



# **PLANNING & DEVELOPMENT COMMITTEE MEETING**

## **AGENDA**

**28 APRIL 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 28 April 2015 commencing at 1.30pm for transaction of the enclosed business.*

A handwritten signature in black ink, appearing to be "R. [unclear]".

**ACTING CHIEF EXECUTIVE OFFICER**  
22 April 2015

Next Meeting Date: 12.05.15

**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 R Holmes – Acting Chief Executive Officer

**3 APOLOGIES AND LEAVE OF ABSENCE**

**4 CONFIRMATION OF MINUTES**

Minutes of the Planning & Development Committee held 14 April 2015

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

## **6 BUSINESS OUTSTANDING**

Nil

## **7 PUBLIC FORUMS/DEPUTATIONS**

Nil

## 8 OFFICERS' REPORTS

### 8.1 D/306-2014 - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION AND RESTAURANT AND OPERATIONAL WORKS FOR ADVERTISING SIGNS (PYLON SIGN AND FASCIA SIGNS)

**File No:** D/306-2014

**Attachments:** 1. Locality Plan  
2. Site Plan/Ground Floor Plan

**Authorising Officer:** Russell Claus - Manager Planning  
Robert Holmes - Acting Chief Executive Officer

**Author:** Petrus Barry - Senior Planning Officer

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#### SUMMARY

*Development Application Number:* D/306-2014

*Applicant:* Rockhampton Service Centre Pty Ltd C/- Michel Group Services Pty Ltd

*Real Property Address:* Lot 1 on RP607582, Lot 2 on RP607582, Lot 2 on RP606939, Lot 9 on RP606199, Lot 16 on RP606199 and Lot 22 on RP603445, Parish of Archer

*Common Property Address:* 25 Bernard Street, Berserker

*Planning Scheme:* Rockhampton City Plan 2005

*Rockhampton City Plan Area:* Musgrave Street Highway Commercial Area

*Type of Approval:* Development Permit for a Material Change of Use for a Service Station and Restaurant and Operational Works for Advertising Signs (pylon sign and fascia signs)

*Date of Decision:* 13 March 2015

*Application Lodgement Fee:* \$9,000.00

*Infrastructure Charges:* Nil

*Infrastructure Charges Incentive:* All other areas – 50% discount

*Incentives sought* 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 a Service Station and Restaurant and Operational Works for Advertising Signs (pylon sign and fascia signs) on land described as Lot 1 on RP607582, Lot 2 on RP607582, Lot 2 on RP606939, Lot 9 on RP606199, Lot 16 on RP606199 and Lot 22 on RP603445, Parish of Archer, located at 25 Barnard Street, Berserker, Council resolves to Approve the following incentives if the use commences by 13 March 2018:

- a) A refund of the application lodgement fee amounting to \$4,500.00 on completion of the development; and



- b) A refund of Council's water meter and service connection fees on completion of the development.
- c) Council enter into an agreement with the applicant in relation to (a) and (b).

## **BACKGROUND**

### **Project outcomes anticipated by applicant**

The applicant has received approval to construct a 24-hour Puma Energy service station and Restaurant at 25 Barnard Street, North Rockhampton. This will result in reasonable economic benefits for the Rockhampton Region arising from the employment of 30 full time equivalent (FTE) staff and \$4 million construction costs.

### **New jobs and investment**

The applicant claimed the investment would in respect of projected FTE additional jobs employ 30 FTE people in Year 1, 35 in Year 2 and 40 in Year 3.

The applicant estimated the new service station and restaurant would result in capital expenditure of \$4 million.

### **Benefits of project for applicant's business**

This project has enabled the applicant to successfully obtain approval to establish its petroleum, retailing and restaurant business at 25 Barnard Street, Berserker.

### **Benefits of project to Rockhampton regional economy**

The petroleum, retail and restaurant outlet will provide services for those living in the immediate vicinity as well as vehicle operators travelling down Queen Elizabeth Drive/Musgrave Street.

### **General comments on project**

The petroleum, retail and restaurant outlet will provide a useful service to the Rockhampton community, particularly those living nearby and those travelling down Queen Elizabeth Drive/Musgrave Street.

The project, which has capital costs of \$4 million, will make a reasonable contribution to the Region's construction sector.

The project will make a good contribution to the regional workforce with 30 FTE working at the site in its first year. While the project is labour intensive, many of the positions aren't highly skilled.

## **PLANNING ASSESSMENT**

### **COMMENTS FROM RELEVANT UNITS**

#### **Infrastructure Operations Unit's Comments – 16 April 2015**

Support, subject to complying with Development Incentives Policy.

#### **Economic Development Unit's Comments – 25 March 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/306-2014 - APPLICATION UNDER  
THE DEVELOPMENT INCENTIVES  
POLICY FOR A DEVELOPMENT  
PERMIT FOR A MATERIAL CHANGE  
OF USE FOR A SERVICE STATION  
AND RESTAURANT AND  
OPERATIONAL WORKS FOR  
ADVERTISING SIGNS (PYLON SIGN  
AND FASCIA SIGNS)**

**Locality Plan**

**Meeting Date: 28 April 2015**

**Attachment No: 1**



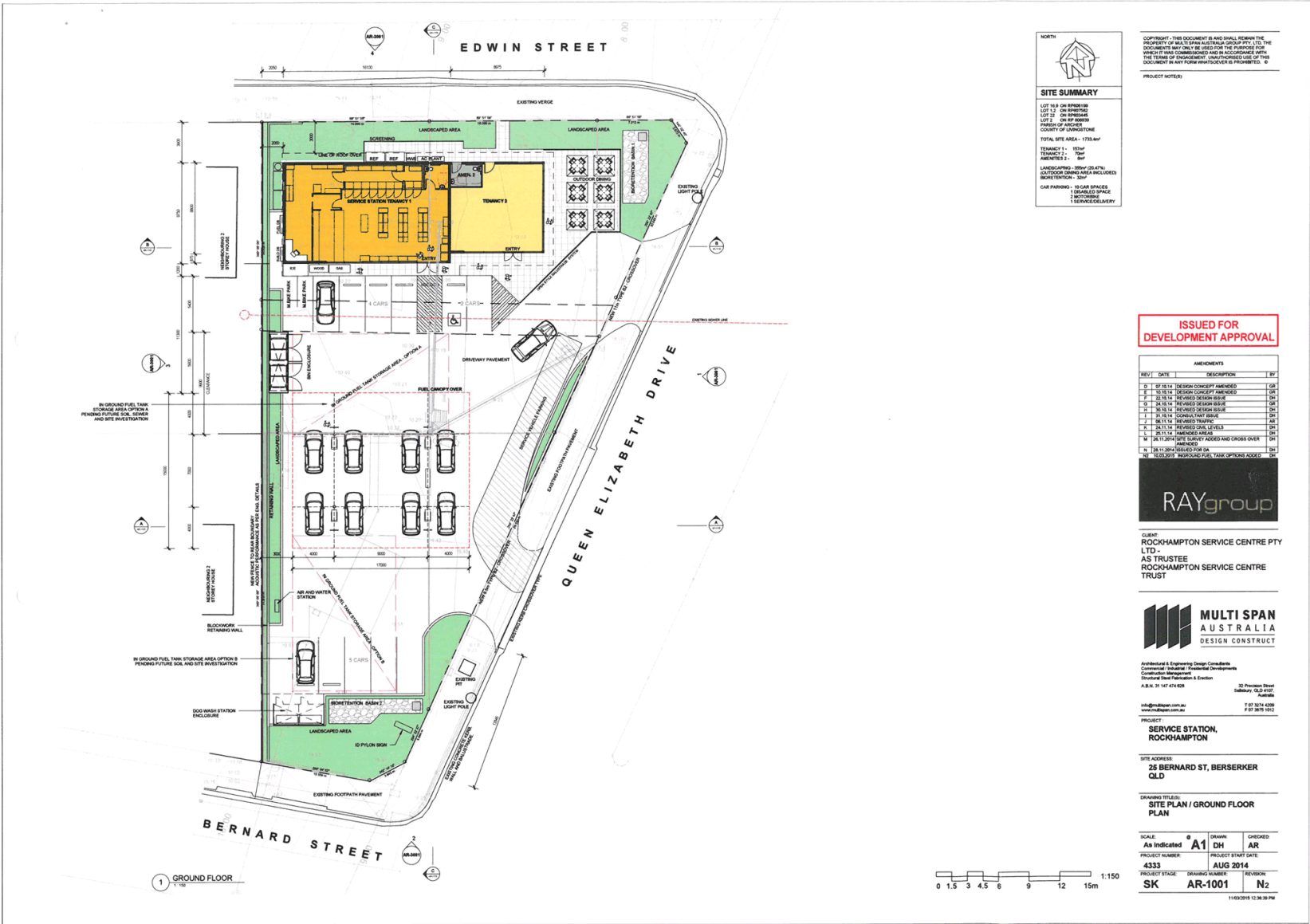
**D/306-2014 - APPLICATION UNDER  
THE DEVELOPMENT INCENTIVES  
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OPERATIONAL WORKS FOR  
ADVERTISING SIGNS (PYLON SIGN  
AND FASCIA SIGNS)**

**Site Plan/Ground Floor Plan**

**Meeting Date: 28 April 2015**

**Attachment No: 2**





## 9 STRATEGIC REPORTS

### 9.1 PLANNING SECTION - MARCH OPERATIONS REPORT

**File No:** 7028  
**Attachments:** 1. Monthly Report - March 2015  
**Authorising Officer:** Robert Holmes - Acting Chief Executive Officer  
**Author:** Russell Claus - Manager Planning

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#### SUMMARY

*The monthly operations report for the Planning Section (Development Assessment, Strategic Planning and Building Compliance) as at 31 March 2015 is presented for Councillors information.*

#### OFFICER'S RECOMMENDATION

THAT the Planning Section report for March be received.

#### COMMENTARY

The monthly operations report for the Planning Section is attached for Council's consideration. The performance information contained within the attached report relates directly to the adopted 2014/15 Operational Plan Key Performance Indicators.

The Manager's performance summary for each of the abovementioned Sections is provided below.

#### Development Assessment

The DA team has performed well with only one decision being made a day late. The planners have been busy with project work as well as assessments.

#### Strategic Planning

The proposed Planning Scheme updated to incorporate the outcomes from public consultation was submitted to the State Government for final Ministerial review in February. Local Departmental representatives are now assessing the scheme against State interests and how Council has responded to community submissions. A recommendation on how to proceed will be made by them to the Minister by the end of April. Beyond that it will be up to the Minister's office when Council receives a response. We are aware that at least one party has made a direct approach at the political level in an attempt to vary the plan.

#### Building Compliance

The Building Coordinator participated in a Cyclone Aftermath Community Recovery and Resilience Seminar hosted by Central Queensland University and the Queensland Building and Construction Commission on March 18. Participants were advised on how to address damage and recovery efforts through Council processes.

The 77% statistic for this month's approvals is due in part to cyclone distractions and a differing monthly level of general demand for information and assistance. This month's lower figure may reappear from time to time over the longer term but overall building and plumbing is staying abreast of its approvals workload. The customer request side of operations is more difficult to keep up with given resources and other obligations such as compliance, community advice, internal advice.

#### CONCLUSION

It is recommended that the monthly operations report for the Planning Section (Development Assessment, Strategic Planning and Building Compliance) be received.

# **PLANNING SECTION - MARCH OPERATIONS REPORT**

## **Monthly Report - March 2015**

**Meeting Date: 28 April 2015**

**Attachment No: 1**

**MONTHLY OPERATIONS REPORT**  
**PLANNING SECTION**  
**Period Ended MARCH 2015**

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**VARIATIONS, ISSUES AND INNOVATIONS**

***Innovations***

Staff from several areas of Council coordinated to submit an application for Category D funding to support the redevelopment of the riverfront precinct between North and Derby.

***Improvements / Deterioration in Levels of Services or Cost Drivers***

Nil.



## LINKAGES TO OPERATIONAL PLAN

1. COMPLIANCE WITH CUSTOMER SERVICE REQUESTS

The response times for completing the predominant customer requests in the reporting period for March are as below:

	Balance B/F	Completed in Current Mth	Current Month NEW Requests		TOTAL INCOMPLETE REQUESTS BALANCE	Under Long Term Investigation	Completion Standard (days)	Avg Completion Time (days) Current Mth		Avg Completion Time (days) 6 Months		Avg Completion Time (days) 12 Months		Avg Duration (days) 12 Months (complete and incomplete)		Avg Completion Time (days) Q3	
			Received	Completed													
Building Enquiry - General Info/Admin etc	31	4	30	20	37	0	5	🟢	1.45	🔴	9.22	🔴	17.97		4.16	🟢	4.12
Other Building Compliant Issue	67	0	12	3	76	0	1	🟢	0.00	🔴	2.73	🔴	19.08		7.88	🟢	0.20
Planning Compliance Request/Enquiry	107	15	26	6	112	0	45	🟢	2.50	🟢	11.31	🟢	19.04		13.00	🟢	5.96
Duty Planner (New Enquiry)	2	2	162	151	11	3	1	🟢	0.51	🟢	0.34	🟢	0.41		0.29	🟢	0.38
Telephone Enquiry (Existing Application/Call Back)	1	1	48	46	2	0	1	🟢	0.57	🟢	0.71	🟢	0.92		0.61	🟢	0.60
Plumbing Issues General	50	8	17	13	46	0	5	🟢	1.23	🔴	6.85	🔴	11.30		6.51	🟢	2.57
Strategic Planning Development Certificates	0	0	34	33	1	0	3	🟢	1.70	🔴	4.56	🔴	3.33		3.23	🔴	8.04

**Comments & Additional Information**

## 2. COMPLIANCE WITH STATUTORY AND REGULATORY REQUIREMENTS INCLUDING SAFETY, RISK AND OTHER LEGISLATIVE MATTERS

### ***Safety Statistics***

The safety statistics for the reporting period are:

	FIRST QUARTER		
	Jan	Feb	Mar
<b>Number of Lost Time Injuries</b>	0	0	0
<b>Number of Days Lost Due to Injury</b>	0	0	0
<b>Total Number of Incidents Reported</b>	0	1	0
<b>Number of Incomplete Hazard Inspections</b>	0	0	0

### ***Risk Management Summary***

Example from Section Risk Register (excludes risks accepted/ALARP)

**Please Note:** The risks listed below are 'what if' scenarios and do not necessarily reflect what has occurred.

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
Failure to address general long term planning needs for the community will result in lower quality development, less development overall, continued poor economic and community performance indicators, and lost opportunities in pursuit of achieving elevation of Rockhampton's reputation to an exceptional regional city.	Very High	Develop strategies to address threat, train existing staff to address, and hire staff with required skill sets. Educate community, develop strategic partnerships, and identify external resources.	31/12/2015	10%	Very long term to resolve
Changes to State law that reduce revenues for essential Council services, e.g. Development Assessment will result in less capacity to provide planning services, requiring supplemental funding from other sources, e.g.	High 4	Monitor and respond when and as appropriate	N/A	50%	Ongoing issues

Potential Risk	Current Risk Rating	Future Control & Risk Treatment Plans	Due Date	% Completed	Comments
increased rates.					
Failure to collect revenue results in fewer funds available and lack of confidence in Council business practices.	High 5	Process and workflow to address has been developed and approved by Council.	31/12/2015	90%	
Continuing changes to state legislation and regulatory requirements on Council increase the risk of Council not being able to fully comply with all requirements. Consequences include possible fines, further limitations on Council functions, failure to provide essential resources to enable Council to achieve regional development objectives.	Moderate 5	Respond as events occur and provide submissions to articulate impacts on RRC operations	N/A	50%	Difficult for regional councils to keep up with additional demand created by state mandates
Failure to manage hazard conditions and negative impacts on environmental resources will result in increased property damage and loss of environmental functionality and aesthetic amenity which will damage the reputation of Council for management of these services, as well as possible lawsuits for property damage.	Moderate 5	Have incorporated relevant measures in proposed Planning Scheme. Provided information to citizens and Councillors re purpose for inclusion and impacts.	31/12/2015	80%	Largely addressed through new planning scheme

### **Legislative Compliance & Standards**

Legislative Compliance Matter	Due Date	% Completed	Comments
Outdated employee immunisations, tickets, and/or licenses	Various	90%	
Outdated legislative compliance mandatory training and/or qualifications	Various	97%	
Overdue performance reviews	Various	100%	

### 3. ACHIEVEMENT OF CAPITAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

No capital projects are relevant to the Planning Section.

### 4. ACHIEVEMENT OF OPERATIONAL PROJECTS WITHIN ADOPTED BUDGET AND APPROVED TIMEFRAME

Project	Revised Budget	Actual (incl. committals)	% budget expended	Explanation
<i>Rockhampton Regional Planning Scheme</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>This project is a large operational plan that spans over several years</i>

### 5. DELIVERY OF SERVICES AND ACTIVITIES IN ACCORDANCE WITH COUNCIL'S ADOPTED SERVICE LEVELS

Service Delivery Standard	Target	Current Performance
<b>Development Assessment</b>		
Applications received: 15		
Applications decided: 18		
Acknowledgement notices (where required) sent out within 10 business days of application being properly made	100%	100%
Information requests (where required) sent out within timeframes required under SPA	100%	100%
Decisions are made within 20 business day timeframe once decision stage commences (or extended timeframe permitted under SPA)	100%	94%
Decision notices are issued within 5 business days of the decision being made	100%	100%
<b>Building</b>		
Applications received: 30		
Applications decided: 13		
Building Approvals - Decisions are made within 20 business day timeframe	100%	77%
<b>Plumbing</b>		
Applications received: 29		
Applications decided: 39		
Compliance request are decided within 20 business day timeframe	100%	100%
<b>Strategic Planning</b>		
Property Search – Planning and Development certificate sent out within timeframes required under SPA	100%	100%

## FINANCIAL MATTERS

## PLANNING

## Strategic Planning

1 - Revenues	(151,500)	(113,625)	(49,285)	(49,285)	33%
2 - Expenses	1,175,820	881,865	622,094	623,118	53%
3 - Transfer / Overhead Allocation	32,288	24,216	4,813	4,813	15%
<b>Total Unit: Strategic Planning</b>	<b>1,056,608</b>	<b>792,456</b>	<b>577,622</b>	<b>578,646</b>	<b>55%</b>

## Development Compliance

1 - Revenues	(1,333,929)	(1,000,447)	(668,405)	(668,405)	50%
2 - Expenses	1,279,980	959,985	635,488	652,249	51%
3 - Transfer / Overhead Allocation	145,629	109,222	63,089	63,089	43%
<b>Total Unit: Development Compliance</b>	<b>91,680</b>	<b>68,760</b>	<b>30,172</b>	<b>46,933</b>	<b>51%</b>

## Land Use

2 - Expenses	715,679	536,759	535,868	557,899	78%
3 - Transfer / Overhead Allocation	0	0	263	263	0%
<b>Total Unit: Land Use</b>	<b>715,679</b>	<b>536,759</b>	<b>536,131</b>	<b>558,161</b>	<b>78%</b>

## Development Assessment

1 - Revenues	(2,150,500)	(1,612,875)	(958,477)	(958,477)	45%
2 - Expenses	1,593,539	1,195,154	1,092,845	1,231,255	77%
3 - Transfer / Overhead Allocation	34,850	26,138	20,257	20,257	58%
<b>Total Unit: Development Assessment</b>	<b>(522,111)</b>	<b>(391,583)</b>	<b>154,625</b>	<b>293,035</b>	<b>-56%</b>

<b>Grand Total:</b>	<b>1,341,855</b>	<b>1,006,391</b>	<b>1,298,550</b>	<b>1,476,775</b>	<b>110%</b>
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## **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 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.

### RECOMMENDATION

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 Enforcement proceedings for development offences

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



## 13 CONFIDENTIAL REPORTS

### 13.1 ENFORCEMENT PROCEEDINGS FOR DEVELOPMENT OFFENCES

**File No:** 8038

**Attachments:**

1. Locality Plan
2. Show Cause Notice
3. Enforcement Notice
4. Site Photo 1
5. Site Photo 2

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

**Author:** Judith Noland - Development Compliance Officer

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

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#### SUMMARY

This report summarises the ongoing non-compliance with a development approval at a premises in Rockhampton City

## **14 CLOSURE OF MEETING**