



**PLANNING & DEVELOPMENT
COMMITTEE MEETING**

MINUTES

27 JANUARY 2015

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**REPORT OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING HELD AT
COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON ON TUESDAY,
27 JANUARY 2015 COMMENCING AT 1.33PM**

1 OPENING

2 PRESENT

Members Present:

The Mayor, Councillor M F Strelow (Chairperson)
Councillor C E Smith
Councillor C R Rutherford
Councillor G A Belz
Councillor A P Williams
Councillor R A Swadling
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Holmes – General Manager Regional Services
Mr R Claus – Manager Planning
Ms T Fitzgibbon – Coordinator Development Assessment
Mr M Riordan – Coordinator Building, Plumbing and Drainage
Ms C Hibberd – Planning Officer
Ms L Price – Community Awareness Officer
Ms T Jacobsen – Governance Support Officer
Ms I Taylor – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Planning & Development Committee held on 9 December 2014 be taken as read and adopted as a correct record.

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

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

6 BUSINESS OUTSTANDING

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE

File No: 10097

Attachments: 1. Business Outstanding Table for Planning and Development Committee

Responsible Officer: Evan Pardon - Chief Executive Officer

Author: Evan Pardon - Chief Executive Officer

SUMMARY

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

COMMITTEE RESOLUTION

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

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/122-2014 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A DUPLEX

File No: D/122-2014

Attachments:

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

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
 Russell Claus - Manager Planning
 Robert Holmes - General Manager Regional Services

Author: Corina Hibberd - Planning Officer

SUMMARY

Development Application Number: D/122-2014

Applicant: BJ Homes Pty Ltd

Real Property Address: Lot 24 on SP239023, Parish of Rockhampton

Common Property Address: 100 Alma Lane, Rockhampton City

Area of Site: 394 square metres

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Central Business District Commercial Area – Precinct 2 – Central Business District Business Services

Planning Scheme Overlays: Railway Noise Code Map (Noise affected area 80 metres)

Existing Development: Unlawful Duplex

Existing Approvals: Building and Plumbing permits for the two dwellings

Approval Sought: Development Permit for a Material Change of Use for Duplex

Level of Assessment: Impact Assessable

Submissions: Nil

Referral Agency(s): Department of State Development and Infrastructure Planning (State-controlled Road)

Adopted Infrastructure Charges Area: Charge Area 2

Application Progress:

<i>Application Lodged:</i>	20 May 2014
<i>Acknowledgment Notice issued:</i>	27 May 2014
<i>Request for Further Information sent:</i>	11 June 2014
<i>Application Revived (lapsed due to non-referral)</i>	1 July 2014
<i>Request for Further Information responded to:</i>	28 October 2014

<i>Submission period commenced:</i>	<i>11 November 2014</i>
<i>Submission period end:</i>	<i>5 December 2014</i>
<i>Council request for additional time:</i>	<i>9 February 2015</i>
<i>Government Agency request for additional time:</i>	<i>Not Applicable</i>
<i>Government Agency Response:</i>	<i>1 August 2014</i>
<i>Last receipt of information from applicant:</i>	<i>9 December 2014</i>
<i>Committee Meeting date:</i>	<i>27 January 2015</i>
<i>Statutory due determination date:</i>	<i>9 February 2015</i>

COMMITTEE RESOLUTION

RECOMMENDATION A

That in relation to the application for a Development Permit for a Material Change of Use for a Duplex, made by BJ Homes Pty Ltd, on Lot 24 on SP239023, Parish of Rockhampton, located at 100 Alma Lane, Rockhampton, Council resolves to Approve the application despite its conflict with the planning scheme and provide the following grounds to justify the decision despite the conflict:

- a) The small lot size limits the opportunity for commercial development given that all adjoining small lots are also improved by dwelling houses, and that this development has already been constructed.
- b) There are a number of other residential dwellings located on Little Alma Street and Alma Lane. The lot adjoins existing residential premises which coexist with mixed use residential and commercial uses in the precinct.
- c) The use does not adversely affect the streetscape or the amenity of residential or commercial uses in the vicinity.
- d) Assessment of the development demonstrates that the Planning Scheme's Desired Environmental Outcomes will not be compromised.
- e) Assessment of the development against the relevant planning scheme codes demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity.
- f) The proposed development does not compromise the State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a Duplex, made by BJ Homes Pty Ltd, on Lot 24 on SP239023, Parish of Rockhampton, located at 100 Alma Lane, Rockhampton, Council resolves to Approve the application subject to the following conditions.

1.0 ADMINISTRATION

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

- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the commencement of the use, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior to the commencement of the use, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with their purposes:
- 1.6.1 Operational Works:
- (i) Access Works;
- 1.6.2 Plumbing and Drainage Works; and
- 1.6.3 Building Works (if required).
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Number</u>	<u>Dated</u>
Site Plan	2010-0059 Sheet 6 of 6 Rev A	27 October 2014
Floor Plan	2010-0059 Sheet 1 of 6 Rev A	29 June 2010
Elevations	2010-0059 Sheet 2 of 6 Rev A	29 June 2010

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 2.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the submission of a Development Application for Operational Works.

3.0 ACCESS AND PARKING WORKS

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

4.0 PLUMBING AND DRAINAGE WORKS

- 4.1 All 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*, *Plumbing and Drainage Act* Council's Plumbing and Drainage Policies and the provisions of a Development Permit for Plumbing and Drainage Works.
- 4.2 The development must be connected to Council's reticulated sewerage and water

networks.

- 4.3 The existing sewerage and water connection point(s) must be retained, and upgraded if necessary, to service the development.
- 4.4 Water meter boxes and sewer connections located within trafficable areas must be raised or lowered to suit the finished surface level and must be provided with heavy duty trafficable lids.
- 4.5 All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act* and Council's Plumbing and Drainage Policies must be completely independent for each unit.
- 4.6 The development must be provided with a master meter at the property boundary and sub-meters for each sole occupancy unit in accordance with the *Queensland Plumbing and Wastewater Code* and Council's Sub-metering Policy.

5.0 ROOF AND ALLOTMENT DRAINAGE WORKS

- 5.1 All roof and allotment drainage must be in accordance with the requirements of the *Queensland Urban Drainage Manual* and the *Capricorn Municipal Development Guidelines*.
- 5.2 All roof and allotment drainage must be discharged such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure.

6.0 SITE WORKS

- 6.1 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 adjoining properties or infrastructure.

7.0 BUILDING WORKS

- 7.1 Any lighting devices associated with the development, such as sensory lighting, must be positioned on the 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"*.
- 7.2 All windows facing onto the adjoining residential properties must be properly glazed or screened to not intrude on the privacy of residents.

8.0 LANDSCAPING WORKS

- 8.1 Landscaping, or any part thereof, upon reaching full maturity, must not:
 - (i) obstruct sight visibility zones as defined in the *Austroads 'Guide to Traffic Engineering Practice'* series of publications;
 - (ii) adversely affect any road lighting or public space lighting; or
 - (iii) adversely affect any Council infrastructure, or public utility plant.

9.0 ELECTRICITY AND TELECOMMUNICATIONS

- 9.1 Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

10.0 ASSET MANAGEMENT

- 10.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.
- 10.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in

association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

11.0 OPERATING PROCEDURES

11.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Little Alma Street and Alma Lane.

11.2 Residential waste storage and collection including wheelie bins and recyclable bins are required in accordance with the *Environmental Protection Regulation 2008*.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

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

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

NOTE 5. Works in Road Reserve Permit

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

NOTE 6. Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a Duplex, made by BJ Homes Pty Ltd, on Lot 24 on SP239023, Parish of Rockhampton, located at 100 Alma Lane, Rockhampton, Council resolves to not issue an Infrastructure Charges Notice.

Moved by: Councillor Swadling

Seconded by: Councillor Fisher

MOTION CARRIED

8.2 D/159-2014 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (ONE LOT INTO TWO LOTS)

File No: D/159-2014

Attachments: 1. Locality Plan
2. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Corina Hibberd - Planning Officer

SUMMARY

Development Application Number: D/159-2014

Applicant: Hanz John Barth

Real Property Address: Lot 5 on RP605717, Parish of Archer

Common Property Address: 178 Dean Street, Berserker

Area of Site: 1,212 square metres

Planning Scheme: Rockhampton City Plan 2005

Rockhampton City Plan Area: Frenchville Residential Area

Planning Scheme Overlays: Nil

Existing Development: Dwelling House

Existing Approvals: Material Change of Use for a Duplex

Approval Sought: Development Permit for Reconfiguring a Lot (one lot into two lots)

Level of Assessment: Impact Assessable

Submissions: One (properly made)

Referral Agency(s): Not Applicable

Adopted Infrastructure Charges Area: Charge Area One

Application Progress:

<i>Application Lodged:</i>	25 June 2014
<i>Acknowledgment Notice issued:</i>	3 July 2014
<i>Request for Further Information sent:</i>	17 July 2014
<i>Request for Further Information responded to:</i>	10 October 2014
<i>Submission period commenced:</i>	29 October 2014
<i>Submission period end:</i>	21 November 2014
<i>Council request for additional time:</i>	29 January 2015
<i>Last receipt of information from applicant:</i>	24 November 2014
<i>Committee Meeting date:</i>	27 January 2015
<i>Statutory due determination date:</i>	29 January 2015

COMMITTEE RESOLUTION**RECOMMENDATION A**

That in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into two lots), made by Hanz John Barth, on Lot 5 on RP605717, Parish of Archer, located at 178 Dean Street, Berserker, Council resolves to Approve the application subject to the following conditions:

1.0 ADMINISTRATION

- 1.1 The Developer is responsible for ensuring compliance with this approval and the Conditions of the approval by an employee, agent, contractor or invitee of the Developer.
- 1.2 Where these Conditions refer to "Council" in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- 1.3 All conditions of this approval must be undertaken and completed to the satisfaction of Council, at no cost to Council.
- 1.4 All conditions, works, or requirements of this approval must be undertaken and completed prior to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.5 Where applicable, infrastructure requirements of this approval must be contributed to the relevant authorities, at no cost to Council prior, to the issue of the Compliance Certificate for the Survey Plan, unless otherwise stated.
- 1.6 The following further Development Permits must be obtained prior to the commencement of any works associated with its purposes:
 - 1.6.1 Operational Works:
 - (i) Access Works;
- 1.7 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.8 All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- 1.9 Easement A must be registered as an 'Access and Service Easement'. Easement documents must accompany the plan for endorsement by Council, prior to the issue of the Compliance Certificate for the Survey Plan.

2.0 APPROVED PLANS AND DOCUMENTS

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

<u>Plan/Document Name</u>	<u>Plan/Document Reference</u>	<u>Dated</u>
Proposed Reconfiguration of a Lot	5083 PROP Rev2	7 October 2014

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

Compliance Certificate for the Survey Plan.

3.0 ACCESS WORKS

- 3.1 A Development Permit for Operational Works (access works) must be obtained prior to the commencement of any access works on the site.
- 3.2 All 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 works).
- 3.3 A minimum 5.5 metre wide concrete driveway must be constructed in accordance with the approved plans (refer to condition 2.1) from Dean Street to proposed lot 2, except the length beside the existing house, where it must be minimum three (3) metres wide.

4.0 SEWERAGE WORKS

- 4.1 All 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* and *Plumbing and Drainage Act*.
- 4.2 All lots within the development must be connected to Council's reticulated sewerage network.
- 4.3 The existing sewerage connection point located within the proposed Lot 1 must be retained to service Lot 1. A new sewerage connection point must be provided for proposed Lot 2 from the existing reticulated sewerage network located within proposed Lot 1.
- 4.4 Easements must be provided over all sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the *Capricorn Municipal Development Guidelines*.

5.0 WATER WORKS

- 5.1 All 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* and *Plumbing and Drainage Act*.
- 5.2 All lots within the development must be connected to Council's reticulated water network.
- 5.3 The existing water connection point located within the proposed Lot 1 must be retained to service Lot 1. A new water connection point must be provided for proposed Lot 2 from the existing reticulated water network located within the Dean Street road reserve.

6.0 SITE WORKS

- 6.1 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 adjoining properties or infrastructure.

7.0 BUILDING WORKS

- 7.1 The existing shed as reflected on the approved plans (refer to condition 2.1), must be demolished.

8.0 ELECTRICITY AND TELECOMMUNICATIONS

- 8.1 Electricity and telecommunication connections must be provided to each lot within the proposed development to the standards of the relevant authorities.
- 8.2 Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to the issue of

the Compliance Certificate for the Survey Plan.

9.0 ASSET MANAGEMENT

9.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be at full cost to the Developer.

9.2 Any damage to existing kerb and channel, pathway or roadway (including removal of concrete slurry from public land, pathway, roads, kerb and channel and stormwater gullies and drainage lines) which may occur during any works carried out in association with the approved development must be repaired. This must include the reinstatement of the existing traffic signs and pavement markings which may have been removed.

9.3 'As constructed' information pertaining to assets to be handed over to Council and those which may have an impact on Council's existing and future assets must be provided prior to the issue of the Compliance Certificate for the Survey Plan. This information must be provided in accordance with the Manual for Submission of Digital as Constructed Information.

10.0 OPERATING PROCEDURES

10.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the site. No storage of materials, parking of construction machinery or contractors' vehicles will be permitted in Dean Street or Elphinstone Street.

ADVISORY NOTES

NOTE 1. General Environmental Duty

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

NOTE 2. General Safety Of Public During Construction

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

NOTE 3. Infrastructure Charges Notice

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

NOTE 4. Works in Road Reserve Permit

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

RECOMMENDATION B

That in relation to the application for a Development Permit for Reconfiguring a Lot (one lot into two lots), made by Hanz John Barth, on Lot 5 on RP605717, Parish of Archer, located at 178 Dean Street, Berserker, Council resolves to issue an Infrastructure Charges Notice for the amount of \$21,000.00.

Moved by: Councillor Rutherford

Seconded by: Councillor Fisher

MOTION CARRIED

9 STRATEGIC REPORTS

9.1 PLANNING SECTION - NOVEMBER MONTHLY OPERATIONS REPORT

File No: 7028

Attachments: 1. Monthly Report

Authorising Officer: Robert Holmes - General Manager Regional Services

Author: Russell Claus - Manager Planning

SUMMARY

The monthly operations report for the Planning Section (Development Assessment, Strategic Planning and Building Compliance) as at 30 November 2014 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Planning Section (Development Assessment, Strategic Planning and Building Compliance) report be received.

9.2 PLANNING SECTION - DECEMBER MONTHLY OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report
Authorising Officer: Robert Holmes - General Manager Regional Services
Author: Russell Claus - Manager Planning

SUMMARY

The monthly operations report for the Planning Section (Development Assessment, Strategic Planning and Building Compliance) as at 31 December 2014 is presented for Councillors information.

COMMITTEE RESOLUTION

THAT the Planning Section (Development Assessment, Strategic Planning and Building Compliance) reports for November and December 2014 be received.

Moved by: Mayor Strelow
Seconded by: Councillor Williams

MOTION CARRIED

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS\QUESTIONS

Planning fees and charges and preliminary approval were discussed.

12 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.

13.1 Building issues in South Rockhampton

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

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

COMMITTEE RESOLUTION

2:01PM

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

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

COMMITTEE RESOLUTION

2:39PM

THAT pursuant to s34(1)(k) and s44 *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

13 CONFIDENTIAL REPORTS

13.1 BUILDING ISSUES IN SOUTH ROCKHAMPTON

File No: 8038

Attachments: 1. Letter from Private Certifier dated 2 December 2014

Authorising Officer: Russell Claus - Manager Planning
Robert Holmes - General Manager Regional Services

Author: Tarnya Fitzgibbon - Coordinator Development Assessment

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

SUMMARY

There is a long running history of complaints about breaches of the Building Code of Australia and other legislation dealing with building and plumbing issues. This report summarises the issues and outlines the options available for Council.

COMMITTEE RESOLUTION

THAT within two months, a further report be presented following a preliminary investigation.

Moved by: Councillor Rutherford

Seconded by: Mayor Strelow

MOTION CARRIED

14 CLOSURE OF MEETING

There being no further business the meeting closed at 2:41pm.

SIGNATURE

CHAIRPERSON

DATE