



# **PLANNING & DEVELOPMENT COMMITTEE MEETING**

## **AGENDA**

**10 MARCH 2015**

*Your attendance is required at a meeting of the Planning & Development Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 10 March 2015 commencing at 1.30pm for transaction of the enclosed business.*

A handwritten signature in black ink, appearing to be "C. R.", is positioned above the printed name of the Chief Executive Officer.

**CHIEF EXECUTIVE OFFICER**  
3 March 2015

Next Meeting Date: 24.03.15

**Please note:**

In accordance with the *Local Government Regulation 2012*, please be advised that all discussion held during the meeting is recorded for the purpose of verifying the minutes. This will include any discussion involving a Councillor, staff member or a member of the public.

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**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 S J Schwarten  
Councillor A P Williams  
Councillor R A Swadling  
Councillor N K Fisher

In Attendance:

Mr E Pardon – Chief Executive Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

**4 CONFIRMATION OF MINUTES**

Minutes of the Planning & Development Committee held 24 February 2015

**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

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#### **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.*

#### **OFFICER'S RECOMMENDATION**

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

# **BUSINESS OUTSTANDING TABLE FOR PLANNING AND DEVELOPMENT COMMITTEE**

## **Business Outstanding Table for Planning and Development Committee**

**Meeting Date: 10 March 2015**

**Attachment No: 1**

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
11 November 2014	Enforcement Proceedings for Development Offences	1) THAT Option Two be adopted with a six month period; and 2) THAT the Home Based Business Code in the proposed Planning Scheme be reviewed with a view to clarifying number of staff and vehicles.	Judith Noland	25/11/2014	
25 November 2014	Enforcement Proceedings for Development Offences	THAT the matter lay on the table pending the outcome of the Flood Study report to return to the Planning and Development Committee in early 2015.	Judith Noland	09/12/2014	



**6.2 LIFTING MATTERS LAYED ON THE TABLE**

**File No:** 10097  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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**SUMMARY**

*Items lying on the table require a report to be lifted from the table before being dealt with. This report is designed to lift all necessary reports from the table to be dealt with at the current meeting 10 March 2015.*

**OFFICER'S RECOMMENDATION**

THAT the following matter, "lying on the table" be lifted from the table and be dealt with accordingly:

- D/69-2014 – Development application for reconfiguring a lot (three lots into three lots).

**7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 D/69-2014 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (THREE LOTS INTO THREE LOTS)

**File No:** D/69-2014

**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

**Previous Items:** 8.4 - D/69-2014 - Development Application for Reconfiguring a Lot (three lots into three lots) - Planning & Development Committee - 7 Oct 2014 1.30pm

#### SUMMARY

*Development Application Number:* D/69-2014

*Applicant:* John Brydon

*Real Property Address:* Lot 14 on RP603512 and Lot 15 on RP603512 and Lot 16 on RP803410, Parish of Murchison

*Common Property Address:* 2 Sturt Street, Parkhurst

*Area of Site:* 1.38 hectares

*Planning Scheme:* Rockhampton City Plan 2005

*Rockhampton City Plan Area:* Parkhurst Industrial Area – Low Impact Industrial Precinct

*Planning Scheme Overlays:* Flood Prone Land

*Existing Development:* Single Dwelling

*Existing Approvals:* Nil

*Approval Sought:* Development Permit for Reconfiguring a Lot (three lots into three lots)

*Level of Assessment:* Code Assessable

*Submissions:* Not Applicable

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

*Adopted Infrastructure Charges Area:* Charge Area One

*Application Progress:*

<i>Application Lodged:</i>	19 March 2014
<i>Acknowledgment Notice issued:</i>	26 March 2014
<i>Request for Further Information sent:</i>	31 March 2014
<i>Request for Further Information responded to:</i>	23 May 2014
<i>Government Agency Response:</i>	29 April 2014
<i>Last receipt of information from applicant:</i>	23 May 2014

<i>Council request for additional time:</i>	<i>17 June 2014</i>
<i>Council request for additional time:</i>	<i>16 July 2014</i>
<i>Council request for additional time:</i>	<i>20 August 2014</i>
<i>Council request for additional time:</i>	<i>11 September 2014</i>
<i>Council request for additional time:</i>	<i>14 October 2014</i>
<i>Council request for additional time:</i>	<i>14 November 2014</i>
<i>Council request for additional time:</i>	<i>27 February 2015</i>
<i>Statutory due determination date:</i>	<i>31 March 2016</i>

## OFFICER'S RECOMMENDATION

### RECOMMENDATION A

That in relation to the application for a Development Permit for Reconfiguring a Lot (three lots into three lots), made by John Brydon, on Lot 14 on RP603512, Lot 15 on RP603512 and Lot 16 on RP803410, Parish of Murchison, located at 2 Sturt Street, Parkhurst, Council resolves to Refuse the application for the following reasons:

- (i) The existing lots are not within a Water Supply Service Area or Sewerage Service Area and consequently the site is not connected to appropriate water and sewerage infrastructure;
- (ii) The proposed lots are not of a sufficient size to accommodate flood free, on-site sewerage treatment and disposal for any future industrial development. Consequently, compliance with the *Queensland Plumbing and Wastewater Code (On-Site Sewerage Code)* has not been demonstrated;
- (iii) The proposal does not have access to adequate fire fighting protection; and
- (iv) Further development of the proposed lots will not comply with the Industry Self-Assessment Code or the Industrial Use Code of the *Rockhampton City Plan 2005* as no provision has been made for water and sewerage infrastructure.

### BACKGROUND

This application was tabled at the Planning and Development Committee on 7 October 2014 as the application was recommended for refusal. The committee resolved to lay the application on the table to facilitate a meeting with the applicant to address the outstanding water and sewerage issues.

After several negotiations with the applicant, additional information was submitted to Council; however sufficient water supply or sewerage supply cannot be achieved for future industrial uses. Therefore, the recommendation for refusal remains.

### PROPOSAL IN DETAIL

The proposal is for a boundary realignment; three lots into three lots. Currently Lot 14 on RP603512 and Lot 15 on RP603512 are bound by Limestone Creek and are inaccessible. The proposal is to allow the realignment of these boundaries so they have access to Leichhardt Street and potentially be developed for Industrial purposes.

Proposed Lot 1 will have an area of 12,290 square metres and contain the existing dwelling house. Proposed Lot 2 will have an area of 3,180 square metres and Lot 3 will have an area of 3,640 square metres.

Access to Lot 1 will be via Sturt Street, and access to Lot 2 and Lot 3 will be via Leichhardt Street.

**SITE AND LOCALITY**

The subject site is irregular in shape with an area of 1.38 hectares. The site is bound by Sturt Street, Leichhardt Street and Alexandra Street. Limestone Creek traverses the site, making Lot 14 and Lot 15 inaccessible.

The existing house is located on Lot 16 and is connected to Council's reticulated water supply (via a Special Water Supply Arrangement) and on-site sewerage system.

The site is prone to flooding (except for an area facing Leichardt Street) and is designated as a high hazard floodway area under the Flood Hazard Map of the *Rockhampton City Plan 2005*.

The area is dominated by industrial related activities including a variety of light and medium industrial uses such as, recycling, steel fabrication, towing/wrecking businesses. There are also two residential uses located south of the site.

**PLANNING ASSESSMENT****MATTERS FOR CONSIDERATION**

This application has been assessed by relevant Council planning, engineering, environmental health, and other technical officers as required. The assessment has been in accordance with the Integrated Development Assessment System provisions of the *Sustainable Planning Act 2009*, based on consideration of the relevant State Planning Policy; State Government guidelines; the Council's Town Planning Scheme, Planning Policies and other general policies and procedures, as well as other documents as considered relevant.

**Infrastructure Operations Unit's Comments – 26 March 2014**

The application is supported subject to conditions.

**Infrastructure Operations Unit's (sewer and water) Comments – 16 June 2014 and 18 February 2015**

The application is recommended for refusal.

After several negotiations with the applicant following the Planning and Development Committee meeting on 7 October 2014, additional information was submitted to Council; however sufficient water supply or sewerage supply cannot be achieved for future industrial uses. Therefore, the recommendation for refusal remains.

There is no water supply within the vicinity of these lots. The nearest water supply is from Gregory Street which is approximately 140 metres east of the site. The existing Lot 16 is connected to Council's reticulated water supply via a Special Water Supply arrangement. A Special Water Supply arrangement would not be sufficient for an Industrial use. The applicant would be required to construct water supply from the intersection of Gregory Street and Sturt Street.

Each lot must be provided with an on-site sewerage system in accordance with the *Queensland Plumbing and Wastewater Code*. Given the majority of the site is affected by Q100 flooding, compliance with the *Queensland Plumbing and Wastewater Code* is questionable. A Site Evaluation Report in accordance with the *Queensland Plumbing and Wastewater Code* for on-site Sewerage is required. The report must address the flooding implications and must be prepared by a qualified person in accordance with the *Queensland Plumbing and Wastewater Code*. The applicant was required to provide a Sewerage Strategy as per Council's Information Request dated 31 March 2014. This information was not provided.

**TOWN PLANNING COMMENTS****Central Queensland Regional Plan 2013**

The *Central Queensland Regional Plan 2013* is a statutory document which came into effect on 18 October 2013. The development is not required to be assessed against the regional

plan if this document is appropriately reflected in the local planning scheme. It is considered that the regional plan is appropriately reflected in the current local planning scheme.

#### **State Planning Policy 2014**

This policy came into effect in July 2014 and replaced all former State Planning Policies. This policy requires development applications to be assessed against its requirements until the identified state interests have been appropriately reflected in the local planning scheme.

##### Liveable communities

Not Applicable.

##### Mining and extractive resources

Not Applicable.

##### Biodiversity

Not Applicable.

##### Coastal environment

Not Applicable.

##### Water quality

Not Applicable.

##### Natural hazard, risk and resilience

Complies. The State Planning Policy is appropriately reflected within the *Rockhampton City Plan 2005*. The proposal has been assessed against these requirements and is considered compliant. The site still provides safe and efficient access during a flood event and there is adequate land that is not flood affected should any future structures be erected.

##### Emissions and hazardous activities

Not Applicable.

##### State transport infrastructure

Not Applicable.

##### Strategic airports and aviation facilities

Not Applicable.

#### **Rockhampton City Plan 2005**

##### **Parkhurst Industrial Area Intent**

The subject site is situated within the Parkhurst Industrial Area under the *Rockhampton City Plan 2005*. The intent of the Parkhurst Industrial Area identifies that: -

*“The intent of this Area is that it will accommodate industries of varying degrees and intensities, including High Impact Industries, to the exclusion of other land uses that by their nature and purpose are incompatible with being located close to industry. The Area is, and will remain as, the principal Industrial Area for the City, providing opportunities for linkages and synergies between different industries, irrespective of whether they are existing or new, in an appropriate location. It is intended that High Impact Industries including Queensland Magnesium and Cement Australia will remain within the Area and that additional High Impact Industries may locate within the core of the Area and are to be protected from the encroachment of incompatible land uses. While it is recognised that many High Impact Industries would be best located in the Gracemere – Stanwell Industrial Corridor, the Parkhurst Industrial Area will continue to provide an alternative location, primarily for those that are smaller in scale or rely on direct access to a railway corridor.”*

This application is consistent with the intent of the Area.

### Rockhampton City Plan Codes

The following codes are applicable to this application: -

- Reconfiguration of a Lot Code;
- Flood Prone Land Code;
- Parking and Access Code; and
- External Works and Servicing Code.

An assessment has been made against the requirement of the abovementioned codes and the proposed development generally complies with the relevant Performance Criteria and Acceptable Solutions. An assessment of the Performance Criteria which the application is in conflict with is outlined below:

<b>Reconfiguring a Lot Code</b>		
<b>Performance Criteria</b>		<b>Officer's Response</b>
P14	<p>For any subdivision;</p> <p>(a) The provision of public utilities, including sewerage, water, electricity, street lighting, and communication services, are cost effective over their life cycle and incorporate provisions to minimise adverse environmental impact in the short and long term; and</p> <p>(b) Transportation, treatment and disposal of sewage wastes uses best practice to meet minimum health and environmental standards; and</p> <p>(c) Subdivision occurs where there is an adequate water supply for domestic and fire fighting purposes; and</p> <p>(d) Subdivision is staged to ensure that each stage is fully serviced before a new area is released; and</p> <p>(e) Water supply and sewerage networks are accessible, easy to maintain, and cost-effective based on life-cycle costs; and</p> <p>(f) Adequate buffers are maintained between utilities and houses to protect residential amenity and health; and</p> <p>(g) The feasibility of using water from the sewage system on a localised basis (usually not on individual allotments) for irrigation is established during the design process of the subdivision.</p>	<p><u>Does not comply</u></p> <p>No provision has been made for reticulation of water supply and sewerage supply to each allotment.</p> <p>Further, Council has no Plans for Trunk Infrastructure for Water and Sewerage associated with these properties.</p>

P15	<p>Subdivision unable to be connected to the reticulated sewerage system results in allotments that are each able to efficiently dispose of domestic effluent in a manner that:</p> <ul style="list-style-type: none"> <li>(a) minimises any potential adverse ecological impacts, particularly on any nearby sensitive receiving environments; and</li> <li>(b) limits any health risks during a system failure; and</li> <li>(c) ensures the water quality of existing and/or proposed water supplies remains unaffected; and</li> <li>(d) ensures the sustainable disposal of domestic effluent; and</li> <li>(e) does not impose a higher than normal cost to future land owners of the site for the installation and maintenance of pipes, pumps, etc and ensure that systems are easily able to be properly maintained.</li> </ul>	<p><u>Does not comply</u></p> <p>Each lot must be provided with an on-site sewerage system in accordance with the <i>Queensland Plumbing and Wastewater Code</i>. Given the majority of the site is affected by Q100 flooding, compliance with the <i>Queensland Plumbing and Wastewater Code</i> is questionable as the area not affected by flooding is not of a sufficient size to accommodate on-site sewerage.</p>
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### INFRASTRUCTURE CHARGES

Adopted Infrastructure Charges Resolution (No. 4) 2014 for Reconfiguring a Lot applies to the application and it falls within Charge Area 1. The Infrastructure Charges are as follows:

Column 1 Charge Area	Column 2 Infrastructure Charge (\$/lot)	Column 3 Unit	Calculated Charge
Charge Area 1	21,000	per lot	\$63,000.00
Total			\$63,000.00
Less credit			\$63,000.00
<b>TOTAL CHARGE</b>			<b>\$Nil</b>

Therefore, no charges are applicable.

### CONSULTATION

The proposal was not subject to public notification.

### REFERRALS

The application was referred to the Department of State Development and Infrastructure Planning as the site is affected by contaminated land. The department assessed the application and provided conditions supporting the application on 29 April 2014.

### CONCLUSION

The application for Reconfiguring a Lot (three lots into three lots) cannot be considered favourably as the site is not connected to appropriate water and sewerage infrastructure.



As such, the assessment of this application has resulted in a recommendation for refusal, as the proposal conflicts with the Planning Scheme, and it is considered that there are insufficient grounds to justify approving the application.

**D/69-2014 - DEVELOPMENT  
APPLICATION FOR RECONFIGURING  
A LOT (THREE LOTS INTO THREE  
LOTS)**

**Locality Plan**

**Meeting Date: 10 March 2015**

**Attachment No: 1**



**D/69-2014 - DEVELOPMENT  
APPLICATION FOR RECONFIGURING  
A LOT (THREE LOTS INTO THREE  
LOTS)**

**Site Plan**

**Meeting Date: 10 March 2015**

**Attachment No: 2**





**IMPORTANT NOTE**

This plan was prepared to accompany a reconfiguration of a lot application to Rockhampton Regional Council and should not be used for any other purpose.

The dimensions and areas shown hereon are subject to field survey and also to the requirements of council and any other authority which may have requirements under any relevant legislation.

In particular, no reliance should be placed on the information on this plan for any financial dealings involving the land.

This note is an integral part of this plan.

client			
J. Brydon			
project			
2 Sturt Street, Parkhurst			
plan of			
Lot Reconfiguration (3 Lots into 3 Lots) (with Ortho Underlay)			
rpd			
Lots 14 & 15 on RP603512 & Lot 16 on RP803410 Parish of Murchison County of Livingstone			
lga			
Rockhampton Regional Council			
rev	date	details	authorised
1	11/03/2014	initial issue	ALB
created			
CSG capricorn survey group (cc)			
scale		datum	
1:1000 @ A3		RRC	
sheet no.		cad file	
1 of 1		6005-05-ROL-A	
plan no.		revision	
6005-05-ROL		A	

**8.2 D/65-2014 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A VEHICLE DEPOT**

**File No:** D/65-2014

**Attachments:** 1. Locality Plan  
2. Overall Site Plan

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

**Author:** Anton de Klerk - Planning Officer

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**SUMMARY**

*Development Application Number:* D/65-2014

*Applicant:* Red Truck Pty Ltd

*Real Property Address:* Lot 3 on SP206688, Parish of Gracemere

*Common Property Address:* 23 Somerset Road, Gracemere

*Rockhampton City Plan Area:* Gracemere-Stanwell Zone – Medium Impact Industry

*Type of Approval:* Development Permit for a Material Change of Use for a Vehicle Depot

*Date of Decision:* 19 January 2015

*Application Lodgement Fee:* \$7,879.50

*Infrastructure Charges:* \$33,085.00

*Infrastructure charges incentive:* All other areas – 50% discount

*Incentives sought:* Infrastructure Charges Concession  
Refund of Development Application Fees  
Refund of Service and Connection Fees

**OFFICER'S RECOMMENDATION**

THAT in relation to the application under the Development Incentives Policy for a Development Permit for a Material Change of Use for Vehicle Depot, on land described as Lot 3 on SP206688, Parish of Gracemere, located at 23 Somerset Road, Gracemere, Council resolves to Approve the following incentives if the use commences prior to 19 January 2018:

- a) A fifty (50) percent reduction of infrastructure charges to the amount of \$16,542.50;
- b) A refund of the application lodgement fee of \$7,879.50 on completion of the development; and
- c) A refund of Council's water meter and service connection fees on completion of the development.

**BACKGROUND**

Project outcomes anticipated by applicant:

The applicant applied for a material change of use to undertake a vehicle depot at 23 Somerset Road, Gracemere. The applicant seeks a refund of half its infrastructure charges, together with a refund of the development application and service and connection fees.

New jobs and investment:

The applicant has been operating the business for thirteen (13) years and employs six (6) full-time staff and four (4) part-time staff. The applicant states that the business will grow and employ an additional staff member each year for the next three years. The applicant will spend \$700,000.00 expanding the vehicle depot at 23 Somerset Road.

The applicant has contributed capital of \$1.4 million to the transport business which has an annual turnover of \$2.5 million. The turnover is expected to grow annually to \$2.6 million and \$2.7 million over the next three years.

Benefits of project for applicant's business:

The applicants' transport business currently has an annual turnover of \$2.5 million. The annual turnover is expected to grow annually to \$2.6 million and \$2.7 million over the next three years.

Benefits of project to Rockhampton Regional economy:

The applicant will employ one (1) additional employee each year for the next three years. This will take its workforce to thirteen (13) employees (of which four (4) will be part time) by the end of the three years.

The applicant will also spend \$700,000.00 developing the vehicle depot at 23 Somerset Road, which amount will be spent with Rockhampton Region consultants and tradesmen.

The applicant's business plays an important part in the Gracemere Industrial Area and is a significant contributor to the Gracemere Industrial Areas' resources and agricultural transport specialities.

**PLANNING ASSESSMENT****COMMENTS FROM RELEVANT UNITS****Infrastructure Operations Unit's Comments – 23 February 2015**

Support, subject to complying with Development Incentives Policy.

**Economic Development Unit's Comments – 3 February 2015**

Support, subject to conditions.

**CONCLUSION**

The development meets the eligibility criteria under the Development Incentives Policy and the applicant has demonstrated some economic benefits arising from the development.

**D/65-2014 - APPLICATION UNDER THE  
DEVELOPMENT INCENTIVES POLICY  
FOR DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR A  
VEHICLE DEPOT**

**Locality Plan**

**Meeting Date: 10 March 2015**

**Attachment No: 1**





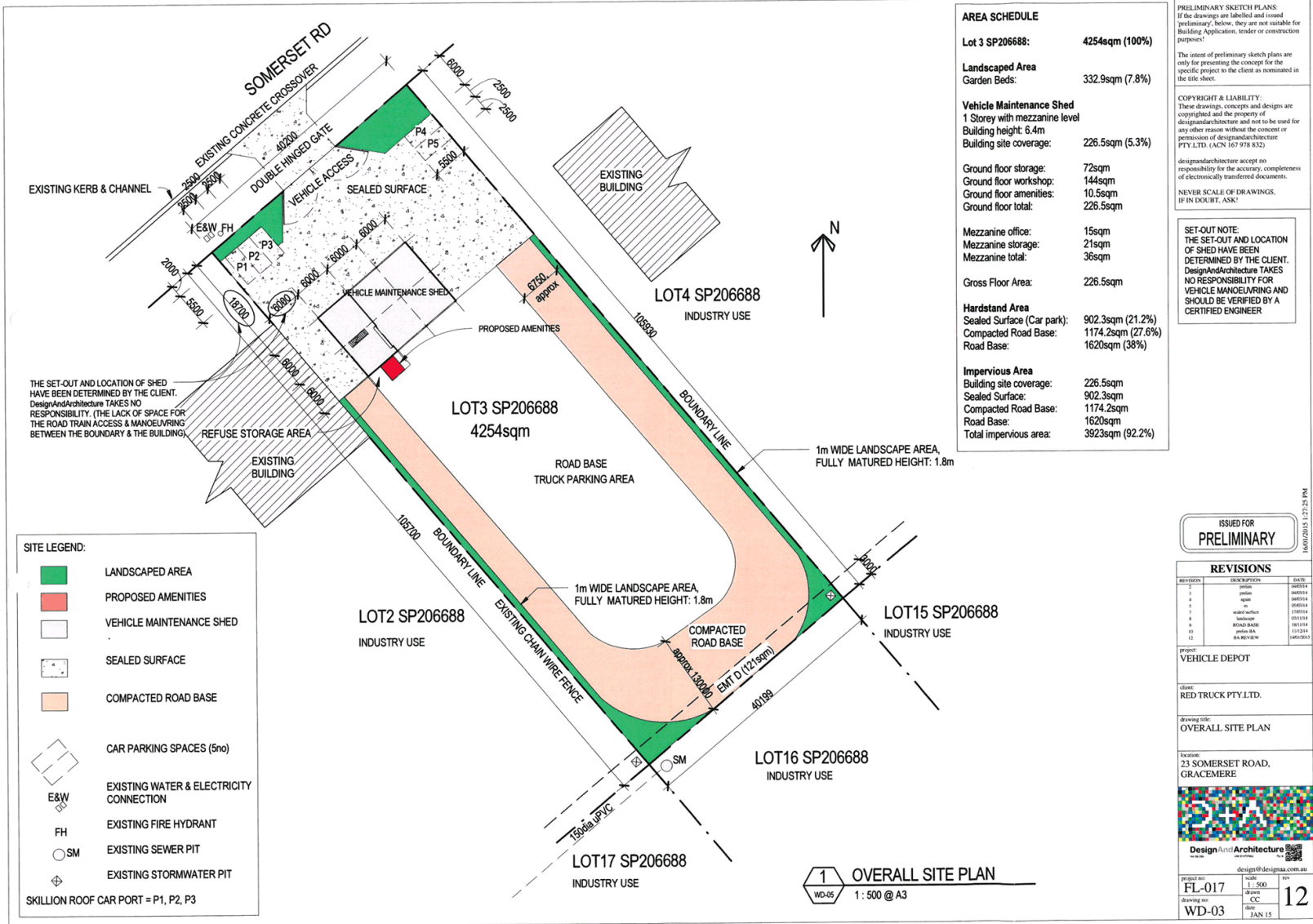
**D/65-2014 - APPLICATION UNDER THE  
DEVELOPMENT INCENTIVES POLICY  
FOR DEVELOPMENT PERMIT FOR A  
MATERIAL CHANGE OF USE FOR A  
VEHICLE DEPOT**

**Overall Site Plan**

**Meeting Date: 10 March 2015**

**Attachment No: 2**





## **9 STRATEGIC REPORTS**

Nil

## **10 NOTICES OF MOTION**

Nil

## **11 URGENT BUSINESS/QUESTIONS**

*Urgent Business is a provision in the Agenda for members to raise questions or matters of a genuinely urgent or emergent nature, that are not a change to Council Policy and can not be delayed until the next scheduled Council or Committee Meeting.*

## **12 CLOSURE OF MEETING**