



PLANNING AND REGULATORY COMMITTEE MEETING

MINUTES

3 APRIL 2018

The Committee Recommendations contained within these Minutes are due to be adopted at the next Council meeting on 10 April 2018.

These Minutes are due to be confirmed at the next Planning and Regulatory Committee meeting on 17 April 2018.

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 3 APRIL 2018 COMMENCING AT 9.03AM**

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 R A Swadling

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)
Mr E Pardon – Chief Executive Officer
Mr T Cullen – General Manager Advance Rockhampton/Acting General
Manager Aviation Services
Mr S Gatt – Manager Planning and Regulatory Services
Ms T Fitzgibbon – Coordinator Development Assessment
Mr J McCaul – Coordinator Development Engineering
Ms K Moody – Coordinator Health and Environment
Mr B Koelmeyer – Planning Officer
Ms C Steinberger – Media Officer
Ms L Leeder – Senior Governance 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 13 March 2018 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

UNCONFIRMED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

UNCONFIRMED

8 OFFICERS' REPORTS

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

File No: D/90-2017

Attachments:

1. Locality Plan
2. Site Plan

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

Author: Bevan Koelmeyer - Planning Officer

SUMMARY

Development Application Number: D/90-2017

Applicant: G & L Thompson

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

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

Area of Site: 18.5 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Rural Zone

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

Existing Development: Cattle Grazing

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

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

Level of Assessment: Impact Assessable

Submissions: One (1) properly made submission.

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

Infrastructure Charges Area: Charge Area 3

Application Progress:

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

Statutory due determination date:	13 April 2018
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9:28AM Chief Executive Officer left the meeting

COMMITTEE RECOMMENDATION

RECOMMENDATION A

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

1.0 ADMINISTRATION

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

accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

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

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

2.3 Where conditions require the above plans or documents to be amended, the revised

document(s) must be submitted for approval by Council prior to the submission of an application for a Development Permit for Operational Works.

3.0 ROAD WORKS

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

4.0 ACCESS WORKS

- 4.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the development site.
- 4.2 All access works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Capricorn Municipal Development Guidelines*, and the provisions of a Development Permit for Operational Works (access works).
- 4.3 All access, parking and vehicle manoeuvring areas must be constructed and surface treated in accordance with the approved site plan (refer to condition 2.1). All surface treatments must be constructed, operated and maintained in a manner so that there is no significant impact on the amenity of adjoining premises or the surrounding area being caused due to the emission of dust or resulting in sediment laden water.
- 4.4 The existing access to the development at Nine Mile Road must be closed.
- 4.5 A new access to the development must be provided within the unformed road reserve to align with Edward Street.
Note: 'Works In Road Reserve' (WIRR) approval must be obtained by the applicant to construct a private access within the road reserve.
- 4.6 The proposed access located within the road reserve must be maintained by the owner of the subject site at no cost to Council.
- 4.7 All vehicles must ingress and egress the development in a forward gear.
- 4.8 Any application for a Development Permit for Operational Works (access) must be accompanied by detailed and scaled plans, which demonstrate the turning movements/swept paths of the largest vehicle to access the development site including refuse collection vehicles.
- 4.9 All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.

5.0 PLUMBING AND DRAINAGE WORKS

- 5.1 All water works must be designed and constructed in accordance with the *Water Supply (Safety and Reliability) Act 2008* and *Plumbing and Drainage Act 2002*.

- 5.2 On-site water supply for domestic and fire-fighting purposes must be provided and may include the provision of a bore, dams, water storage tanks or a combination of each.
- 5.3 On-site sewerage treatment and disposal must be provided in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Plumbing and Drainage Policies. The on-site sewerage treatment and disposal area must not be located within the existing wetland areas or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.
- Note: Alternatively, a portable toilet is accepted in place of on-site sewerage treatment and disposal being provided. The portable toilet must be appropriately secured to ensure it is resilient to weather conditions and must be located 500 millimetres above the Q100 Defined Flood Level. Waste generated by the portable toilet must be disposed of, when required, by an authorised regulated waste company. No contaminants are permitted to be released to land or water.
- 5.4 All sanitary drainage works must comply with *Australian Plumbing and Drainage Standard AS3500* Part 2 section 3 and 4 for flood affected areas.
- 6.0 **STORMWATER WORKS**
- 6.1 A Development Permit for Operational Works (stormwater works) must be obtained prior to the commencement of any stormwater works required by this development approval.
- 6.2 All stormwater drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, and sound engineering practice and the provisions of a Development Permit for Operational Works (stormwater works).
- 6.3 All stormwater must drain to a demonstrated lawful point of discharge and must not adversely affect surrounding land or infrastructure in comparison to the pre-development conditions, including but not limited to blocking, altering or diverting existing stormwater runoff patterns or having the potential to cause damage to other infrastructure.
- 6.4 The development must not increase peak stormwater runoff for a selected range of storm events up to and including a one per cent (1%) Annual exceedance probability storm event, for the post-development conditions.
- 6.5 Washdown bay must not be drained direct to the proposed wetland/detention basin without the water being treated. An oil and grease separator must be provided to the proposed washdown bay outlet. Oil and grease separator must be maintained by the owner at no cost to Council as per manufacture's standards.
- 6.6 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by engineering plans with details of any new drainage systems including retention systems, inlet and outlet structures, or the amendment and upgrading of existing drainage systems to implement the proposed drainage strategy.
- 6.7 Any excavation or filling works occurring within the sand extractive area must not concentrate or divert stormwater into an adjoining property exceeding the existing pre-development scenario. Furthermore, should pondage occur this must be managed on-site and must not cause or allow ponding of water on any adjoining property. Any discharge of such pondage water to adjacent properties must be approved prior to any such occurrence.
- 6.8 The detention basin/bio-basin as identified on the approved plans (refer to condition 2.1) must be landscaped in accordance with Council's requirements. Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by detailed plans, specifications and a maintenance plan for the detention basin/proposed on Lot 93, and the design must:

- 6.8.1 be suitable to the climate and incorporate predominately native species;
- 6.8.2 maximise areas suitable for on-site infiltration of stormwater;
- 6.8.3 incorporate shade trees; and
- 6.8.4 demonstrate that all areas apart from garden beds are fully turfed or hydromulched.

7.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 7.1 All roof and allotment drainage works must be designed and constructed in accordance with the approved plans (refer to condition 2.1), *Queensland Urban Drainage Manual*, *Capricorn Municipal Development Guidelines*, sound engineering practice.
- 7.2 All roof and allotment runoff from the development must be directed to a lawful point of discharge and must not restrict, impair or change the natural flow of runoff water or cause a nuisance to surrounding land or infrastructure.

8.0 SITE WORKS

- 8.1 A Development Permit for Operational Works (site works) must be obtained prior to the commencement of any site works on the development site.
- 8.2 Any application for a Development Permit for Operational Works (site works) must be accompanied by an earthworks plan that clearly identifies the following:
 - 8.2.1 the location of cut and/or fill;
 - 8.2.2 the type of fill to be used and the manner in which it is to be compacted;
 - 8.2.3 the quantum of fill to be deposited or removed and finished cut and/or fill levels;
 - 8.2.4 details of any proposed access routes that are intended to be used to transport fill to or from the development site; and
 - 8.2.5 the maintenance of access roads to and from the development site so that they are free of all cut and/or fill material and cleaned as necessary.
- 8.3 All earthworks must be undertaken in accordance with *Australian Standard AS3798 "Guidelines on earthworks for commercial and residential developments"*.
- 8.4 Any application for a Development Permit for Operational Works (site works) must be accompanied by a detailed acid sulphate soil investigation report considering the whole extraction area. Should the results of the investigation indicate the presence of acid sulphate soils, then an appropriate management plan must be submitted to Council as part of any application for a Development Permit for Operational Works (site works). The detailed investigation and associated management plan must be carried out in accordance with the *Queensland Acid Sulphate Soil Technical Manual* and *State Planning Policy 2017*.
- 8.5 Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.
- 8.6 Retaining structures above one (1) metre in height that are not incidental works to a Development Permit for Building Works, must not be constructed unless separately and specifically certified by a Registered Professional Engineer of Queensland and must be approved as part of a Development Permit for Operational Works (site works).
- 8.7 All site works must be undertaken to ensure that there is:
 - 8.7.1 a lawful point of discharge to which the approved works drain during construction phase.

9.0 BUILDING WORKS

- 9.1 A Development Permit for Building Works must be obtained for the proposed structures on the development site.
- 9.2 All buildings or structures located on site must not exceed a maximum height of ten (10) metres above the natural ground level.
- 9.3 All non-habitable areas subjected to flood inundation during a one per cent (1%) Annual exceedance probability (AEP) flood event must be designed and constructed using suitable flood resilient materials.
- 9.4 A sealed area for the storage of oils, fuel and other fluids must be provided and must be a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability (AEP) floods inundation level.
- 9.5 All electrical and telecommunication services and utilities connected to the property, including electrical outlets, must be designed and installed at such a height that they are a minimum of 500 millimetres above a one per cent (1%) Annual exceedance probability (AEP) flood level.

10.0 LANDSCAPING WORKS

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

11.0 ELECTRICITY

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

12.0 TELECOMMUNICATIONS

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

13.0 ASSET MANAGEMENT

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

14.0 ENVIRONMENTAL

- 14.1 Any application for a Development Permit for Operational Works must be accompanied by an Erosion and Sediment Control Plan that addresses, but is not limited to, the following:

- (i) objectives;
- (ii) site location and topography;
- (iii) vegetation;
- (iv) site drainage;
- (v) soils;
- (vi) erosion susceptibility;
- (vii) erosion risk;
- (viii) concept;
- (ix) design; and
- (x) implementation,

for the construction and post-construction phases of work.

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

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

15.0 ENVIRONMENTAL HEALTH

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

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

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

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

- 15.5 An appropriate spill kit must be kept on-site for neutralising or decontaminating spills. The spill kit must be clearly identifiable, maintained regularly and stored in a central location that is easily accessible to employees. Staff must be adequately trained in the use of these materials. The spill kit may consist of:

- 15.5.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
- 15.5.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and
- 15.5.3 waste bags and ties.

- 15.6 Any spillage of environmentally hazardous liquids or other materials must be cleaned up as quickly as practicable. Any spillage of waste and/or contaminants must not be hosed or swept to any stormwater drainage system, roadside gutter or waters.

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

16.0 OPERATING PROCEDURES

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

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

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

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

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

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

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

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

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

with no operations on Sundays or Public Holidays.

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

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

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

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

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

16.11 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance caused by noise, light or dust. An analysis of the monitoring data and a report, including nuisance mitigation measures, must be provided to Council within fourteen (14) days of the completion of the investigation.

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

Note: If the amenity impacts cannot be mitigated, the area must be sealed to Council's satisfaction.

- 16.13 Contaminated water must not be directly or indirectly released from the premises on to the ground, into groundwater or natural run-off systems.

- 16.14 The developer must prepare a Flood Contingency Plan for the subject site that addresses but is not limited to the following:

16.14.1 The evacuation time;

16.14.2 The distance to flood free land;

16.14.3 The evacuation route; and

16.14.4 The stage of the flood (defined flood event) when evacuation routes will be cut.

16.14.5 Trigger points related to the Fitzroy River Gauge Height so adequate notice is given for evacuation. Supportive details as to how the amount of water over the evacuation route was determined for each trigger point;

16.14.6 Details of how and where workshop items, motor parts, tyres, fluids and other equipment are to be stored 500 millimetres above the Q100 Defined Flood Level so they are not washed away; and

16.14.7 Details of where the vehicles are to be stored during Flood Events

Note: It is the responsibility of the owner or occupier of the land to implement the contingency plan during a flood event or if there is a risk of flooding near the land. A review and amendment of the plan must be undertaken with any change in the owner or occupier of the land. Council is not required to approve the Flood Contingency Plan and does not accept any liability for loss of or damage to property, or injury, or loss of life as a result of any person using or relying on the plan or failing to use the plan during a flood event.

- 16.15 All waste must be stored within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera) which is located on the elevated gravel hardstand pad (refer to condition 2.1) at least 500 millimetres above the Q100 Defined Flood Level. The owner of the land must ensure that:

16.15.1 the area is kept in a clean and tidy condition;

16.15.2 no waste material is stored external to the waste storage area/s;

16.15.3 must be treated properly within the site or removed by the owner;

16.15.4 all wash down of refuse containers takes place in the existing washdown facility;

16.15.5 contaminants/washdown does not discharge into water courses, drainage lines or onto adjoining properties; and

16.15.6 the area is maintained in accordance with *Environmental Protection Regulation 2008*.

- 16.16 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site. Storage of materials or parking of construction machinery or contractors' vehicles must not occur within Nine Mile Road.

ADVISORY NOTES**NOTE 1. Aboriginal Cultural Heritage**

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

NOTE 2. General Environmental Duty

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

NOTE 3. Licensable Activities

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

NOTE 4. General Safety Of Public During Construction

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

NOTE 5. Clearing within Road Reserve

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

RECOMMENDATION B

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

Moved by: Mayor Strelow

Seconded by: Councillor Fisher

MOTION CARRIED

DIVISION: Councillors N Fisher, E Smith and M Strelow voted in the affirmative.
Councillors C Rutherford and D Wickerson voted in the negative.

8.2 DECISIONS UNDER DELEGATION - FEBRUARY 2018

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

SUMMARY

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

COMMITTEE RECOMMENDATION

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

Moved by: Councillor Smith
Seconded by: Councillor Fisher
MOTION CARRIED

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

1. Monthly Operations Report for Planning and Regulatory Services - February 2018
2. Traffic Light Report - February 2018

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

SUMMARY

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

COMMITTEE RECOMMENDATION

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

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

9 NOTICES OF MOTION

Nil

UNCONFIRMED

10 URGENT BUSINESS\QUESTIONS

UNCONFIRMED

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.

COMMITTEE RESOLUTION

THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 275 of the *Local Government Regulation 2012*, for the reasons indicated.

12.1 Development Compliance Issue

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

Moved by: Councillor Wickerson

Seconded by: Councillor Smith

MOTION CARRIED

COMMITTEE RESOLUTION

10:09AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Rutherford

Seconded by: Councillor Wickerson

MOTION CARRIED

10:09AM Mayor Strelow left the meeting

10:16AM Chief Executive Officer returned to the meeting

10:16AM Chief Executive Officer left the meeting

COMMITTEE RESOLUTION

10:18AM

THAT pursuant to s7.11 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Smith

Seconded by: Councillor Fisher

MOTION CARRIED

12 CONFIDENTIAL REPORTS

12.1 DEVELOPMENT COMPLIANCE ISSUE

File No: 8037

Attachments:

1. Site Map
2. Site Overlays

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

Author: Jamie McCaul - Coordinator Development Engineering

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

SUMMARY

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

COMMITTEE RECOMMENDATION

THAT Council advise the property owners that an Operational Works application is not required for the fill placed on-site to date, however the existing fill sites are required to be managed with appropriate erosion and sediment control measures.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

13 CLOSURE OF MEETING

There being no further business the meeting closed at 10:19am.

SIGNATURE

CHAIRPERSON

DATE

UNCONFIRMED