



PLANNING & DEVELOPMENT COMMITTEE MEETING

MINUTES

24 FEBRUARY 2015

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**REPORT OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 24 FEBRUARY 2015 COMMENCING AT 1.37PM**

1 OPENING

2 PRESENT

Members Present:

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

In Attendance:

Mr E Pardon – Chief Executive Officer
Mr R Claus – Manager Planning
Ms T Fitzgibbon – Coordinator Development Assessment
Mr J Herron – Coordinator Infrastructure Operations
Mr P Barry – Senior Planning Officer
Ms L Leeder – Senior Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

COMMITTEE RESOLUTION

THAT a leave of absence be granted to Councillor Greg Belz for today's Planning and Development Committee meeting.

Moved by: Councillor Schwarten

Seconded by: Councillor Swadling

MOTION CARRIED

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Planning & Development Committee held on 27 January 2015 be taken as read and adopted as a correct record.

Moved by: Councillor Smith

Seconded by: Councillor Swadling

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: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/278-2014 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A HIGH IMPACT INDUSTRY (MEAT AND MEAT PRODUCT MANUFACTURING)

File No: D/278-2014

Attachments:

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

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

Author: Petrus Barry - Senior Planning Officer

SUMMARY

Development Application Number: D/278-2014

Applicant: E F Mellor

Real Property Address: Lot 3 on SP230297, Parish of Windah

Common Property Address: 1009 Thirsty Creek Road, Gogango

Area of Site: 360.06 hectares

Planning Scheme: Fitzroy Shire Planning Scheme 2005

Planning Scheme Zoning: Rural Zone

Planning Scheme Overlays: Agricultural Land Class Overlay (Class C1 and A1), Natural Disasters Overlay Code- Bushfire Prone land (Low Risk)

Existing Development: Dwelling House and associated rural outbuildings

Existing Approvals: Nil

Approval Sought: Development Permit for a Material Change of Use for a High Impact Industry (Meat and Meat Product Manufacturing)

Level of Assessment: Impact Assessable

Submissions: One (Not properly made)

Referral Agency(s): Nil

Adopted Infrastructure Charges Area: Charge Area Three (3)

Application Progress:

<i>Application Lodged:</i>	14 November 2014
<i>Acknowledgment Notice issued:</i>	26 November 2014
<i>Submission period commenced:</i>	19 December 2014
<i>Submission period end:</i>	29 January 2014
<i>Last receipt of information from applicant:</i>	5 February 2015
<i>Statutory due determination date:</i>	27 February 2015

1:46PM Councillor Fisher attended the meeting
1:48PM Councillor Swadling left the meeting
1:50PM Councillor Swadling returned to the meeting

COMMITTEE RESOLUTION

RECOMMENDATION A

THAT in relation to the application for a Development Permit for a Material Change of Use for a High Impact Industry (Meat and Meat Product Manufacturing), made by E F Mellor, on Lot 3 on SP230297, Parish of Windah, located at 1009 Thirsty Creek Road, Gogango, Council resolves to Approve the application despite its conflict with the planning scheme and provides the following grounds to justify the decision despite the conflict:

- a) The proposed low key industrial use will not affect the rural character of the area or preclude the majority of approved industrial land from being developed;
- b) The proposed abattoir being ancillary to the rural use, results in a positive outcome for the existing agricultural uses as a small scale abattoir is similar in function and characteristics to a home based business and should as a result encourage continuation of the grazing activities;
- c) The proposed use does not compromise the achievements of the Desired Environmental Outcomes in the *Fitzroy Shire Planning Scheme 2005*;
- d) Assessment of the development against the relevant zone outcomes, planning scheme codes and local planning policies demonstrates that the proposed development will not cause significant adverse impacts on the surrounding natural environment, built environment and infrastructure, community facilities, or local character and amenity; and
- e) The proposed development does not compromise the relevant State Planning Policy.

RECOMMENDATION B

That in relation to the application for a Development Permit for a Material Change of Use for a High Impact Industry (Meat and Meat Product Manufacturing), made by E F Mellor, on Lot 3 on SP230297, Parish of Windah, located at 1009 Thirsty Creek Road, Gogango, 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 its purposes:

- a) Plumbing and Drainage Works; and
- b) Building Works.

- 1.7 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.
- 1.8 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.
- 1.9 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 Reference</u>	<u>Dated</u>
Site Plan of Proposed Abattoir	140689-01. Sheet 1 of 2	14 November 2014
Floor Plan of Proposed Abattoir Shed	140689-01. Sheet 2 of 2	12 November 2014
Building Layout	Nh1408058-4	11 November 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 submission of a Development Application for Plumbing and Drainage Works.

3.0 PLUMBING AND DRAINAGE WORKS

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 On-site sewerage and disposal must be designed to achieve the performance objective in accordance with *AS/NZS 1547:2000*. The design must be undertaken by a Registered Professional Consultant and with on-site sewerage qualification in accordance with *AS/NZS 1547:2000* and *Queensland Plumbing and Wastewater Code*.
- 3.5 On-site sewerage treatment and disposal area must not be located within the existing water course or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.

- 3.6 The structure must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.
- 3.7 On-site water supply for domestic and fire fighting purposes must be provided and may include the provision of a bore, dam, water storage tanks or a combination of each. The water storage must be easily accessible having regard to pedestrian and vehicular access.
- 3.8 Arrestor traps must be required on any non-domestic discharges to protect the on-site sewerage facilities.
- 3.9 Contaminants/Wash-down must not be permitted to discharge into water courses, drainage lines or onto adjoining properties. All contaminated water must be directed to the on-site sewerage treatment and disposal system.
- 3.10 Compliance with the *Environmental Protection Regulation 2008* for storage and collection of solid wastes. Waste collection must be via a commercial contractor.

4.0 BUILDING WORKS

- 4.1 A minimum 1.8 metre high screen fence must be erected around the shed and waste treatment ponds in accordance with the approved plans (refer to condition 2.1).
- 4.2 The structure must not be located within the on-site sewerage treatment and disposal area or conflict with the separation distance as detailed with the *Queensland Plumbing and Wastewater Code*.

5.0 ENVIRONMENTAL

- 5.1 Ponds used for the storage of aqueous waste must be constructed, installed and maintained to:
- a) prevent any release of aqueous waste from the ponds; and
 - b) ensure stability of the pond structure.
- 5.2 Treated aqueous waste is permitted to be released to land provided that is done in accordance with a written procedure that ensures:
- a) irrigation of a sufficient area is identified and provided for aqueous waste application;
 - b) aqueous waste is applied at a loading rate that can be assimilated by the irrigation area;
 - c) infiltration to groundwater and subsurface flow of contaminants to surface waters are prevented;
 - d) degradation of soil structure is minimised;
 - e) soil sodicity and the build-up of nutrients and heavy metals in the soil and subsoil are minimised;
 - f) spray drift or overspray does not carry beyond the aqueous release areas;
 - g) aqueous waste release areas are maintained with an appropriate crop in a viable state for transpiration and nutrient uptake; and
 - h) the crop on the release area is harvested and removed from the release area.

6.0 ASSET MANAGEMENT

- 6.1 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.

6.2 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.

7.0 OPERATING PROCEDURES

7.1 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 Dunphy Road or Thirsty Creek Road.

7.2 The facility is restricted to the slaughtering of cattle to produce the equivalent of 300 kilograms of meat per week.

7.3 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"'.

7.4 Noise from the activity must not cause an environmental nuisance.

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. Asbestos Removal

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

NOTE 3. General Environmental Duty

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

NOTE 4. Licensable Activities

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

NOTE 5. Infrastructure Charges Notice

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

RECOMMENDATION C

That in relation to the application for a Development Permit for a Material Change of Use for a High Impact Industry (Meat and Meat Product Manufacturing), made by E F Mellor, on Lot 3 on SP230297, Parish of Windah, located at 1009 Thirsty Creek Road, Gogango, Council resolves to issue an Infrastructure Charges Notice for the amount of \$798.00.

Moved by: Mayor Strelow

Seconded by: Councillor Smith

MOTION CARRIED

9 STRATEGIC REPORTS

9.1 PLANNING SECTION - JANUARY MONTHLY OPERATIONS REPORT

File No: 7028

Attachments: 1. Monthly Report - January

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 January 2015 is presented for Councillors information.

1:58PM Councillor Swadling left the meeting

2:01PM Councillor Swadling returned to the meeting

COMMITTEE RESOLUTION

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

Moved by: Councillor Swadling

Seconded by: Councillor Smith

MOTION CARRIED

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS\QUESTIONS

12 CLOSURE OF MEETING

There being no further business the meeting closed at 2.04pm.

SIGNATURE

CHAIRPERSON

DATE