



# **PLANNING AND REGULATORY COMMITTEE MEETING**

## **MINUTES**

**27 AUGUST 2019**

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 27 AUGUST 2019 COMMENCING AT 9.02AM**

**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

Observer:

Councillor A P Williams

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)  
Ms K Moody – Acting Manager Planning and Regulatory Services  
Ms T Fitzgibbon – Coordinator Development Assessment  
Mr J McCaul – Coordinator Development Engineering  
Mr M Paudyal – Senior Development Engineer  
Mr T Gardiner – Senior Planning Officer  
Mr B Diplock – Planning Officer  
Ms G Dwyer – Media Officer  
Ms L Leeder – Senior Committee Support Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

**4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**COMMITTEE RESOLUTION**

THAT the minutes of the Planning and Regulatory Committee held on 30 July 2019 be taken as read and adopted as a correct record.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Wickerson  
**MOTION CARRIED**

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

## **6 BUSINESS OUTSTANDING**

Nil

## **7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 D/22-2019 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A DWELLING HOUSE

**File No:** D/22-2019

**Attachments:**

1. Locality Plan
2. Site Plan

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Karen Moody - Acting Manager Planning and Regulatory Services  
Colleen Worthy - General Manager Community Services

**Author:** Brandon Diplock - Planning Officer

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#### SUMMARY

*Development Application Number:* D/22-2019

*Applicant:* Imran Muhammad

*Real Property Address:* Lot 49 on RP603376, Parish of Archer

*Common Property Address:* 9A Reynolds Street, Lakes Creek

*Area of Site:* 2,979 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Rural Residential Zone

*Planning Scheme Overlays:* Steep Land Overlay  
Special Management Area Overlay

*Existing Development:* Vacant Land

*Existing Approvals:* Not Applicable

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

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

*Infrastructure Charges Area:* Charge Area 3

*Application Progress:*

<i>Application Lodged:</i>	25 March 2019
<i>Confirmation Notice issued:</i>	2 April 2019
<i>Request for Further Information sent:</i>	3 April 2019
<i>Request for Further Information responded to:</i>	18 June 2019
<i>Submission period commenced:</i>	26 June 2019
<i>Submission period end:</i>	17 July 2019
<i>Last receipt of information from applicant:</i>	24 July 2019
<i>Statutory due determination date:</i>	10 September 2019

**COMMITTEE RECOMMENDATION**

THAT in relation to the application for a Development Permit for a Material Change of Use for a Dwelling House, made by Imran Muhammad on land located at 9A Reynolds Street, Lakes Creek, described as Lot 49 on RP603376, Parish of Archer, 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 issue of the Certificate of Classification for the Building Works, unless otherwise stated.
- 1.4 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
  - 1.4.1 Operational Works:
    - (i) Access Works;
    - (ii) Roof and Allotment Drainage Works;
  - 1.4.2 Plumbing and Drainage Works; and
  - 1.4.3 Building Works.
- 1.5 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.
- 1.6 All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
- 1.7 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.
- 1.8 An easement in favour of Council must be established over the entire one percent annual exceedance probability (1% AEP) flowpath inundation area prior to the issue of the Certificate of Classification for the Building Works

**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>
Plan of Proposed Dwelling and Shed	190993-02	12 June 2019
Investigation and Design for On-Site Sewerage Facility	CQ15980, Rev A	20 May 2019
Overland Flowpath Assessment		29 May 2019

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/Building Works.

### 3.0 ACCESS WORKS

3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the development site.

3.2 All access works must be designed and constructed in accordance with the *Capricorn Municipal Development Guidelines, Australian Standard AS2890 "Parking facilities"* and the provisions of a Development Permit for Operational Works (access works).

3.3 All vehicles must ingress and egress the development in a forward gear.

### 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 water network.

4.3 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.

4.4 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.

4.5 On-site sewerage treatment and disposal must be provided in accordance with the approved plans and documents (refer to condition 2.1), *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies. The on-site sewerage treatment and disposal area must not be located within the existing water course or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.

4.6 Structures must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distances, in accordance with the *Queensland Plumbing and Wastewater Code*.

### 5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

5.1 A Development Permit for Operational Works (roof and allotment drainage works) must be obtained prior to the commencement of any drainage works on the development site.

5.2 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban*



*Drainage Manual, Capricorn Municipal Development Guidelines*, sound engineering practice and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).

- 5.3 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.

#### 6.0 ELECTRICITY

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

#### 7.0 TELECOMMUNICATIONS

- 7.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.

#### 8.0 ASSET MANAGEMENT

- 8.1 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.

- 8.2 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.

#### 9.0 ENVIRONMENTAL

- 9.1 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 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.

#### 10.0 OPERATING PROCEDURES

- 10.1 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 Reynolds Street.

#### ADVISORY NOTES

##### NOTE 1. 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 2. 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 3.   Works in Road Reserve Permit**

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

**NOTE 4.   Infrastructure Charges Notice**

Council has resolved not to issue an Infrastructure Charges Notice for this development because the new infrastructure charges arising from the development are less than or equal to the credits applicable for the new development.

**Moved by:                   Councillor Smith**

**Seconded by:           Mayor Strelow**

**MOTION CARRIED**

## 8.2 D/49-2019 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR HEALTH CARE SERVICES

**File No:** D/49-2019

**Attachments:**

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevations

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Karen Moody - Acting Manager Planning and Regulatory Services  
Colleen Worthy - General Manager Community Services

**Author:** Brandon Diplock - Planning Officer

### SUMMARY

*Development Application Number:* D/49-2019

*Applicant:* Wheatmen Pty Ltd

*Real Property Address:* Lots 1 and 3 on RP602024 and Lot 2 on RP619288, Parish of Rockhampton

*Common Property Address:* 112-114 Denham Street, Rockhampton City

*Area of Site:* 1,230 square metres

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Specialised Centre Zone

*Planning Scheme Overlays:* Not Applicable

*Existing Development:* Dwelling House and Vacant Land

*Existing Approvals:* Nil

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

*Level of Assessment:* Impact Assessable

*Submissions:* Nil

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

*Infrastructure Charges Area:* Charge Area 1

*Application Progress:*

<i>Application Lodged:</i>	11 June 2019
<i>Confirmation Notice issued:</i>	19 June 2019
<i>Submission period commenced:</i>	10 July 2019
<i>Submission period end:</i>	2 August 2019
<i>Government Agency Response:</i>	17 July 2019
<i>Last receipt of information from applicant:</i>	5 August 2019
<i>Statutory due determination date:</i>	17 September 2019

**COMMITTEE RECOMMENDATION**

THAT in relation to the application for a Development Permit for a Material Change of Use for Health Care Services, made by Wheatmen Pty Ltd, located at 112-114 Denham Street, Rockhampton City, described as Lots 1 and 3 on RP602024 and Lot 2 on RP619288, 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) Road Works;
    - (ii) Access and Parking Works;
    - (iii) Sewerage Works;
    - (iv) Stormwater Works;
    - (v) Site Works;
  - 1.5.2 Plumbing and Drainage Works;
  - 1.5.3 Building Works:
    - (i) Demolition Works; and
    - (ii) 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.
- 1.9 Lot 1 and 3 RP602024 and Lot 2 RP619288 must be amalgamated and registered as

one lot prior to the commencement of the use.

## 2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Existing site and demolition plan	A0001, Rev A	11 June 2019
Proposed site plan	A0002, Rev A	11 June 2019
Proposed cut & fill, waste & site management plan (during construction)	A0003, Rev A	11 June 2019
Proposed site analysis	A0004, Rev A	11 June 2019
Proposed floor plan	A1101, Rev A	11 June 2019
Proposed Roof Plan	A1102, Rev A	11 June 2019
Area Diagram	A1103, Rev A	11 June 2019
Elevations	A2001, Rev A	11 June 2019
Elevations 2	A2002, Rev A	11 June 2019
Sections	A3001, Rev A	11 June 2019
Perspectives and Finishes Schedule	A7001, Rev A	11 June 2019
Landscape Concept Plan	909-LCP01, Rev A	April 2019

- 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*, relevant *Australian Standards* and *Austroroads Guidelines* and the provisions of a Development Permit for Operational Works (road works).

- 3.3 George Lane must be widened for the full frontage of the development site to match the existing construction to property boundary of the development site.

## 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 prompt 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 A new access to the development must be provided at George Lane.
- 4.5 All vehicular access to and from the development must be via George Lane only.
- 4.6 Direct vehicle access to the development from Denham Street is prohibited.
- 4.7 All vehicles must ingress and egress the development in a forward gear.
- 4.8 A minimum of thirteen (13) parking spaces must be provided on-site. This includes nine (9) covered car parking spaces, three (3) uncovered parking spaces and one (1) parking space for people with disabilities (PWD) (refer to condition 2.1).
- 4.9 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"*.
- 4.10 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).
- 4.11 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"*.
- 4.12 Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
- 4.13 All internal pedestrian pathways must be designed and constructed in accordance with *Australian Standard AS1428 "Design for access and mobility"*.

## 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 The existing sewerage access chamber and 150mm diameter gravity sewerage mains must be removed in accordance with the approved plans (refer to condition 2.1).
- 5.5 A new sewerage access chamber, sewerage lamp hole and 150mm diameter gravity sewerage mains must be constructed in accordance with the approved plans (refer to condition 2.1).
- 5.6 A new sewerage connection point must be provided for the neighbouring building (located on Lot 2 RP602024) via a new lamp hole. All existing sanitary drainage for the neighbouring building must be relocated to this new connection point.
- 5.7 The finished sewerage access chamber/lamphole surface must be at a sufficient level to avoid ponding of stormwater above the top of the chamber. A heavy duty trafficable lid must be provided in the trafficable area.
- 5.8 Sewer connections located within trafficable areas must be raised or lowered to suit the finished surface levels and must be provided with heavy duty trafficable lids.

5.9 The development must comply with Council's Building Over/Adjacent to Local Government Sewerage Infrastructure Policy. Any permit associated with the Building Over/Adjacent to Local Government Sewerage Infrastructure Policy must be obtained prior to the issue of a Development Permit for Building Works.

5.10 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 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*, and *Plumbing and Drainage Act 2002*.

6.2 The development must be connected to Council's reticulated water network.

6.3 The existing water connection point(s) must be retained and upgraded, if necessary, to service the development.

6.4 Adequate domestic and fire fighting protection must be provided to the development, and must be certified by an hydraulic engineer or other suitably qualified person.

6.5 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 PLUMBING AND DRAINAGE WORKS

7.1 A Development Permit for Plumbing and Drainage Works must be obtained for the demolition of any existing structure and for new structures on the development site.

7.2 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 2019*, Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.

#### 8.0 STORMWATER WORKS

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

8.2 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).

8.3 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.

8.4 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.

8.5 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including retention systems, inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.

#### 9.0 ROOF AND ALLOTMENT DRAINAGE WORKS

9.1 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 practice.

- 9.2 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.

#### 10.0 SITE WORKS

- 10.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.

- 10.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:

- 10.2.1 the location of cut and/or fill;
- 10.2.2 the type of fill to be used and the manner in which it is to be compacted;
- 10.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
- 10.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
- 10.2.5 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.

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

- 10.4 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.

#### 11.0 BUILDING WORKS

- 11.1 A Development Permit for Building Works must be obtained for the development site.

- 11.2 The existing structures on the subject land must be demolished and a Development Permit for Building Works (demolition) must be obtained prior to the commencement of demolition works on the development site.

- 11.3 All building works must be undertaken in accordance with Council's *Building Over/Adjacent to Local Government Sewerage Infrastructure Policy* and any permit obtained in respect of this policy.

#### 12.0 LANDSCAPING WORKS

- 12.1 All landscaping must be established generally in accordance with the approved plans (refer to condition 2.1). 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 have low water dependency.

- 12.2 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.

- 12.3 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.

- 12.4 Council approval must be obtained prior to the removal of or interference with street trees located on Council land in accordance with Council's Street Tree Policy.



### 13.0 ELECTRICITY

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

### 14.0 TELECOMMUNICATIONS

- 14.1 Telecommunications services must be provided to the development in accordance with the standards and requirements of the relevant service provider. Unless otherwise stipulated by telecommunications legislation at the time of installation, this includes all necessary pits and pipes, and conduits that provide a connection to the telecommunications network.

### 15.0 ENVIRONMENTAL HEALTH

- 15.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the development site and shielded so as not to cause glare or other nuisance to nearby residents and motorists. Night lighting must be designed, constructed and operated in accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.
- 15.2 Noise emitted from the activity must not cause an environmental nuisance.
- 15.3 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*.

### 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 Denham Street or George Lane.
- 16.2 The hours of operations for the development site must be limited to 0700 hours to 1900 hours.
- 16.3 The loading and/or unloading of delivery and waste collection vehicles is limited between the hours of 0700 and 1900 Monday to Friday, with no loading/unloading to occur on Sundays or Public Holidays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
- 16.4 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.
- 16.5 All waste storage areas must be:
- 16.5.1 kept in a clean and tidy condition; and
  - 16.5.2 maintained in accordance with *Environmental Protection Regulation 2008*.

### 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. 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.

Moved by: Councillor Wickerson

Seconded by: Councillor Rutherford

**MOTION CARRIED UNANIMOUSLY**

**8.3 D/75-2015/A - REQUEST FOR EXTENSION TO THE RELEVANT PERIOD FOR DEVELOPMENT INCENTIVES APPLICATION FOR A BULK STORE**

**File No:** D/75-2015/A

**Attachments:** 1. Locality Plan  
2. Applicant Request Letter

**Authorising Officer:** Tarnya Fitzgibbon - Coordinator Development Assessment  
Karen Moody - Acting Manager Planning and Regulatory Services  
Colleen Worthy - General Manager Community Services

**Author:** Thomas Gardiner - Planning Officer

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**SUMMARY**

*Development Application Number:* D/75-2015

*Applicant:* J & S Drilling

*Real Property Address:* Lot 68 on RP604012, Parish of Gracemere

*Common Property Address:* 89 Douglas Street, Gracemere

*Planning scheme zoning:* Gracemere-Stanwell Zone – Medium Impact Industry Precinct

*Type of Approval:* Development Permit for a Material Change of Use for a Bulk Store

*Date of Decision:* 28 July 2015

*Application Lodgement Fee:* \$1,635.00

*Infrastructure Charges:* \$11,662.00

*Infrastructure charges incentive:* Precinct 2 – 50% discount

*Incentives sought:* Development facilitation  
Refund of Development Application Fees  
Refund of service and connection fees

9:23AM Councillor Fisher attended the meeting

**COMMITTEE RECOMMENDATION**

THAT in relation to the extension to the relevant period for Development Incentives Application for D/75-2015/A, located at 89 Douglas Street, Gracemere, described as Lot 68 on RP604012, Parish of Gracemere, Council resolves to choose Option 1.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Rutherford  
**MOTION CARRIED**

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**8.4 DECISIONS UNDER DELEGATION - JULY 2019**

**File No:** 7028  
**Attachments:** Nil  
**Authorising Officer:** Karen Moody - Acting Manager Planning and Regulatory Services  
Colleen Worthy - General Manager Community Services  
**Author:** Tarnya Fitzgibbon - Coordinator Development Assessment

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**SUMMARY**

*This report outlines the properly made development applications received in July 2019 and whether they will be decided under delegation or decided by Council.*

9:25AM Mayor Strelow declared a personal interest in Application D/66-2019 Aurizon Operations Limited: 330-380 Bolsover Street, Depot Hill due to owning property in the vicinity and will leave the meeting when the matter is discussed and voted on.

**COMMITTEE RECOMMENDATION**

THAT this report into the applications lodged in July 2019 be received, excluding application D/66-2019: 338-380 Bolsover Street.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Wickerson

**MOTION CARRIED**

9:26AM Mayor Strelow left the meeting room.

**COMMITTEE RECOMMENDATION**

THAT this report into application D/66-2019: 338-380 Bolsover Street lodged in July 2019 be received.

**Moved by:** Councillor Rutherford

**Seconded by:** Councillor Smith

**MOTION CARRIED**

9:28AM Mayor Strelow returned to the meeting room.

**8.5 MONTHLY OPERATIONS REPORT FOR PLANNING & REGULATORY SERVICES - JULY 2019**

**File No:** 1464  
**Attachments:** 1. Monthly Operations Report for Planning & Regulatory Services - July 2019  
**Authorising Officer:** Colleen Worthy - General Manager Community Services  
**Author:** Karen Moody - Acting Manager Planning and Regulatory Services

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**SUMMARY**

*The monthly operations report for Planning & Regulatory Services for July 2019 is presented for Councillors information.*

**COMMITTEE RECOMMENDATION**

THAT the Planning & Regulatory Services monthly operations report for July 2019 be 'received'.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Fisher

**MOTION CARRIED**

## **9 NOTICES OF MOTION**

Nil

## **10 URGENT BUSINESS\QUESTIONS**

### **10.1 DEER MANAGEMENT**

**File No:** 2557

**Responsible Officer:** Karen Moody – Acting Manager Planning and Regulatory Services

#### **COMMITTEE RECOMMENDATION**

THAT the verbal update provided by the Acting Manager Planning and Regulatory Services on management of the deer problem be received, and that a report that allows for Council take steps to resolve the issue be presented to Council within 4 weeks.

**Moved by:** Mayor Strelow

**Seconded by:** Councillor Smith

**MOTION CARRIED**

## **11 CLOSURE OF MEETING**

There being no further business the meeting closed at 10:03am.

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SIGNATURE

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CHAIRPERSON

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DATE