around the bins for manoeuvring and cleaning;
- 8.2.5 setback a minimum of two (2) metres from any road frontage; and
- 8.2.6 provided with a suitable hosecock and hoses at the refuse container area, and washdown must be drained to the sewer and fitted with an approved stormwater diversion valve arrangement in accordance with the Sewerage Trade Waste provisions and the *Plumbing and Drainage Act 2002*.

As an alternative to a washdown facility, a fully contained commercial bin cleaning service is acceptable provided no wastewater is discharged from the site to the sewer.

## 9.0 ELECTRICITY

- 9.1 Electricity services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 9.2 Evidence that the development is provided with electricity services from the relevant service provider must be provided to Council, prior to the commencement of the use.

## 10.0 TELECOMMUNICATIONS

- 10.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider.
- 10.2 Evidence that the development is provided with telecommunications services from the relevant service provider must be provided to Council, prior to the commencement of the use.

Note: The *Telecommunications Act 1997* (Cth) specifies where the deployment of optical fibre and the installation of fibre-ready facilities is required.

Note: For telecommunications services, written evidence must be in the form of either a "Telecommunications Infrastructure Provisioning Confirmation" where such services are provided by Telstra or a "Notice of Practical Completion" where such services are provided by the NBN.

## 11.0 ASSET MANAGEMENT

- 11.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
- 11.2 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.

## 12.0 ENVIRONMENTAL

- 12.1 An Erosion Control and Stormwater Control Management Plan in accordance with the *Capricorn Municipal Design Guidelines*, must be implemented, monitored and maintained for the duration of the 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.

13.0 ENVIRONMENTAL HEALTH

- 13.1 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"*.
- 13.2 Noise emitted from the activity must not cause an environmental nuisance.
- 13.3 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.
- 13.4 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.

14.0 OPERATING PROCEDURES

- 14.1 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 Haig Street or Cavell Street.
- 14.2 The hours of operations for the development site must be limited to:
- (i) 0830 hours to 1630 hours on Monday to Saturday,
- with no operations on Sundays or Public Holidays.

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. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. Licensable Activities

Should an activity licensable by Rockhampton Regional Council be proposed for the development site, Council's Environment and Public Health Unit must be consulted to determine whether any approvals are required. Such activities may include food preparation, storage of dangerous goods or environmentally relevant activities. Approval for such activities is required before 'fit out' and operation.

**NOTE 5. 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 6. Infrastructure Charges Notice**

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

**RECOMMENDATION B**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Community Use, made by Bauhinia Architects Pty Ltd on behalf of Home Support Association Inc., Parish of Rockhampton, located at 13 Cavell Street, Wandal at Lot 12 on SP227126, Council resolves to issue an Infrastructure Charges Notice for the amount of \$15,062.00.

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

The development is for a Material Change of Use for a Community Use (Integrated Learning Centre) at 13 Cavell Street, Wandal. The development is affiliated with, ancillary to and a natural extension of the existing Wandal Community Garden and Wandal Garden Day Service on the site. The proposed development will cater for up to six (6) participants and one (1) teacher and is intended to provide disabled adult persons with the skills and knowledge to cook for themselves and make healthy food choices.

The development will add one (1) detached single-storey building to the site which extends the use area of the existing Community Use facility approved under D-R/2009-949 by a Gross Floor Area of 196 square metres. The proposal seeks to utilise the existing ten (10) car parking spaces on-site with two (2) spaces fronting Cavell Street and eight (8) spaces fronting Haig Street. Amendments to the existing layout of the Haig Street carpark are proposed but do not increase the number of parking spaces provided.

**SITE AND LOCALITY**

The subject site has one (1) existing building utilised as a mixed use community facility and educational establishment by a not for profit organisation. The site also contains an ancillary shed and community garden. The site has access to two (2) formed Council roads, Cavell Street to the north and Haig Street to the west and is in proximity and intersecting with Wandal Road a State-controlled road located around forty-five (45) metres from the Haig Street carpark. The subject site is designated in the Low Density Residential Zone and the surrounding locality area is of the same designation. The site is bounded by a number of allotments primarily used for low density residential purposes such as dwelling houses.

**PLANNING ASSESSMENT****MATTERS FOR CONSIDERATION**

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

**Development Engineering Comments – (5 May 2017)**

Support, subject to conditions / comments.

**Public and Environmental Health Comments – (2 May 2017)**

Support, subject to conditions / comments.

**Other Staff Technical Comments -**

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

**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 2016**

This policy came into effect in April 2016 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. It is considered that the State Planning Policy is appropriately reflected in the current local planning scheme.

**Rockhampton Region Planning Scheme 2015****Low-Density Residential Zone**

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

- (1) ***The purpose of the low density residential zone code is to provide for predominantly dwelling houses 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 where residential uses, predominantly in the form and type of single detached one (1) storey and two (2) storey dwelling houses on individual lots are preferred to develop;
    - (b) provide for the development of a mixture of other residential land use types that provide for long-term residency, where they are sited and designed to maintain the existing urban form (low rise and low density) and amenity of the surrounding area;
    - (c) ***minimise land use conflict and ensure that community and recreation facilities develop only where they are consistent with amenity and characteristics of the surrounding area;*** and
    - (d) 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 predominantly single detached dwellings and dual occupancies on individual lots of varying sizes maintaining a generally a low-rise built form and low density character;
    - (b) residential development within the zone is of a type which primarily provides for the long-term accommodation of residents;
    - (c) low-rise multiple dwellings, relocatable home parks, residential care facilities, retirement facilities and tourist parks develop in the zone when they are situated in proximity (convenient walking distance) to parks, centres and major community facilities (hospital, university, etcetera) and have access to higher order roads (minor urban collector or higher), or public transport;
-



- (d) ***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; and***
  - (vi) ***in proximity to higher order roads (minor urban collector or higher);***

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

- (e) no additional local centres or higher order centres are required within the low density residential zone. South Gracemere is to accommodate a neighbourhood centre commensurate with the population of the immediate catchment;
- (f) new proposed centres within greenfield areas are not intended to accommodate full-line supermarkets;
- (g) 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;
- (h) ***development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;***
- (i) new residential developments are not located in proximity to existing incompatible uses such as rural uses, industrial uses and major community facilities without separation distances, landscaping and screening that minimise impacts on amenity in relation to noise, odour, dust, light, loss of privacy or other adverse impacts;
- (j) new residential developments are located and integrated with existing neighbourhoods;
- (k) 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);
- (l) ***development provides connection to pathways, cycle ways, roads and public transport infrastructure commensurate with the needs of the use;***
- (m) ***development is serviced by infrastructure that is commensurate with the needs of the use;***

The development is consistent with the purpose of the Low Density Residential Zone as it proposes a community use facility which will provide facilities for services to cater for local residents. The development is small-scale in area and the proposed building for the integrated learning centre is setback from its road frontages of Haig and Cavell Streets. Furthermore the building will be low-scale in elevation, designed as a single storey to reduce any effects of a bulky visual appearance. It is anticipated the development will be a low traffic generator and the site is in close proximity to a high order road, Wandal Road, a State-Controlled Road. Residential amenity is further managed in the development's proposed operating hours to occur during business hours of 8:30am to 4:30pm from Monday to Saturday reducing the impacts of any traffic generated or noise from the development having regard to the surrounding area.

## Rockhampton Regional Planning Scheme Codes

The following codes are applicable to this application: -

- Low Density Residential Zone Code;
- Access, Parking and Mobility Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code; and
- Water and Sewer 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:

Access, Parking and Mobility Code		
Performance Outcome/s		Officer's Response
P1	<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>Editor's note—SC6.6 — Car parking contributions planning scheme policy prescribes circumstances under which an applicant can satisfy PO5.</p>	<p><b>Justified:</b> The development does not meet the car parking rates set out in the code which based on the total gross floor area on site would require a total of twenty (20) parking spaces with the development providing ten (10) parking spaces.</p> <p>This can be accepted as the development is proposed to require only up to four (4) parking spaces per training session at the facility. Furthermore, as many of the clientele are envisaged to be disabled in some way and in many cases may not independently drive and require pick up/drop off from the site. The site is also in proximity to public transport available Wandal Road. It is noted there is also kerbside on-street parking available on Cavell and Haig Streets as well as the street median on Wandal Road to be utilised should in the unanticipated circumstances that on-site car parking spaces are not available.</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.

## Planning Scheme Policies

Policy	Officer's Response
SC6.6 Car parking contributions planning scheme policy	Council assessed the number of car parking spaces and does not anticipate that the development would have an adverse impact on the streetscape, create on-street parking congestion or an adverse impact on the amenity to the surrounding locality.

As evident from the above assessment, the proposal generally complies with the requirements of the applicable planning scheme policies.

**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	
Places of Assembly	All uses as per AICN 4/14 Table 2.2.1	Areas 1 and 2	59.50	per m <sup>2</sup> of GFA	8.50	per m <sup>2</sup> of impervious area	\$15,062.00
						Total	\$15,062.00
						Less credit	Nil
						<b>TOTAL CHARGE</b>	<b>\$15,062.00</b>

This is based on the following calculations:

- (a) A charge of \$11,662.00 for Gross Floor Area being 196 square metres (Community Use - Integrated Learning Centre);
- (b) A charge of \$3,400.00 for Impervious Area being 400 square metres (roof area and internal footpaths).

Therefore, a total charge of \$15,062.00 is payable and will be reflected in an Infrastructure Charges Notice for the development.

**REFERRALS**

The application was referred to the Department of Infrastructure, Local Government and Planning under the provisions of the *Sustainable Planning Regulation 2009* (Schedule 7, Table 3, Item 1 – State-controlled road). On 26 June 2017, the department as a concurrence agency advised Council as per section 287(1)(a) of the *Sustainable Planning Act 2009* of its conditions to be attached with a development approval which related to noise attenuation and stormwater management in regards to the state-transport corridor (Wandal Road).

**CONSULTATION**

The proposal was the subject of public notification between 12 June 2017 and 3 July 2017, as per the requirements of the *Sustainable Planning Act 2009*, and no submissions were received.

**CONCLUSION**

The development is consistent with the intent of the Low Density Residential Zone as it is providing a community use facility to cater for local residential community and not anticipated to impact on the existing residential amenity or character of the surrounding area. In addition, the proposal is generally in accordance with the applicable planning scheme codes. Therefore, the application is recommended for approval subject to the conditions outlined in the recommendation.

**D/48-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A COMMUNITY  
USE**

**Locality Plan**

**Meeting Date: 15 August 2017**

**Attachment No: 1**

D48-2017 - Locality Plan



A4 Page scale at 1: 1,250.00  
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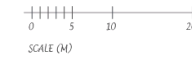
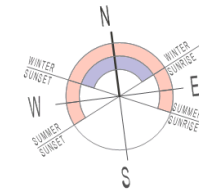
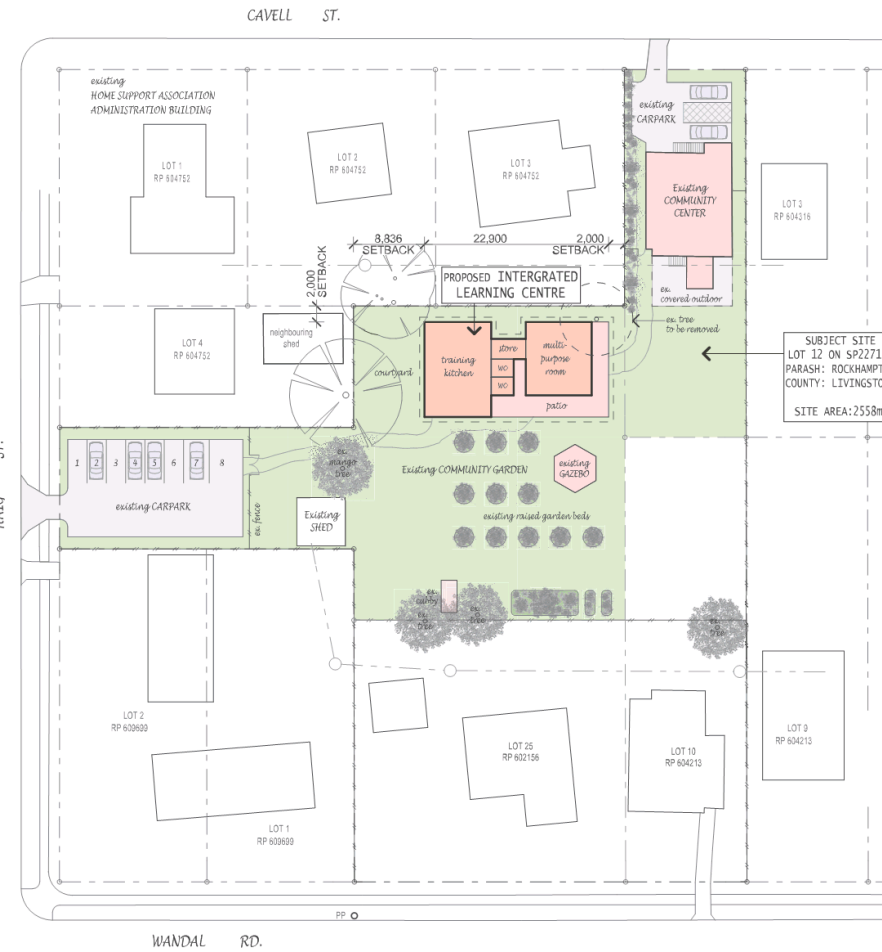
**D/48-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A COMMUNITY  
USE**

**Site Plan, [Concept Site Master Plan  
/1194-1 CON01]**

**Meeting Date: 15 August 2017**

**Attachment No: 2**





— existing fence  
 existing garden bed

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drawing production information				
designed	GG	start date	JAN 2017	
drawn	NS	plot date	14/02/2017	
P2	PRELIMINARY ISSUE 3	13/03/17	NS	
P2	PRELIMINARY ISSUE 2	10/02/17	NS	
P1	PRELIMINARY ISSUE 1	25/01/17	NS	
no	amendment	date	init	issue stamp

#### PRELIMINARY



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HOME SUPPORT ASSOCIATION  
 project

WANDAL COMMUNITY GARDEN  
 INTEGRATED LEARNING CENTRE

CONCEPT  
 SITE MASTER PLAN  
 title

scale size drawing no rev  
 1:500 A3 1194-1 CON01 P3

## WANDAL COMMUNITY GARDEN SITE MASTER PLAN

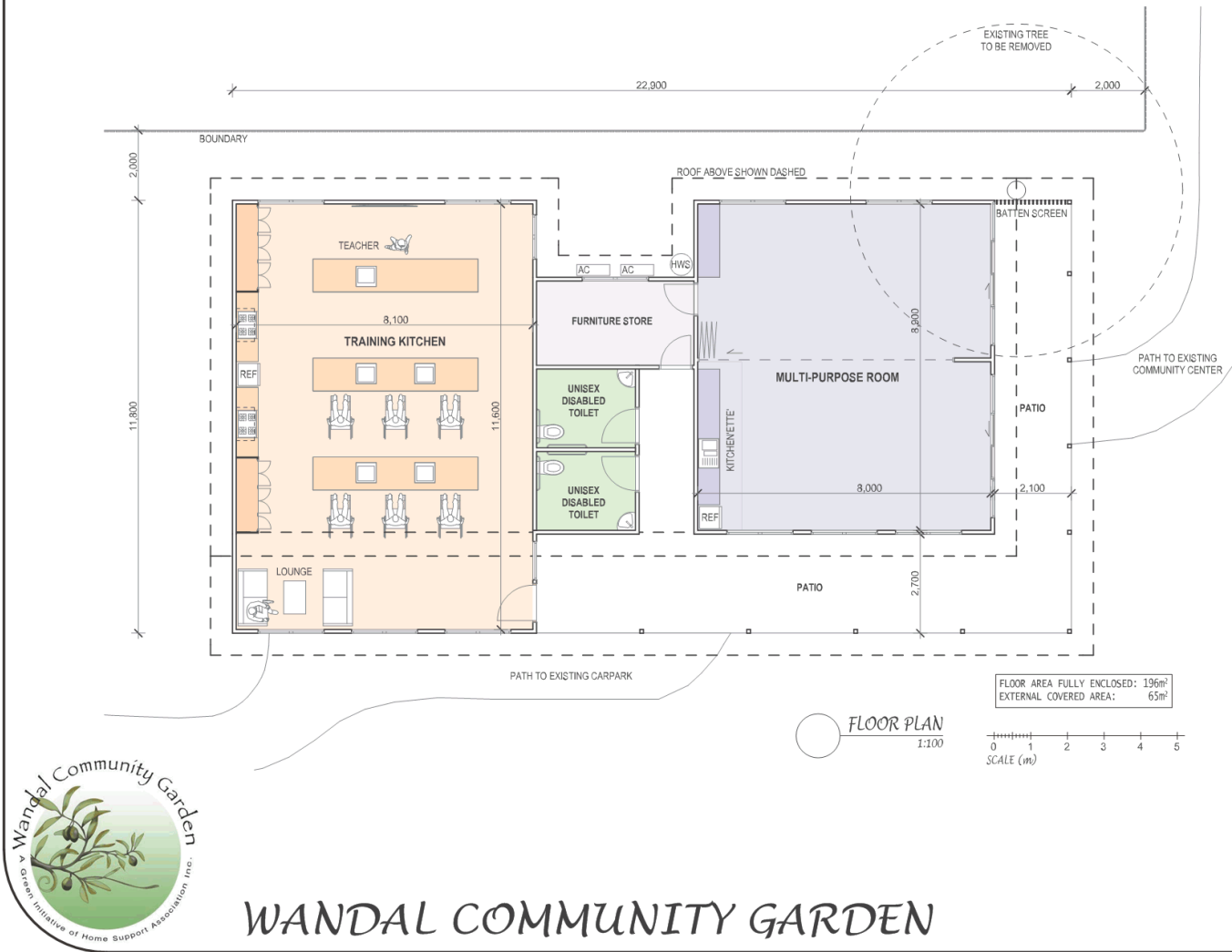
**D/48-2017 - DEVELOPMENT  
APPLICATION FOR A MATERIAL  
CHANGE OF USE FOR A COMMUNITY  
USE**

**Floor Plan, [Concept Site Master Plan  
/1194-1 CON02]**

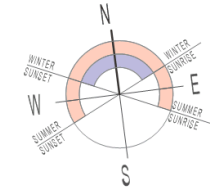
**Meeting Date: 15 August 2017**

**Attachment No: 3**





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no	amendment	date	init
			issue stamp

**PRELIMINARY**



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**HOME SUPPORT ASSOCIATION**  
project

**WANDAL COMMUNITY GARDEN  
INTEGRATED LEARNING CENTRE**

**CONCEPT**  
**PROPOSED FLOOR PLAN**  
title

scale size drawing no rev  
1:100 A3 1194-1 CON02 P3



## WANDAL COMMUNITY GARDEN

CONCEPT PLAN - PROPOSED INTERGRATED LEARNING CENTRE

**8.3 MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES FOR JULY 2017****File No:** 1464**Attachments:**  
1. Monthly Operations Report for July 2017  
2. Traffic Light Report for July 2017**Authorising Officer:** Michael Rowe - General Manager Community Services**Author:** Steven Gatt - Manager Planning & Regulatory Services

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**SUMMARY**

*The Monthly Operations Report for Planning and Regulatory Services Section for July 2017 is presented for Councillor's information.*

**OFFICER'S RECOMMENDATION**

THAT the Planning and Regulatory Services Monthly Operations Report for July 2017 be 'received'.

**COMMENTARY**

The monthly operations report for the Planning and Regulatory Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2017/18 Operational Plan Key Performance Indicators.

# **MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES FOR JULY 2017**

## **Monthly Operations Report for July 2017**

**Meeting Date: 15 August 2017**

**Attachment No: 1**



## Monthly Operations Report

*Planning and Regulatory Services*

*July 2017*

### 1. Highlights

#### **Local Laws**

Dog Registration renewals were sent in early July 2017, to date 5291 dogs have been registered for 2017-2018.

The Coordinator Local Laws and Supervisor Local Laws positions have been filled. The Coordinator Local Laws commences with Council on 7 August 2017 and the Supervisor on the 28 August 2017.

The Local Laws Officer position was advertised internally in July 2017, applications close on the 6 August 2017.

#### **Environment and Public Health Unit**

Food business restorations were sent out to food business licensees who had not renewed their food business licence.

Environmental Health Officers assessed a number of short term food business licences for food businesses trading at the River Festival. Officers inspected food stalls and mobile vans at the festival to check compliance with food safety and hygiene requirements, all were compliant.

Environment and Public Health Officers attended Barrage Day for the first time, educating the public on health related matters in particular food enquiries relating to correct temperatures for food preparation and storage. The display was well attended and well worth holding.

An Environment and Public Health Community Education Plan 2017-2020 was developed. The Plan outlines the sub unit's approach to community education, provides staff with direction about the manner in which education will be undertaken and includes action plans.

#### **Vector Management Unit**

Vector Management Officers attended Barrage Day using the Argo, mosquito light trap display and vermin displays to draw in the attendees.

A Vector Management Community Education Plan 2017-2020 was developed. The Plan outlines the sub unit's approach to community education, provides staff with direction about the manner in which education will be undertaken and includes action plans.

#### **Pest Management Unit**

Coordinator Health and Environment and Supervisor Pest Management attended the Central Queensland Regional Pest Management Sub-Committee Meeting. Local Government Co-investment Draft EOI's to the State-wide Oversight Group were discussed. One project identified for an EOI was a research project to identify deer locations, populations, movements and linkages to other population in the region to improve control including the most effective and efficient control strategies in a range of situations. An EOI is currently being developed.

Coordinator Health and Environment (Member) and Supervisor Pest Management (Observer) attended (teleconference) the Local Government Biosecurity Act Reference

Group Meeting. The draft purpose of the Group is to identify key barriers and challenges to the effective implementation of the *Biosecurity Act 2014* and work with the Department of Agriculture and Fisheries to establish effective solutions and support systems. If issues cannot be resolved through education or changes to policy, the group will be responsible for collating evidence and building a case for legislative amendment.

Pest Management Officers attended Barrage Day and brought along the boat which proved popular amongst attending children. Restricted invasive plant brochures were also popular, with the public making many enquiries. The display included examples of three water weeds before and after biological control.

Aquatic weed management continues on the Fitzroy River and associated lagoon and tributary systems resulting in a reduction in live plants.

#### **Development Assessment**

The development assessment unit received 19 applications for the month and 23 applications were decided. The Development Assessment unit met all targets for information requests for the month.

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

The building section received 17 applications for the month meeting all DA timeframes and deciding 7 with the month. The Plumbing Unit finalised 32 applications within the statutory timeframes, receiving a further 30 for the month.

## 2. Innovations, Improvements and Variations

(Operational Plan Ref:

**5.3.2.1 Identify at least one operational saving per section of responsibility**

**5.4.2.6 Identify at least two improved processes per section of responsibility)**

Procedure development continues within the Local Laws Unit, focusing on Dog Attack, Animal Impound and Release and Wandering and Stray Animals. These are nearing finalisation and will assist the local laws officers work more efficiently and effectively.

Progress continues to be made on the parking sensors in the Rockhampton CBD. Parking sensors will allow for the parking local laws officers to be more efficient.

Further information is contained in section 7 operational projects.

### 3. Customer Service Requests

**(Operational Plan Ref: 4.1.1.1 Provide timely and accurate responses to requests)**

Response times for completing customer requests in this reporting period for July are outlined in the traffic light report for Planning and Regulatory Services in attachment 2.

The Planning and Regulatory Services unit has received 4930 customer requests from January 2017 to date and have completed a total of 4620 of these requests giving an average 87.68% completion rate across the spectrum of operations..

## 4. Service Delivery

(Operational Plan Ref: 4.1.1.2 Provide effective delivery of Council services)

Service Level	Target	Current Performance	Service Level Type (Operational or Adopted)
Local Laws			
Dog Registration Enquiries – as expected an increase (327) in dog registration enquiries was received by Council in July (due to registration notices being sent)	10 days	2.48 days	Operational
Barking Dog Stage 2 complaints	30 days	14 days	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 IPA, SPA and PA	100%	100%	Operational
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under IPA, 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%	100%	Operational
Information requests (where required) sent out within timeframes under <i>Planning Act 2016</i>	100%	100%	Operational
Building approvals – decision are made within 35 business day timeframe	100%	100%	Operational
Plumbing			
Plumbing and Drainage Approvals – decisions are made within 20 business day timeframes	100%	100%	Operational
Health and Environment			
Annual Inspection of licensed food business undertaken	100%	7%	Operational
Annual inspection of licensed businesses that provide higher risk personal appearance services undertaken	100%	0%	Operational
Annual inspection of devolved licensed environmentally relevant activities undertaken.	100 %	0%	Operational



## 5. Legislative Compliance and Standards

(Operational Plan Ref: 5.2.1.1 Comply with legislative requirements)

### Legislative timeframes

Item	Due Date	Compliant? (Yes/No)	Status
Health and Environment			
Council's Ground Distribution Contract Licence	6 April 2020	Yes	Current
Pest Management Officers AC/DC Licenses	Various	Yes	Current
Vector Management Officers	Various	Yes	Current
Payment of Pest Management Government Charges to DAFF	December 2017	Yes	Current
Local Laws			
Local Law Officers Powers of Entry	Various	Yes	All officers completed and updated
C Class Drivers Licence	Various	Yes	All officers provided licences to HR
Cert IV (Government Investigations)	Various	80%	Training completed, officers have until November 2017 to complete assessment

## 6. Operational Plan Targets by Section

The following Operational Plan actions and targets are required to be reported to Council on a monthly basis. This data will also form part of the Operational Plan quarterly report to Council:

Operational Plan Ref	Action	Target	Status
1.1.4.4	<i>Completion of a new animal pound facility at Gracemere</i>	<i>Completed in accordance with project schedule</i>	<p><i>Land sale finalised in July 2017</i></p> <p><i>Operational works application in progress.</i></p> <p><i>4 into 2 Lot ROL application underway</i></p> <p><i>Facilities currently amending design subject to the DA conditions and working to finalise the D&amp;C contract with the contractor designer</i></p>
1.3.2.1	<i>Prevention of disease and adverse impact of domestic animals</i>	<i>Implement actions in accordance with the Animal Management Guidelines</i>	<p><i>Pound cleaned in accordance with the Pound Manual.</i></p> <p><i>No notifications of Parvo at the Rockhampton Pound were identified in July 2017.</i></p> <p><i>LLO attended a Rockhampton Regional Council Lively Library Session and presented on responsible cat ownership.</i></p>
3.1.3.1	<i>Implement strategic plans to advise community on programs</i>	<i>Achieve strategy outcomes in the Biosecurity Plan in accordance with timeframes</i>	<p><i>Biosecurity Plan being developed.</i></p> <p><i>Vector Management Plan and Wild Dog Management Plan finalised and adopted by Council July 2017.</i></p>
4.1.1.1	<i>Provide timely and accurate responses to requests</i>	<i>In accordance with unit's customer service standards or adopted service levels</i>	<p><i>Customer service improvement projects under way as per operational; project tables</i></p> <p><i>Average completion for all areas of Local Laws in traffic light report is below the completion standard.</i></p>
4.1.1.2	<i>Provide effective delivery of Council services</i>	<i>In accordance with unit's customer services</i>	<p><i>Customer service improvement projects under way as per operational; project tables</i></p>
4.2.1.1	<i>Provide effective development management programs in line with legislative requirements for noise, odour and dust protection</i>	<i>Compliance with statutory codes and regulations</i>	<p><i>Customer service improvement projects under way as per operational; project tables via Local Law review.</i></p> <p><i>Local Laws continues to respond to residential complaints in relation to noise dust and odour. In July 2017 7 noise complaints and one</i></p>

Operational Plan Ref	Action	Target	Status
			<p>dust non animal nuisance complaint were actioned.</p> <p>Local Laws is continuing to action barking dog complaints 86 stage 1 barking complaints and 14 stage 2 barking complaints were made during July 2017</p> <p>Vector Management Plan and Wild Dog Management Plan adopted by Council July 2017.</p> <p>Work Instructions continuously developed and reviewed</p>
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	<p>Education program for 2017-2018 currently being planned</p> <p>Facebook posts in relation to Operation Wanted in July 2017 posted to encourage animal owners to desex their animals.</p> <p>LLO attended a Rockhampton Regional Council Lively Library Session and presented on responsible cat ownership. This is continuing in August 2017 with presentations on Dogs.</p> <p>Vector Management and Health and Environment Community Education Plans developed in July 2017.</p> <p>Vector Management, Pest Management and Health and Environment undertook displays at the Barrage Day.</p>
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 Jun 2018	Development Underway
5.2.1.1	Comply with legislative requirements	Updates to be present to Council in sectional monthly reports	See section 5 of this report
5.2.1.4	Operational risks are monitored and managed in accordance with legislative requirements	Risk registers are presented to Council on a quarterly basis	See quarterly report to Council
5.2.1.8	Monitor and review non-compliance of legislative requirements	Report on legislative non-compliance included in sectional reports presented to	No non-compliances in decision making, planning and reporting processes identified.

Operational Plan Ref	Action	Target	Status
		<i>Council on a monthly basis</i>	
<i>5.3.1.1</i>	<i>Workforce planning is reviewed to ensure that resourcing levels meet business needs in accordance with budget allocations</i>	<i>Review workforce requirements in accordance with budget schedule</i>	<i>Constant review of resourcing occurring based on projects and service delivery. Development of business plan to monitor this aspect..</i>
<i>5.3.2.1</i>	<i>Continually review operational expenditure</i>	<i>Identify at least one operational saving per section of responsibility</i>	<i>See section 2 of this report</i>
<i>5.4.2.6</i>	<i>Pursue improved processes through all levels of Council</i>	<i>Identify at least two improved processes per section of responsibility</i>	<i>See section 2 of this report.</i>

## 7. Operational Projects

As at period ended **July** – **8.33%** of year elapsed

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Local Laws					
Pets in the Park Microchipping Days		30 June 18	Planning	\$17,000	Nil
Issuing of Dog registration Renewals	June 17	Sept 17	In Progress	\$20,000	\$4,850
Review on call provisions	1 Sept 17	30 Jun 18	In line with EB negotiations	unknown	Nil
Development Assessment					
Improve internal client relationships		Ongoing	In Progress	Operational budget	
Stage 2 of Track and Report (ECM and Pathway migration)		Ongoing	Information Services working on resolving issues with two systems talking to each other	Operational budget	
Planning Act compliance system checks	21 August 17	30 Nov 17	Health check and workflow development of DA process within Pathways	\$20,000 Gov Grant	
Building, Plumbing and Compliance					
Backlog of outstanding customer requests		1 Jan 18	Monthly meetings with relevant staff to discuss outstanding/problems and closeout issues	Operational budget	
Compliance process review		1 Sept 17	Discussions with admin, CIS and consultants	Operational budget	
Work flow alignment	21 Aug 17	Sept 17	Infor consultant engaged to align pathway with new legislation	\$10,000	Nil
Health and Environment					

Project	Planned Start Date	Planned End Date	Status	Budget Estimate	YTD actual (incl committals)
Biosecurity Plan	Commenced		Drafted	Operational budget	
Dengue Management Plan	Commenced	Draft completed 31 Aug 17	Commenced	Operational budget	
Enforcement Guideline			Awaiting Enforcement Manual and Policy	Operational budget	

## 8. Budget

Financial performance as expected for the reporting period

*This report is generated in Finance One*



### End of Month General Ledger - (Operating Only) - Planning and Regulatory Services

For period July only

Report Run: 04-Aug-2017 14:11:06 Excludes Nat Accts: 2802,2914,2917,2924

	Adopted Budget	Revised Budget	EOM Commitments	Actuals for 01	Commit + Actual	Variance	On target
	\$	\$	\$	\$	\$	%	8.3% of Year Gone
<b>COMMUNITY SERVICES</b>							
<b>Planning and Regulatory Services</b>							
<u>Development Assessment</u>							
Revenues	(807,086)	0	0	(64,186)	(64,186)	95%	✓
Expenses	1,292,143	0	74,147	109,798	183,946	171%	✗
Transfer / Overhead Allocation	30,630	0	12	693	704	28%	✗
<b>Total Unit: Development Assessment</b>	<b>515,707</b>	<b>0</b>	<b>74,159</b>	<b>46,305</b>	<b>120,464</b>	<b>280%</b>	<b>✗</b>
<u>Building Compliance</u>							
Revenues	(762,880)	0	0	(41,836)	(41,836)	66%	✓
Expenses	1,130,887	0	6,250	52,241	58,491	62%	✗
Transfer / Overhead Allocation	(105,696)	0	4,104	(9,583)	(5,479)	62%	✓
<b>Total Unit: Building Compliance</b>	<b>262,291</b>	<b>0</b>	<b>10,354</b>	<b>822</b>	<b>11,176</b>	<b>51%</b>	<b>✗</b>
<u>Health &amp; Environment</u>							
Revenues	(189,489)	0	0	(32,427)	(32,427)	205%	✓
Expenses	2,556,478	0	45,411	100,836	146,248	69%	✗
Transfer / Overhead Allocation	353,717	0	257	20,903	21,160	72%	✗
<b>Total Unit: Health &amp; Environment</b>	<b>2,720,707</b>	<b>0</b>	<b>45,669</b>	<b>89,313</b>	<b>134,981</b>	<b>60%</b>	<b>✗</b>
<u>Local Laws</u>							
Revenues	(1,420,867)	0	0	(38,928)	(38,928)	33%	✓
Expenses	2,853,790	0	244,479	109,361	353,840	149%	✗
Transfer / Overhead Allocation	256,157	0	233	16,315	16,548	78%	✗
<b>Total Unit: Local Laws</b>	<b>1,689,080</b>	<b>0</b>	<b>244,712</b>	<b>86,748</b>	<b>331,460</b>	<b>235%</b>	<b>✗</b>
<u>Planning and Regulatory Services Management</u>							
Expenses	917,963	0	184	47,356	47,540	62%	✗
<b>Total Unit: Planning and Regulatory Services Management</b>	<b>917,963</b>	<b>0</b>	<b>184</b>	<b>47,356</b>	<b>47,540</b>	<b>62%</b>	<b>✗</b>
<b>Total Section: Planning and Regulatory Services</b>	<b>6,105,748</b>	<b>0</b>	<b>375,078</b>	<b>270,544</b>	<b>645,622</b>	<b>127%</b>	<b>✗</b>
<b>Total Department: COMMUNITY SERVICES</b>	<b>6,105,748</b>	<b>0</b>	<b>375,078</b>	<b>270,544</b>	<b>645,622</b>	<b>127%</b>	<b>✗</b>
<b>Grand Total:</b>	<b>6,105,748</b>	<b>0</b>	<b>375,078</b>	<b>270,544</b>	<b>645,622</b>	<b>127%</b>	<b>✗</b>

## 9. Section Statistics

*This section is for you to include any statistics or information specific to your section, other than the fields 1-9 above. You may adjust the headings or tables to suit your operational needs. This section is free form and has been added as a guide only.*

*In this section you can also include any section specific programs or activities undertaken during the reporting period as per the examples listed.*

### *Programs/Activities*

*During this period, the following programs and activities were undertaken:*

<b>Program/Activity</b>	<b>Date/s Held</b>	<b>Visitor/Participation Numbers</b>	<b>Comments</b>
<i>River Festival</i>	<i>July 2017</i>		<i>Assessed a number of short term food business licences</i>
<i>Barrage open day</i>	<i>July 2017</i>	<i>1764 visitors</i>	<i>Education public on health related matters in particular food safety, mosquitos, vermin and pest plants</i>



# **MONTHLY OPERATIONS REPORT FOR PLANNING AND REGULATORY SERVICES FOR JULY 2017**

## **Traffic Light Report for July 2017**

**Meeting Date: 15 August 2017**

**Attachment No: 2**

## All Monthly Requests (Priority 3) Planning & Regulatory Services 'Traffic Light' report July 2017

	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	8	8	327	262	65	0	10	●	2.48	●	3.58	●	7.39	6.68
Animals (more than permitted number)	23	16	23	5	21	4	30	●	3.60	●	21.69	●	16.86	13.58
Building Inspection Booking	0	0	1	1	0	0	1	●	14.00	●	19.50	●	13.80	8.67
Building Enquiry - General Info/Admin etc	43	22	30	17	34	0	5	●	3.18	●	7.86	●	12.21	2.52
Living in Illegal Premises	6	3	0	0	3	0	28	●	0.00	●	58.33	●	43.86	7.00
Other Building Compliant Issue	38	2	0	0	36	0	7	●	0.00	●	29.36	●	27.53	2.53
Poor Condition of Building	11	6	1	0	6	0	28	●	0.00	●	19.69	●	48.69	12.23
Pool Fence Issues	5	1	2	1	5	0	28	●	2.00	●	18.57	●	20.53	8.63
Retaining Wall Issues	4	0	1	0	5	0	28	●	0.00	●	27.50	●	29.60	7.00
Storm Water Complaint	9	4	1	1	5	0	28	●	7.00	●	17.00	●	27.20	12.00
Comm Compliance Barking Letter/Visitors Advice	2	1	0	0	1	0	5	●	0.00	●	22.41	●	12.90	1.39
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	38	27	18	10	14	5	45	●	3.80	●	20.15	●	30.21	24.48
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	6	6	14	8	6	0	20	●	7.25	●	16.46	●	17.31	10.17
Dog Attack on Animal (Alleged) CSO	7	6	16	5	12	0	20	●	6.00	●	13.97	●	15.51	9.34
Dog Attack on Person (Bite) CSO	4	4	4	1	3	0	20	●	2.00	●	13.92	●	16.78	9.15
Duty Planner (New Enquiry)	6	6	104	98	3	3	1	●	0.64	●	0.70	●	0.87	0.59
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	●	7.00	●	9.67	9.67
Telephone Enquiry (Existing Application/Call Back)	1	1	28	26	1	1	1	●	0.62	●	0.84	●	0.84	0.80
GIA Moratorium (Compliance)	0	0	0	0	0	0	45	●	0.00	●	0.00	●	0.00	0.00
Heavy Vehicle Parking	0	0	1	0	1	0	10	●	0.00	●	18.33	●	15.93	8.89
Overgrown Allotments	37	29	15	1	20	2	45	●	0.00	●	14.05	●	21.30	20.60
Regulated Parking	11	11	44	27	16	1	10	●	4.22	●	6.35	●	7.31	5.00
Dust Complaint	0	0	1	1	0	0	10	●	1.00	●	2.00	●	4.43	1.00
Litter/Illegal Dumping	12	10	8	2	8	0	20	●	9.50	●	7.76	●	34.70	32.27
Noise Complaint	4	4	7	4	3	0	10	●	2.75	●	6.07	●	4.50	2.94
Plumbing Inspection Booking	0	0	0	0	0	0	1	●	0.00	●	0.50	●	0.38	0.38
P&D Works without a Plumbing Permit	5	1	1	0	5	0	5	●	0.00	●	4.00	●	1.50	1.50
Requests for Toilet Counts	0	0	0	0	0	0	5	●	0.00	●	7.00	●	23.60	55.00
Onsite (Private) Treatment Plant Odours	2	2	0	0	0	0	5	●	0.00	●	13.33	●	29.00	0.00
P&D Waste Water Leaking to Adjoining Properties	1	1	4	1	3	0	5	●	1.00	●	11.00	●	9.67	6.50
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	39	38	1	0	5	●	0.53	●	0.76	●	1.06	0.72
Plumbing Issues General	4	3	15	9	5	2	5	●	1.44	●	3.29	●	11.23	2.21

	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	31	31	86	68	17	1	3	●	2.38	●	5.81	●	4.55		1.13
Barking Dog Complaint - Stage 2 LLEO Use Only	14	6	14	3	16	3	30	●	14.00	●	22.43	●	17.56		12.15
Vector Misting	0	0	3	3	0	0	7	●	1.33	●	5.99	●	4.79		4.75
Nuisance Vehicle	21	18	29	17	8	7	10	●	4.94	●	7.70	●	7.80		5.56
Wandering Animals / Livestock	61	58	131	103	30	1	10	●	0.83	●	1.84	●	1.51		1.04
Wandering Stock	0	0	0	0	0	0	10	●	0.00	●	2.83	●	2.94		1.97

**8.4 COMMITTEE REPORT DELEGATIONS - JULY 2017**

**File No:** 7028  
**Attachments:** Nil  
**Authorising Officer:** Steven Gatt - Manager Planning & Regulatory Services  
Michael Rowe - General Manager Community Services  
**Author:** Tarnya Fitzgibbon - Coordinator Development Assessment

**SUMMARY**

*This report outlines the development applications received in July 2017 and whether they will be decided under delegation or decided by Council.*

**OFFICER'S RECOMMENDATION**

THAT the Committee Report Delegation – July 2017 report 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 July 2017. They will be decided in the following manner:

<b>Application type</b>	<b>Address</b>	<b>Decision</b>
(SPA) D/64-2017 – Operational Works for Sewerage Works (Infrastructure Upgrade)	169 and 171 Alexandra Street, Kawana	Already decided under delegation
(SPA) D/66-2017 – MCU for Dwelling House	121 Boongary Road, Gracemere	Delegation
(SPA) D/75 – MCU for Low Impact Industry	112-118 Musgrave Street and 54 Charles Street, Berserker	Committee
(SPA) D/77-2017 – MCU for Food and Drink Outlet	116 and 124 William Street, Rockhampton City	Impact assessable so may go to Committee
(SPA) D/78-2017 – ROL (Boundary Realignment)	Lot 742 Cherryfield Road, Gracemere	Already decided under delegation
(SPA) D/79-2017 – MCU for Extractive Industry, Medium Impact Industry, Warehouse and ERA 16 (Extractive and Screening Activities)	59793 Bruce Highway, Midgee	Committee
(SPA) D/83-2017 – MCU for Child Care Centre	Lot 102 Springfield Drive, Norman Gardens	Delegation
(SPA) D/85-2017 – MCU for Shopping Centre, Service Station, Food and Drink Outlet, Indoor Sport and Recreation and Health Care Service	1 and 5 Nagle Drive and 770 Norman Road, Norman Gardens	Delegation
(SPA) D/88-2017 – MCU for	5 Nagle Drive, Norman	Delegation

Shopping Centre	Gardens	
(PA) D/87-2017 – Operational Works for an Advertising Device	524-528 Yaamba Road, Norman Gardens	Already decided under delegation
(PA) D/88-2017 – Operational Works for Roadworks, Stormwater and Landscaping	16 Capricorn Street, Gracemere	Delegation
(PA) D/90-2017 – MCU for Transport Depot and Extractive Industry	813 Morinish Road, Morinish	Committee
(PA) D/91-2017 – MCU for Office	248 George Street, Rockhampton	Committee
(PA) D/97-2017 – MCU for Outdoor Sales	33, 35 and 37 Brown Street, Berserker	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

The report on applications received in July 2017 and the manner in which they will be decided be received.

## **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 Impacts on Council's Hunter Street Property

This report is considered confidential in accordance with section 275(1)(g) (h), 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; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.



## 12 CONFIDENTIAL REPORTS

### 12.1 DEVELOPMENT IMPACTS ON COUNCIL'S HUNTER STREET PROPERTY

**File No:** D579-2013

**Attachments:** 1. Location Plan

**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) (h), 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; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

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#### SUMMARY

*Council Officers have undertaken an assessment of revised flood modelling undertaken for an earthworks development application on Hunter Street which may impact on a Council owned property.*

*The impact on Council's property has been reduced based on a reduced fill platform.*

## **13 CLOSURE OF MEETING**