



# **ORDINARY MEETING**

## **MINUTES**

**22 AUGUST 2023**

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**REPORT OF THE ORDINARY MEETING HELD AT COUNCIL CHAMBERS, 232  
BOLSOVER STREET, ROCKHAMPTON ON TUESDAY, 22 AUGUST 2023  
COMMENCING AT 9:00AM**

## **1 OPENING**

- 1.1 Acknowledgement of Country

## **2 PRESENT**

Members Present:

The Mayor, Councillor A P Williams (Chairperson)  
Deputy Mayor, Councillor N K Fisher  
Councillor S Latcham  
Councillor C E Smith  
Councillor C R Rutherford  
Councillor M D Wickerson  
Councillor D Kirkland  
Councillor G D Mathers

In Attendance:

Mr E Pardon – Chief Executive Officer  
Mr R Cheesman – Deputy Chief Executive Officer  
Mr P Kofod – General Manager Regional Services (via video-link)  
Ms M Taylor – Chief Financial Officer  
Mr J Webb – Manager Communities and Culture  
Mr D Scott – Manager Planning and Regulatory Services  
Mr J Kann – Manager Office of the Mayor  
Ms E Dwyer – Manager Community Assets and Facilities  
Mr J Wallace – Chief Audit Executive  
Ms C Bell – Coordinator Environmental Sustainability  
Ms A O'Mara – Coordinator Development Assessment  
Mr J McCaul – Coordinator Development Engineering  
Ms K McDonald – Senior Planning Officer  
Mr D Cox – Planning Officer (via video-link)  
Ms A Davie – Grants and Policy Advisor (via video-link)  
Mr P Lilleboe – Heritage and Village Operations Supervisor  
Ms L Foley – Committee Support Officer  
Ms K Walsh – Acting Senior Committee Officer

### **3 APOLOGIES AND LEAVE OF ABSENCE**

#### **3.1 REQUEST FOR LEAVE OF ABSENCE - COUNCILLOR DONNA KIRKLAND - TUESDAY 29 AUGUST 2023**

##### **COUNCIL RESOLUTION**

THAT leave of absence be granted for Councillor Donna Kirkland for Tuesday 29 August 2023.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Fisher  
**MOTION CARRIED**

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

### **6 BUSINESS OUTSTANDING**

Nil

### **4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

##### **COUNCIL RESOLUTION**

THAT the minutes of the Ordinary Meeting of 8 August 2023 be confirmed.

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

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

**8 PRESENTATION OF PETITIONS**

Nil

**9 COMMITTEE REPORTS**

Nil

**10 COUNCILLOR/DELEGATE REPORTS**

Nil

## 11 OFFICERS' REPORTS

### 11.1 SUSTAINABILITY STRATEGY - FY2022-23 YEAR IN REVIEW

**File No:** 1174  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** Christine Bell - Coordinator Environmental Sustainability

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#### SUMMARY

*This report provides an update on implementation of Council's Sustainability Strategy (Towards 2030), tabled within the 'Year in Review' highlights report for FY2022-23.*

#### COUNCIL RESOLUTION

That Council endorse, and approve public exhibition of the Sustainability Strategy FY2022-23 'Year in Review' report.

**Moved by:** Councillor Kirkland  
**Seconded by:** Mayor Williams

**MOTION CARRIED UNANIMOUSLY**

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**11.2 TRUSTEE LEASE RENEWALS AT THE ROCKHAMPTON HERITAGE VILLAGE**

**File No:** 8285, 4308, 12396  
**Authorising Officer:** John Webb - Manager Communities and Culture  
Alicia Cutler - General Manager Community Services  
**Author:** Patric Lilleboe - Heritage and Village Operations  
Supervisor

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**SUMMARY**

*In accordance with Section 236(1)(b)(ii) and (c) (iii) of the Local Government Regulation 2012 (Qld) a Council resolution is sought to commence the renewal of Trustee Leases that currently hold a status of 'expired' and are due to expire soon.*

**COUNCIL RESOLUTION**

THAT:

1. Pursuant to section 236(1)(b)(ii) and (c)(iii) of the *Local Government Regulation 2012*, Council approves the issuing of Trustee Leases to the organisations as identified in this report –Australian Country Hospital Heritage Association Inc., 1st (CQ) Light Horse Regiment - Rockhampton Historical Squadron & Museum Inc., and Central Queensland Amateur Radio Association Inc; and
2. Council authorises the Chief Executive Officer (Manager Communities and Culture) to negotiate the terms and conditions of the agreements with the organisations listed in the report in preparation for execution by the delegated officer.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**



**11.3 PREPAYMENT OF SERVICES - CEMETERIES**

**File No:** 5775  
**Authorising Officer:** Alicia Cutler - General Manager Community Services  
**Author:** Emma-Jane Dwyer - Manager Community Assets and Facilities

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**SUMMARY**

*Council proposes to refuse Cemetery Service bookings from Funeral Directors with outstanding amounts owed unless paid at the time of booking.*

**COUNCIL RESOLUTION**

THAT the Chief Executive Officer (Manager Community Assets and Facilities) be authorised to refuse a Cemetery Service booking without payment where the Funeral Directors have outstanding funds greater than 60 days owed to Council.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Smith

**MOTION CARRIED UNANIMOUSLY**

**11.4 D/123-2022 - CHANGE REPRESENTATIONS REQUESTING A NEGOTIATED INFRASTRUCTURE CHARGES NOTICE FOR DEVELOPMENT PERMIT D/123-2022 FOR A MATERIAL CHANGE OF USE FOR MEDIUM IMPACT INDUSTRY**

**File No:** D/123-2022  
**Authorising Officer:** Amanda O'Mara - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services  
**Author:** Declan Cox - Planning Officer

**SUMMARY**

**Development Application Number:** D/123-2022  
**Applicant:** Puget Sound Pty Ltd  
**Real Property Address:** Lot 2 on SP326319  
**Common Property Address:** 1 Barton Court, Parkhurst  
**Area of Site:** 10,000 square metres  
**Planning Scheme:** Rockhampton Region Planning Scheme 2015 (version 2.2)  
**Planning Scheme Zone:** High Impact Industry Zone

**COUNCIL RESOLUTION**

THAT in relation to change representations requesting a Negotiated Infrastructure Charges Notice for Development Permit D/123-2022 for a Material Change of Use for Medium Impact Industry, made by Puget Sound Pty Ltd, located at 1 Barton Court, Parkhurst, described as Lot 2 on SP326319, Council resolves to issue a Negotiated Infrastructure Charges Notice for the amount of **\$216,391.73** in accordance with the below:

**INFRASTRUCTURE CHARGES**

*Charges Resolution (No. 1) of 2022* for non-residential development applies to the application.

As at the date of the Decision, it is determined the charge for Medium Impact Industry use under the Charges Resolution, when automatic indexation is applied in accordance with section 3.1, exceeds the prescribed amount (maximum charge) under Schedule 16 of the *Planning Regulation 2017* (the Planning Regulation). Therefore, the maximum charge under Schedule 16 of the Planning Regulation for each land use is reflected herein –

The Infrastructure Charges are as follows:

- (a) A charge of \$180,375.00 for Gross Floor Area being 3,250m<sup>2</sup> (proposed warehouse and office);
- (b) A charge of \$105,283.50 for Impervious Area being 9,485m<sup>2</sup> (roof area, hardstand areas, access and parking areas); and
- (c) An Infrastructure Credit of \$31,080.00 applicable for the existing one allotment.

**In accordance with *Development Incentives Policy, section 3.5 of the Charges Resolution (No. 1) of 2022*, The levied charge will be 85 per cent of the total charge calculated.**

The below table reflects the prescribed amounts in Schedule 16 of the Planning Regulation rather than the Charges Resolution:

Column 1 Use Schedule	Column 1A Use	Column 2 Adopted Infrastructure Charge for non- residential development (\$)		Column 3 Calculated Charge
		(a) per m <sup>2</sup> of Gross Floor Area (GFA)	(b) per m <sup>2</sup> Impervious to Stormwater	
Other Industry	Medium Impact Industry	55.50		\$180,375.00
			11.10	\$105,283.50
Total Base Charge				\$285,658.50
Less Credit				\$31,080.00
<b>TOTAL CHARGE</b>				<b>\$254,578.50</b>
<b>LEVIED CHARGE (15% discount applied)</b>				<b>\$216,391.73</b>

Therefore, a total charge of **\$216,391.73** is payable and will be reflected in a Negotiated Infrastructure Charges Notice for the development.

**Moved by: Councillor Mathers**

**Seconded by: Councillor Fisher**

**MOTION CARRIED UNANIMOUSLY**

## 11.5 D/74-2023 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR NON-RESIDENT WORKFORCE ACCOMMODATION (200 PERSON) AND WAREHOUSE

**File No:** D/74-2023

**Authorising Officer:** Amanda O'Mara - Coordinator Development Assessment  
Doug Scott - Manager Planning and Regulatory Services  
Alicia Cutler - General Manager Community Services

**Author:** Kathy McDonald - Senior Planning Officer

### SUMMARY

**Development Application Number:** D/74-2023

**Applicant:** B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust) Pty Ltd (MBJV)

**Real Property Address:** Lot 51 on SP273020

**Common Property Address:** Lot 51 Enterprise Drive, Gracemere

**Area of Site:** 11.59 hectares

**Planning Scheme:** *Rockhampton Region Planning Scheme 2015 (version 2.2)*

**Planning Scheme Zone:** Low Impact Industry Zone; and  
Medium Impact Industry Zone

**Planning Scheme Overlays:** Airport Environs Overlay;  
Flood Hazard Overlay; and  
Steep Land Overlay.

**Existing Development:** Warehouse (Pipe Laydown Area)

**Approval Sought:** Development Permit for Material Change of Use for Non-resident Workforce Accommodation (200 Person) and Warehouse

**Level of Assessment:** Impact Assessable

**Submissions:** One (1)

**Referral Agency:** Nil

### COUNCIL RESOLUTION

#### RECOMMENDATION A

THAT in relation to the application for a Development Permit for Material Change of Use for Non-resident Workforce Accommodation (200 Person) and Warehouse, made by B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust.) Pty Ltd (MBJV), located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020, Council resolves to provide the following reasons for its decision:

#### STATEMENT OF REASONS

Description of the development
Material Change of Use for Non-resident Workforce Accommodation (200 Person) and Warehouse
Reasons for Decision

- a) Assessment of the development against the relevant zone purpose, planning scheme codes and planning scheme policies demonstrates 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
- b) On balance, the application should be approved because the circumstances favour Council exercising its discretion to approve the application even though the development does not comply with an aspect of the assessment benchmarks.

#### Assessment Benchmarks

The development was assessed against the following assessment benchmarks:

- Strategic Framework;
- Low Impact Industry Zone Code;
- Medium Impact Industry Zone Code;
- Flood Hazard Overlay Code;
- Steep Land Overlay Code;
- Access, Parking and Transport Code;
- Landscape Code;
- Stormwater Management Code;
- Waste Management Code; and
- Water and Sewer Code.

#### Compliance with assessment benchmarks

The development was assessed against all of the assessment benchmarks listed above and complies with all of these with the exceptions listed below.

#### Assessment Benchmark

#### Reasons for the approval despite non-compliance with benchmark

Low Impact Industry Zone Code; and  
Medium Impact Industry Zone Code

#### PO4 and PO14

The proposal does not comply with Acceptable Outcome (AO) 4.1 and Performance Outcome (PO) 14(b) of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code. Both outcomes require a separate pedestrian entry to the site from any vehicular entry points and manoeuvring areas.

Due to the nature of the use and interaction with heavy vehicle movements, a separate pedestrian entry visible from the street and corresponding design elements is impractical.

Despite this, and in relation to compliance with PO4, the absence of a direct pedestrian entry that is visible from the street that provides overhangs or awnings is not considered to negatively impact on the character or streetscape of the area because:

- The proposed development is setback approximately 125 metres from the Enterprise Drive road boundary, and the visibility of any such pedestrian entrance is reduced by distance.
- Providing a separate pedestrian entrance to the site presents safety concerns given the nature of the proposed development and associated vehicle movements and types.

- The proposed development is temporary in nature and consequently any perceived negative impacts on the character of the streetscape or area would be limited to the duration of the activity (two years).

In relation to compliance with PO14, the absence of a separate pedestrian entry will not compromise the security of people or property. By the nature of the use, the site will be frequented by non-resident workers and warehouse staff, reducing the opportunity for crime.

#### **PO7**

The proposal does not comply with AO7.1 of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code as no landscaping will be provided.

Based on the temporary nature of the development (two (2) years) and considering the site will be returned to the pre-developed condition, a duration of two (2) years is not adequate time to establish mature landscaping over the site for its intended purpose of visual amenity.

Therefore, while the proposed development does not comply with the Performance Outcome, it is considered to be appropriately justified and represents a low level conflict with the assessment benchmark. To the extent of any conflict, regard to relevant matters is considered to outweigh the conflict.

#### **PO11**

The proposal does not comply with AO11.3 of both the Low Impact Industry Zone Code and Medium Impact Industry Zone Code because the proposed hours of operation are 06:30 to 18:30 Monday to Sunday, for the Warehouse use which is outside the hours prescribed by the Acceptable Outcome, being 07:00 to 19:00 Monday to Saturday when adjoining a sensitive land use not located within an industrial zone.

Extended operational hours for the related land use (Warehouse – Pipe Laydown Area) were approved as part of Development Permit D/70-2023. To ensure consistency across the site and to facilitate the efficient progress of a significant infrastructure project, Council has replicated the same hours of operation.

Despite this non-compliance, the impacts to adjoining dwelling houses can be mitigated, having regard to noise, dust and odour:

- A condition of approval has been imposed requiring a 1.8 metre high screen fence along the common boundary with the lots containing the sensitive land uses;
- A condition of approval has been applied requiring water trucks to be kept on site to reduce dust emissions;
- Nuisance monitoring conditions have been imposed requiring the development to not cause environmental nuisance and, in the instance of a complaint, undertake monitoring to mitigate any impacts;
- A condition of approval has been imposed limiting the period for increased hours of operation to two (2) years from the date the approval takes effect.

Further, the Applicant has directly engaged with the landowners to establish lines of communication in the event of any noise nuisance.

On this basis the proposed development is taken to comply with

	<p>Performance Outcome (PO) 11 of the zone codes.</p> <p><b>PO16</b></p> <p>The proposal does not comply with PO16 and overall outcome (f)(iv) of the Low Impact Industry and Medium Impact Industry zone codes because Non-Resident Workforce Accommodation is only contemplated in the those zones when it is associated with an industrial use on the same site and located on an urban sub-arterial road or higher order road.</p> <p>The proposed Non-Resident Workforce Accommodation is located on a higher order road (industrial collector), however the industrial use (Warehouse (Pipe Laydown Area)) approved over the subject site under development approval D/70-2023 and subsequent Warehouse use (Storage) proposed as part of this application are not considered to be industrial uses associated with the accommodation. While all development on the site is associated with the Fitzroy to Gladstone Water Pipeline project, the accommodation is not proposed to support the industrial activity on the site but rather a construction activity off-site.</p> <p>Despite this, the non-compliance is considered to be a low-level conflict given:</p> <ul style="list-style-type: none"> <li>• The land use is temporary with a maximum operational duration of two (2) year from the date the development approval takes effect and therefore industry zoned land will not be permanently affected.</li> <li>• Conditions of approval have been imposed that seek to ensure the development does not compromise existing industrial activities in the surrounding area or prejudice future activities from occurring.</li> <li>• The accommodation activity is logically and practically collocated with other industry activities associated with the Fitzroy to Gladstone Water Pipeline project.</li> </ul> <p>To the extent any conflicts are identified, regard to relevant matters is considered to outweigh those conflicts.</p>
<p>Landscape Code</p>	<p><b>PO1</b></p> <p>The proposed development does not comply with AO1.1 because landscaping is not proposed or conditioned to comply with the requirements in the relevant zone codes.</p> <p>A response to the relevant provisions of the zone codes relating to landscaping is provided above.</p> <p><b>PO11</b></p> <p>The proposed development does not comply with AO11.1 because shade tree planting is not provided within car parking areas in accordance with the rates set out in the Acceptable Outcome.</p> <p>Despite this, the proposed development is temporary in nature and conditions of approval have been included requiring the development to cease two (2) years from the date the development approval takes effect and the site returned to the pre-developed condition. It is impractical to establish shade tree planting within this period and is unreasonable to require it given a condition of approval requires the land to be returned to the pre-developed scenario at the cessation of the use.</p> <p>Non-compliance with AO11.1 is therefore considered to be a low-level conflict with the assessment benchmark.</p>
<p>Strategic Framework:</p>	

- Settlement pattern;
- Natural environment and hazards;
- Community identity and diversity;
- Access and mobility;
- Infrastructure services; and
- Natural resources and economic development.

The proposal has demonstrated the use (Non-Resident Workforce Accommodation and Warehouse) does not present any significant conflicts with the elements of the Strategic Framework. To the extent any conflicts are identified, regard to relevant matters are considered to outweigh those conflicts.

### Relevant Matters

The proposed development was assessed against the following relevant matters:

- The proposed development will accommodate the workforce associated with the construction of the 'Fitzroy to Gladstone Water Pipeline', which is an approximate \$983 million project (Gladstone Area Water Board 2022). Specifically, the project will:
  - Provide water security and reliability within the wider region;
  - Contribute toward the growth of the Queensland economy;
  - Create more than 400 jobs at the peak of construction; and
  - Support the growth of Queensland's renewable sector.
  - The project will be economically beneficial for the Rockhampton region throughout the duration of the project. Specifically:
- The likely impacts of the development have been satisfactorily addressed such that the development will not compromise the viability of future industry uses on the subject site or existing uses within the Gracemere Industrial area. A condition of approval has been imposed restricting the life of the Non-Resident Workforce Accommodation to two (2) years from the date of the development approval taking effect.
- The proposed development will help ensure current housing pressures in Rockhampton are not exacerbated by accommodating up to 200 non-resident workers in a temporary and dedicated facility, outside the already saturated rental / short-term accommodation market.
- The co-location of the Non-Resident Workforce Accommodation activity with Warehouse activities associated with the same project on the same site is logical and provides natural synergies and efficiencies for the project.
- The site's location is significant in providing safe access to a key transport corridor (Gracemere Industrial Access Road onto Capricorn Highway) to allow for the bulk transportation of the materials (Pipes) to facilitate the construction of the 'Fitzroy to Gladstone Water Pipeline' project.
- The site's area, 11.59 hectares provides an appropriate size to house the Non-Resident Workforce Accommodation use, Warehouse Use (Pipe Laydown Area) and associated Warehouse use (Storage) to allow for a consolidation of activities for the project.

### Matters raised in submissions

The proposal was the subject of public notification between 29 June and 19 July 2023, in accordance with the requirements of the *Planning Act 2016* and the Development Assessment Rules, and one (1) properly made submission was received.

Issue	How matter was dealt with
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Inconsistent with the Low Impact Industry Zone purpose	A Non-Resident Workforce Accommodation use is contemplated within the Low and Medium Impact Industry zones when it is associated with an industrial use on the same site and located on an urban sub-arterial road or higher order road.
Inconsistent with the Medium Impact Industry Zone purpose	Council acknowledges that whilst the development is located on a higher order road (industrial collector), the proposed industrial uses on site are not considered to be associated with the accommodation.  However, as outlined in the response above to the purpose of the Low and Medium Impact Industry zone codes, the development does comply on balance with the remaining outcomes of the zones purpose, and to the extent any conflicts are identified, regard to relevant matters is considered to outweigh those conflicts.
Amenity (visual impacts and dust) to surrounding sensitive land uses	The submitter raised concerns with the visual impacts of the development on the surrounding sensitive land uses due to the lack of landscaping, lack of detail on screening and potential dust emissions.  As outlined in this Statement of Reasons, formal landscaping has not been proposed as part of the development nor imposed by Council as part of the recommendations for approval. Notwithstanding this, the development has implemented measures to minimise adverse impacts on adjoining non-industrial zoned land to the south including a 1.8-metre-high solid screen along the boundary. Council has further imposed a condition to extend this screen along the western boundary to minimise the visual impacts to the existing dwelling house located to the west of the subject site.  The development has implemented mitigation measures to ensure impacts on the adjoining sensitive land uses will be minimised. These include dust suppression over the site via the use of water trucks on all un-treated areas. All manoeuvring areas will be treated with compacted gravel to minimise airborne dust. Conditions of approval have also been included relating to dust management, nuisance monitoring and mitigation.
Safety and security concerns of the accommodation activity on the surrounding sensitive land uses	Security lighting will be in place for the camp and there is sufficient opportunity for casual surveillance internal to the site through design and arrangement of buildings. A 1.8 metre high screen fence will be constructed along the south and west boundaries with sensitive land uses and negligible risk that staff staying at the camp will pose a security risk to adjoining land.
<b>Matters prescribed by regulation</b>	
<ul style="list-style-type: none"> <li>• The <i>Rockhampton Region Planning Scheme 2015</i> (version 2.2); and</li> <li>• The common material, being the material submitted with the application.</li> </ul>	

## RECOMMENDATION B

THAT in relation to the application for a Development Permit for Material Change of Use for Non-resident Workforce Accommodation (200 Person) and Warehouse, made by B.M.D Constructions Pty Ltd and McConnell Dowell Constructors (Aust.) Pty Ltd (MBJV), located at Lot 51 Enterprise Drive, Gracemere, described as Lot 51 on SP273020, Council resolves to Approve the application subject to the following conditions:

### 1.0 ADMINISTRATION

- 1.1 The owner, the owner's successors in title, and any occupier of the premises 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 compliance with conditions notice 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) Access and Parking Works;
    - (ii) Stormwater Works;
    - (iii) Site 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.
- 1.9 All development conditions contained in this development approval about infrastructure under Chapter 4 of the Planning Act 2016 should be read as being non-trunk infrastructure conditioned under section 145 of the Planning Act 2016, unless otherwise stated.

## 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>Prepared by</u>	<u>Date</u>	<u>Reference No.</u>	<u>Version/Issue</u>
Site Over All Plan	QCV	19 February 2023	14-1061H-DA-01	D

Site Plan Main Area	QCV	19 February 2023	1401061H-DA-02	D
Overall Site Ground Floor	QCV	19 February 2023	14-1061H-DA-03	D
Ground Finish Surfaces	Premise	07 July 2023	MIS-1080 / C005	D
Waste Management Report	McDonnell Dowell Constructors and B.M.D	26 June 2023	1151	A
A-double Vehicle Swept Paths	Premise	-	-	-
Traffic Impact Assessment	Premise	8 June 2023	MIS-1080/R01	A
Hume Ceptor System Technical Manual	Humes	-	-	-

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 The site layout as provided in the approved 'Site Over All Plan', 'Site Plan Main Area' and 'Overall Site Ground Floor' prevail over site layout in the approved 'Ground Finish Surfaces' plan to the extent of any inconsistency, except for the plant laydown area in the north-eastern corner of the site.

### 3.0 ROAD WORKS

3.1 A dilapidation report must be submitted with the Operational Works (Access and Parking Works) application for Enterprise Drive. This report is required to ensure that Council's road network is returned to an acceptable standard at the cessation of the use. The report must identify the standard of Enterprise Drive pre-construction in order to assess what works are required post construction (i.e., cessation of use) to return it to an acceptable standard.

3.2 A temporary road access permits for heavy vehicle must be obtained from the National Heavy Vehicle Regulator (NHVR) and Council for the use of Enterprise Drive.

### 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 Access (access area from the end of Enterprise Drive up to the main car park) and parking (main car park) 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 All vehicles must ingress and egress the development in a forward gear.
- 4.5 A minimum of 66 parking spaces must be provided on-site.
- 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 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".
- 4.9 Road signage and pavement markings must be installed in accordance with Australian Standard AS1742.1 "Manual of uniform traffic control devices".
- 4.10 All vehicle operation areas must be illuminated in accordance with the requirements of Australian Standard AS1158 "Lighting for roads and public spaces".
- 4.11 The gravel access and vehicle manoeuvring areas must be constructed, operated and maintained in a manner that no significant impact on the amenity of adjoining premises or the surrounding area is caused due to the emission of dust or results in sediment laden water.
- 5.0 PLUMBING AND DRAINAGE WORKS
- 5.1 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 2018, Council's Plumbing and Drainage Policies, and the provisions of a Development Permit for Plumbing and Drainage Works.
- 5.2 The development must be connected to Council's reticulated sewerage and water networks.
- 5.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 5.4 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.
- 5.5 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.
- 5.6 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 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) subject to ensuring compliance and any alterations required by the Environmental Protection Act 1992, Queensland Urban Drainage Manual, Capricorn Municipal Development Guidelines, sound engineering practice and the provisions of a Development Permit for Operational Works

(stormwater works).

- 6.3 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.
- 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 Any application for a Development Permit for Operational Works (stormwater works) must be accompanied by an updated Stormwater Management Plan, prepared and certified by a Registered Professional Engineer of Queensland that as a minimum includes:
- 6.5.1 an assessment of the peak discharges for all rainfall events up to and including a one per cent (1%) Annual exceedance probability storm event, for the pre-development and post-development scenarios;
  - 6.5.2 demonstration of how major design storm flows are conveyed through the subject development to a lawful point of discharge in accordance with the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*;
  - 6.5.3 culvert / cross drainage design details like design flow, velocity, afflux, flood and stream gradient, tailwater levels etc.
  - 6.5.4 the detail design of the diversion channel; and
  - 6.5.5 the detail design of the Sedimentation Basin at a minimum includes:
    - 6.5.5.1 design flow;
    - 6.5.5.2 size of treatment;
    - 6.5.5.3 type of basin;
    - 6.5.5.4 size and dimension of basin;
    - 6.5.5.5 design inflow and outflow (low /high flow) systems;
    - 6.5.5.6 vegetation specification;
    - 6.5.5.7 maintenance access and plan;
    - 6.5.5.8 sediment disposal method;
    - 6.5.5.9 rehabilitation process for the basin area;
    - 6.5.5.10 basin's operational procedures; and
    - 6.5.5.11 the demonstration of how the flow (major and minor) characteristics from sedimentation basin will be similar to pre-development scenarios for all rainfall events up to and including a one per cent (1%) Annual exceedance probability storm event.
- 6.6 The culvert / crossing drainage structure under the proposed access must have immunity (and appropriate freeboard) during a one per cent (1%) Annual Exceedance Probability defined storm event. Alternatively, overtopping of the culvert is acceptable if it complies with condition 6.7.
- Note:** Access immunity to minor storm event and trafficable at major storm event satisfying the Depth Velocity criteria is acceptable.
- 6.7 The proposed culverts / cross drainage structure must be designed and constructed considering appropriate blockage factor and allowable velocity depth product(s) to ensure safety in accordance with Queensland Urban Drainage Manual requirements.

- 6.8 No washing of plant equipment and vehicles is permitted on the development site unless an approved washdown bay is built to prevent contamination of land and the stormwater system.
- 6.9 The wash down bay must be drained to the approved Interceptor (refer to Condition 2.1). Contaminants within the Interceptor device must be removed and disposed of as regulated waste. Water that has passed through the treatment device may be used as dust suppression.
- 6.10 The approved Interceptor must be maintained to the manufacturer's instruction as per the approved plans and documents (refer to Condition 2.1).
- 6.11 A Manufacturers Maintenance Instruction Manual must be located on site at all times for inspection by Council officers.

#### 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 and the provisions of a Development Permit for Operational Works (roof and allotment drainage works).
- 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 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.

#### 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 Impervious paved waste storage areas must be provided in accordance with the approved plans (refer to condition 2.1) and the Environmental Protection Regulation 2019 and must be:

- 9.2.1 designed and located so as not to cause a nuisance to neighbouring properties;
- 9.2.2 aesthetically screened from any road frontage or adjoining property;
- 9.2.3 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;
- 9.2.4 setback a minimum of two (2) metres from any road frontage or adjoining property; and
- 9.2.5 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 2018*.

**Note:** 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.

- 9.3 A fence with a minimum height of 1.8 metres must be established for the full length of the common boundary of the site (Lot 51 on SP273020) with lots 10 and 11 on RP618976, Lot 2 on SP259555 and Lot 2 on RP612154.

#### 10.0 ELECTRICITY

- 10.1 Underground electricity services must be provided in accordance with the standards and requirements of the relevant service provider.

#### 11.0 TELECOMMUNICATIONS

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

#### 12.0 ASSET MANAGEMENT

- 12.1 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.
- 12.2 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.

#### 13.0 ENVIRONMENTAL

- 13.1 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:

- 13.1.1 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); and
- 13.1.2 available on-site for inspection by Council Officers whilst all works are being carried out.

#### 14.0 ENVIRONMENTAL HEALTH

- 14.1 Odour and visible contaminants, including but not limited to dust, fume, smoke, aerosols, overspray or particulates, must not be released to the environment in a manner that will or may cause environmental nuisance or harm unless such release is authorised by Council.

- 14.2 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.
- 14.3 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:
- 14.3.1 a bin with a tight-fitting lid, partially filled with non-combustible absorbent material such as vermiculite;
  - 14.3.2 a broom, shovel, face shield, chemically-resistant boots and gloves; and
  - 14.3.3 waste bags and ties.
- 14.4 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.
- 14.5 Regulated waste and any other waste must not be released to the environment, stored, transferred or disposed of in such a manner that it will or may cause environmental harm or nuisance. This includes any waste being burnt or incinerated at the premises.
- 14.6 All traceable regulated waste must be removed from the premises by a licensed regulated waste transporter.
- 14.7 Where regulated waste is removed from the premises, records must be maintained for a period of five (5) years, and include the following:
- 14.7.1 the date, quantity and type of waste removed;
  - 14.7.2 a copy of any licensed waste transport vehicle docket;
  - 14.7.3 the name of the licensed regulated waste removalist and/or disposal operator; and
  - 14.7.4 the intended treatment and/or disposal destination of the waste.
- These records must be available for inspection by Council when requested.
- 14.8 The workshop must be undercover and have an impervious floor that is adequately sealed and bunded to prevent release of environmentally hazardous liquids to land.
- 14.9 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 either:
- 14.9.1 appropriately bunded and drained to the reticulated sewerage network in accordance with a trade waste permit; or
  - 14.9.2 appropriately bunded and drained to a holding tank for collection by a licensed contractor.
- 14.10 When requested by Council, nuisance monitoring must be undertaken and recorded within three (3) months, to investigate any genuine complaint of nuisance as determined by Council caused by noise, light, odour 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.
- 15.0 OPERATING PROCEDURES
- 15.1 Operations on the development site must have no significant impact as determined by Council on the amenity of adjoining premises or the surrounding area due to the emission of light, noise or dust.
- 15.2 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 Enterprise Drive.

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

(i) 0630 hours to 1830 hours on Monday to Sunday.

with no operations on Public Holidays.

**Note:** The Non-Resident Workforce Accommodation component of the approved development is permitted to operate 24 hours, seven (7) days per week.

15.4 This development approval is limited to a period of two (2) years from the date the approval takes effect. The approved development (Non-resident Workforce Accommodation (200 Person) and Warehouse must cease after this period and the land rehabilitated to the pre-developed scenario.

15.5 Prior to cessation of the uses, a Rehabilitation and Decommission Plan must be submitted for endorsement by Council.

15.6 Water trucks for dust suppression must be kept on site at all times for use as required.

15.7 The gravel access and vehicle manoeuvring areas must be constructed, operated and maintained in a manner that no significant impact on the amenity of adjoining premises or the surrounding area is caused due to the emission of dust or results in sediment laden water.

15.8 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.

15.9 All waste storage areas must be:

15.9.1 kept in a clean and tidy condition; and

15.9.2 maintained in accordance with *Environmental Protection Regulation 2019*.

15.10 Cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.

#### 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 Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships website [www.dsdsatsip.qld.gov.au](http://www.dsdsatsip.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. 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 4. Building Works

A Development Permit for Building Works assessable under the Building Assessment Provisions must be obtained prior to the commencement of any building works on the site.

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.

**Moved by: Councillor Mathers**

**Seconded by: Councillor Kirkland**

**MOTION CARRIED UNANIMOUSLY**

**11.6 AUDIT AND BUSINESS IMPROVEMENT COMMITTEE MEMBER APPOINTMENT**

**File No:** 3012  
**Authorising Officer:** John Wallace - Chief Audit Executive  
Ross Cheesman - Deputy Chief Executive Officer  
**Author:** John Wallace - Chief Audit Executive

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**SUMMARY**

*In meeting its obligations under the Local Government Regulation 2012, as well as its Audit and Business Improvement Committee Policy, Council is being asked to appoint one of the short-listed applicants to fill the vacant Audit and Business Improvement Committee external member position.*

**COUNCIL RESOLUTION**

THAT Council appoints Peter Tegart to the Audit and Business Improvement Committee as the preferred applicant to fulfil the responsibilities as stated in the Audit and Business Improvement Committee Policy.

**Moved by:** Councillor Latcham  
**Seconded by:** Councillor Kirkland

**MOTION CARRIED UNANIMOUSLY**

**11.7 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 30 JUNE 2023**

**File No:** 8148  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2023.*

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 30 June 2023 be received.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

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**11.8 SUMMARY BUDGET MANAGEMENT REPORT FOR THE PERIOD ENDED 31 JULY 2023**

**File No:** 8148  
**Authorising Officer:** Ross Cheesman - Deputy Chief Executive Officer  
**Author:** Marnie Taylor - Chief Financial Officer

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**SUMMARY**

*The Chief Financial Officer presenting the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 July 2023.*

**COUNCIL RESOLUTION**

THAT the Rockhampton Regional Council Summary Budget Management Report for the period ended 31 July 2023 be received.

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**11.9 WHOLE OF COUNCIL CORPORATE PERFORMANCE REPORT FOR PERIOD  
ENDING JULY 2023**

**File No:** 1392  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Ross Cheesman - Deputy Chief Executive Officer

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**SUMMARY**

*Deputy Chief Executive Officer presenting the Whole of Council Corporate Performance Report for period ending 31 July 2023 for Councillor's information.*

**COUNCIL RESOLUTION**

THAT the Whole of Council Corporate Performance Report for period ending 31 July 2023 be "received".

**Moved by:** Mayor Williams  
**Seconded by:** Councillor Fisher

**MOTION CARRIED UNANIMOUSLY**

**12 NOTICES OF MOTION**

Nil

**13 QUESTIONS ON NOTICE**

Nil

**14 URGENT BUSINESS\QUESTIONS**

Nil

**15 CLOSURE OF MEETING**

There being no further business the meeting closed at 9:36am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE



**MEETING  
ATTACHMENTS**

**22 AUGUST 2023**



## **ANNEXURE A**

Documents presented to Councillors for their reference during the Council meeting when dealing with:

**Item 11.5 – D/74-2023 - Development Application for a Material Change of Use for Non-Resident Workforce Accommodation (200 Person) and Warehouse**

**Development application (D/74-2023)  
Material Change of Use for Non-resident  
Workforce Accommodation  
(Temporary 200 Person) and Warehouse**

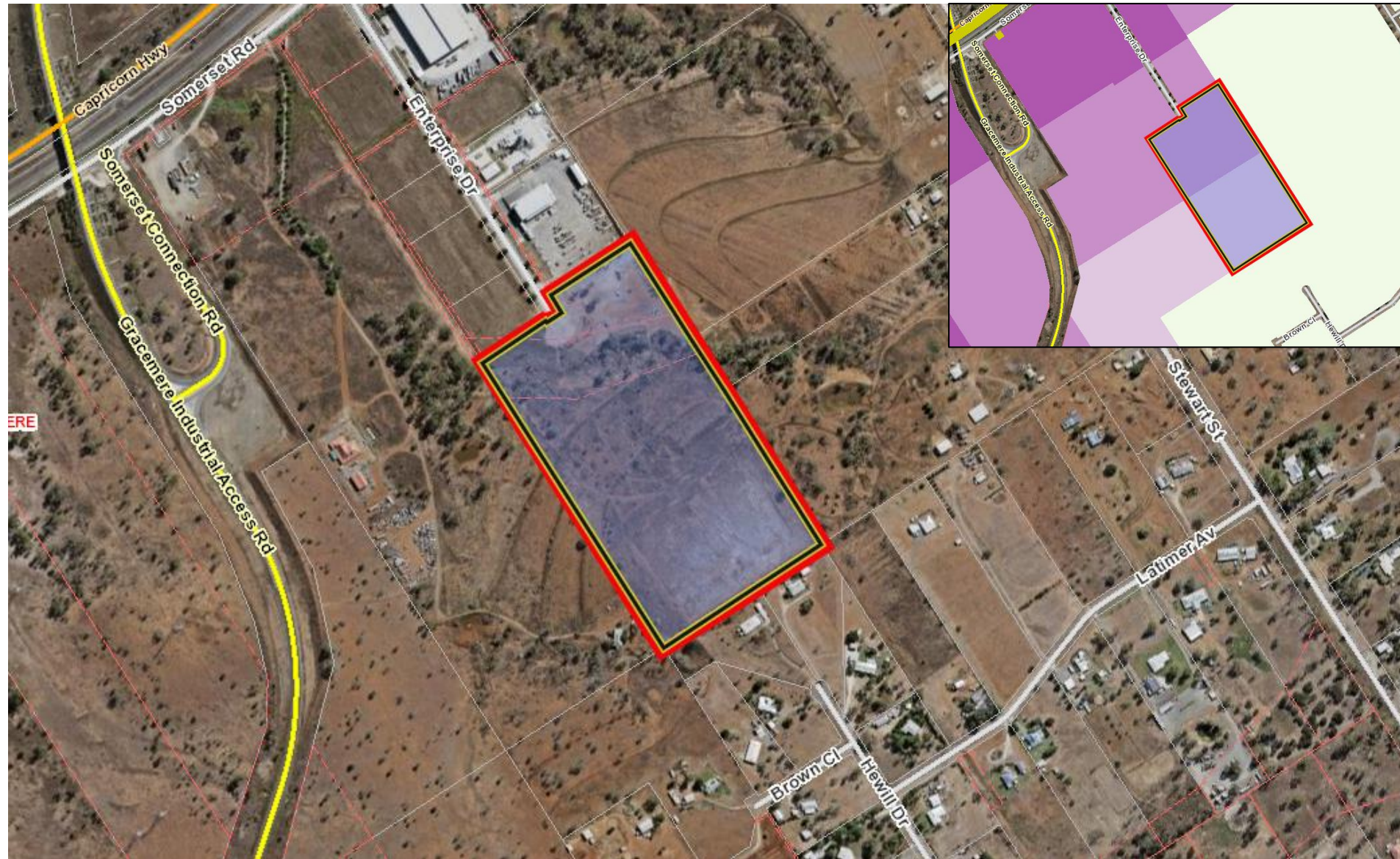
**Lot 51 Enterprise Drive, Gracemere**

**Lot 51 on SP273020**

Council meeting – 22 August 2023

Kathy McDonald – Senior Planning Officer

# Subject Site

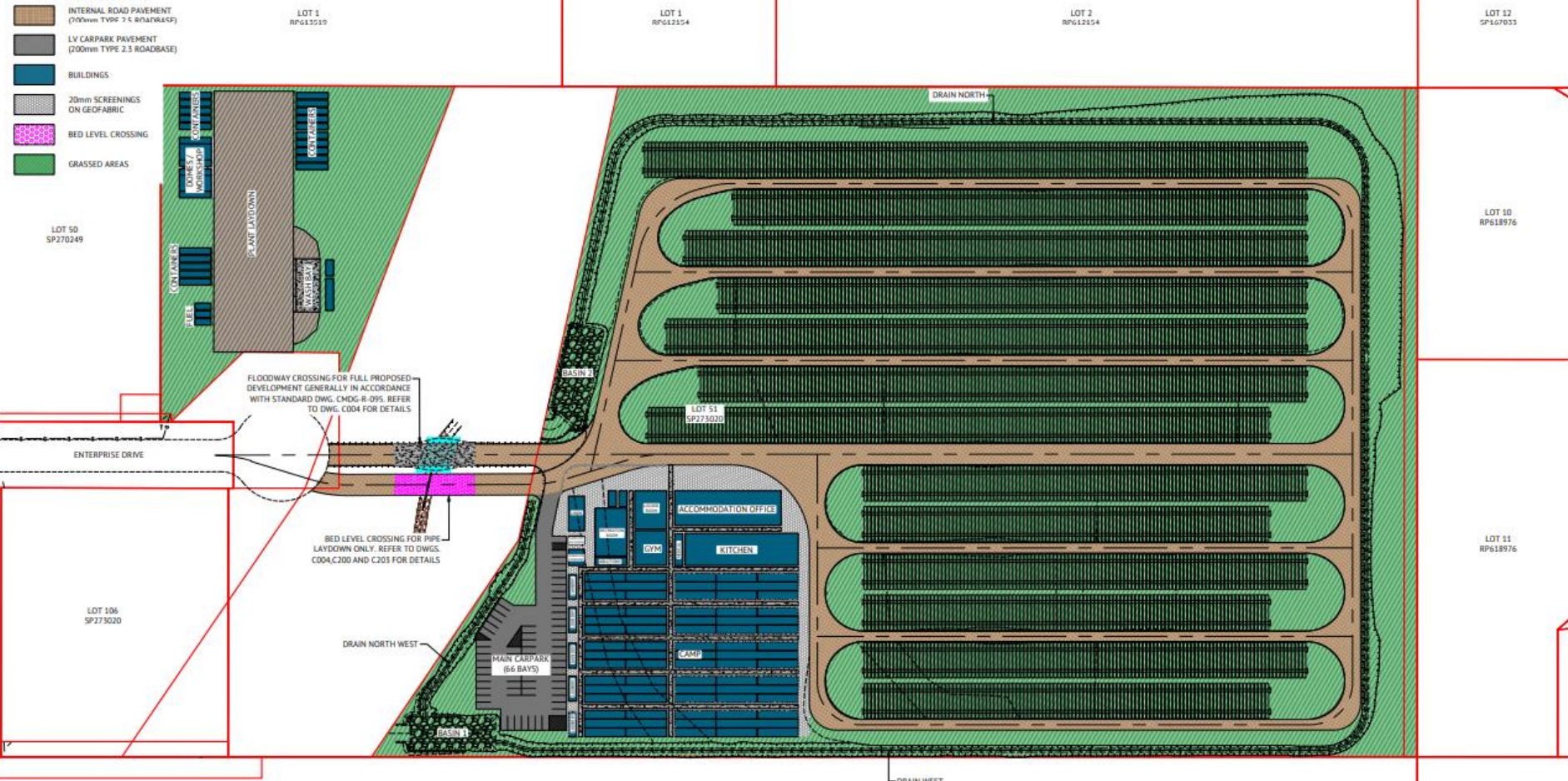




# Overall Development Site

## LEGEND

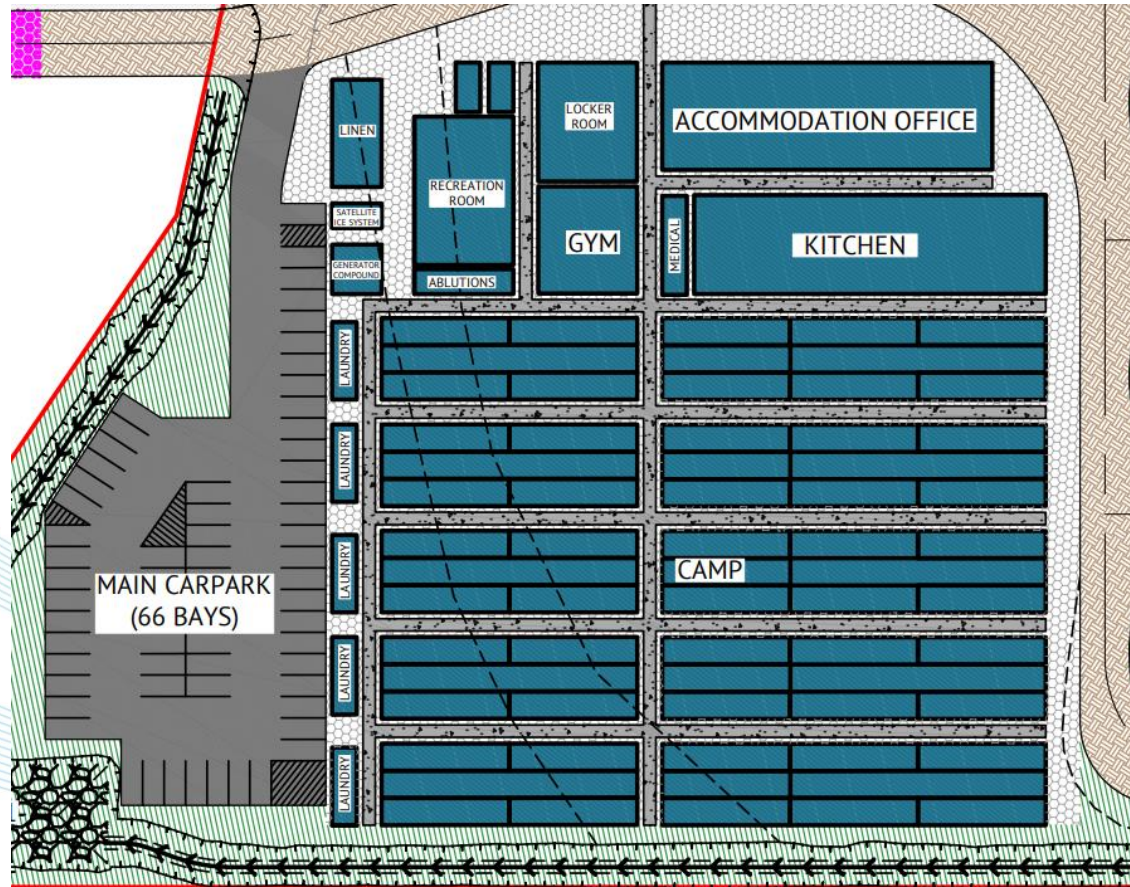
-  REINFORCED CONCRETE PAVEMENT
-  PLANT LAYDOWN 150mm TYPE 2.5 ROADBASE DECOMPOSED GRANITE OR SIMILAR
-  INTERNAL ROAD PAVEMENT (700mm TYPE 7.5 ROADBASE)
-  LV CARPARK PAVEMENT (200mm TYPE 2.3 ROADBASE)
-  BUILDINGS
-  20mm SCREENINGS ON GEOFABRIC
-  BED LEVEL CROSSING
-  GRASSED AREAS



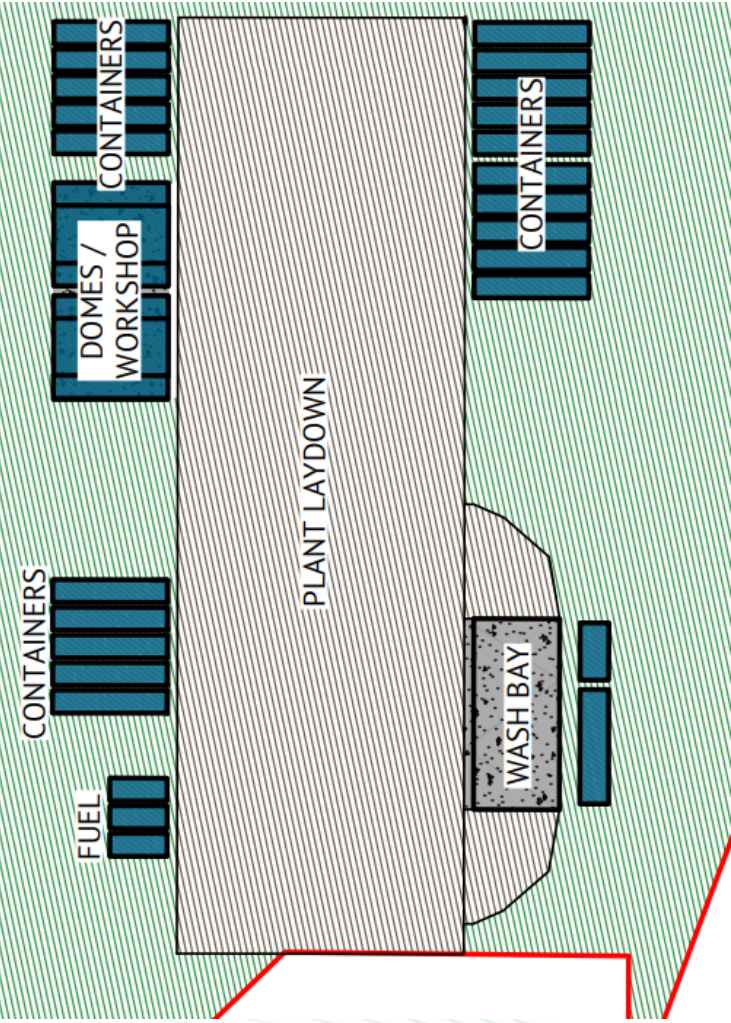


# Proposed Development

## Non-resident Workforce Accommodation Camp



Warehouse





# Public Notification



- One (1) properly made submission in objection was received.
- The submission was from the adjoining property owner to the west of the subject site.
- How the submission was considered and addressed is outlined in the report.

# Grounds for Approval

- The development generally complies with the provisions included in the applicable Planning Scheme codes and will not compromise the Strategic Framework.
- Where any conflicts with the Planning Scheme exist, regard to relevant matters outlined in the report are considered to outweigh those conflicts.
- Therefore, the development application is recommended for approval.