



PLANNING & DEVELOPMENT COMMITTEE MEETING

AGENDA

25 AUGUST 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 25 August 2015 commencing at 1:30pm for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be "C. R.", written over a horizontal line.

CHIEF EXECUTIVE OFFICER
18 August 2015

Next Meeting Date: 08.09.15

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 11 August 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**

Authorising 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.

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: 25 August 2015

Attachment No: 1

Date	Report Title	Resolution	Responsible Officer	Due Date	Notes
28 April 2015	Montgomerie Street	THAT the previous report regarding Montgomerie Street be presented to the next Planning and Development Committee meeting for Councillors information.	Robert Holmes	12/05/2015	

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/285-2014 - CLARIFICATION TO AN APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR VEHICLE DEPOT, MEDIUM IMPACT INDUSTRY, BULK STORE AND CARETAKER'S RESIDENCE

File No:	D/285-2014
Attachments:	<ol style="list-style-type: none"> 1. Locality Plan 2. Site Plan (amended by Council) 3. Charge Area 1 and Priority Infrastructure Area
Authorising Officer:	Tarnya Fitzgibbon - Manager Development and Building Martin Crow - Acting General Manager Regional Services
Author:	Anton de Klerk - Planning Officer

SUMMARY

<i>Development Application Number:</i>	<i>D/285-2014</i>
<i>Applicant:</i>	<i>Austin Grillmeier</i>
<i>Real Property Address:</i>	<i>Lot 13 on SP209739, Parish of Gracemere</i>
<i>Common Property Address:</i>	<i>Lot 13 Kabra Road, Kabra</i>
<i>Area of Site:</i>	<i>18.1 hectares</i>
<i>Planning Scheme:</i>	<i>Fitzroy Shire Planning Scheme 2005</i>
<i>Planning Scheme Zoning:</i>	<i>Gracemere-Stanwell Zone – Medium Impact Industry Precinct</i>
<i>Planning Scheme Overlays:</i>	<i>Agricultural Land Classification (A1)</i>
<i>Type of Approval:</i>	<i>Development Permit for a Material Change of Use for Vehicle Depot, Medium Impact Industry, Bulk Store and Caretaker's Residence</i>
<i>Date of Decision:</i>	<i>3 July 2015</i>
<i>Application Lodgement Fee:</i>	<i>\$28,206.00</i>
<i>Infrastructure Charges:</i>	<i>\$48,717.80</i>
<i>Infrastructure Charges Incentive:</i>	<i>All other areas other than Rockhampton Central Business District precincts 1 and 2 – 50% concession</i>
<i>Incentives sought:</i>	<i>Development Facilitation Refund of Development Application Fees</i>

OFFICER'S RECOMMENDATION

THAT in relation to a request for further clarification regarding a possible application under the Development Incentives Policy for a Development Permit for a Material Change of Use for a Vehicle Depot, Medium Impact Industry, Bulk Store and Caretaker's Residence, located at Lot 13 Kabra Road, Kabra, on land described as Lot 13 on SP209739, Parish of Gracemere, there are two options for consideration:

- A) The proposal for allowing the development to apply for compensation under the Development Incentives Policy is refused due to the proposal not meeting all the requirements listed within the Development Incentives Policy; or
- B) The proposal for allowing the development to apply for compensation under the Development Incentives Policy despite not being located within the Priority Infrastructure Area, is supported, subject to all other criteria in the policy being met.

BACKGROUND/PLANNING ASSESSMENT

A Development Incentives Policy was introduced by Council to provide incentives to particular developments encouraging sustainable economic growth in alignment with Council's planning objectives within prescribed timeframes. However, in order to be eligible in receiving these incentives, all development applications must meet all requirements stipulated under the Development Incentives Policy, namely:

- 1) The development application must be received by Council between 1 December 2013 and 31 December 2015;
- 2) The development site must be located within the Priority Infrastructure Area (PIA);
- 3) All development located outside Rockhampton Central Business Districts precinct 1 and 2 must be for non-residential uses as listed within Table 3 – All Other Areas Eligible Uses within the Development Incentives Policy;
- 4) The applicant must demonstrate that significant capital investment is being made;
- 5) The use must commence within three (3) years of the properly made development application being approved by Council;
- 6) The development is not to be on the behalf of State or Federal Government Departments, Agencies or Government Owned Corporations; and
- 7) The Development Incentives program is not available to applicants who have previously entered into an Infrastructure Agreement for the development.

Keeping the above mentioned in mind, development of industrial land within Gracemere is staged to match planned infrastructure provision (generally from east to west) along the Capricorn Highway. All the zoned Industrial Areas within Gracemere are located within Charge Area 1 of the Infrastructure Charges Resolution. Although these industrial lots are located within Charge Area 1, some of these lots are located outside the Priority Infrastructure Area due to not having access to infrastructure like reticulated water and sewer. The timeframe for providing reticulated infrastructure to this particular area is estimated to be more than fifteen (15) years, depending on the natural growth of the area.

The applicant has requested that the development be regarded as suitable to qualify for the incentives. In this instance, it should be noted that although the subject site is located within Charge Area 1 of the Infrastructure Charges Resolution, the site is located outside the Priority Infrastructure Area and, therefore, unlikely to connect to the reticulated networks in the immediate future. Therefore, the development does not comply with all criteria highlighted within the Development Incentives Policy and is not eligible to receive any incentives.

CONCLUSION

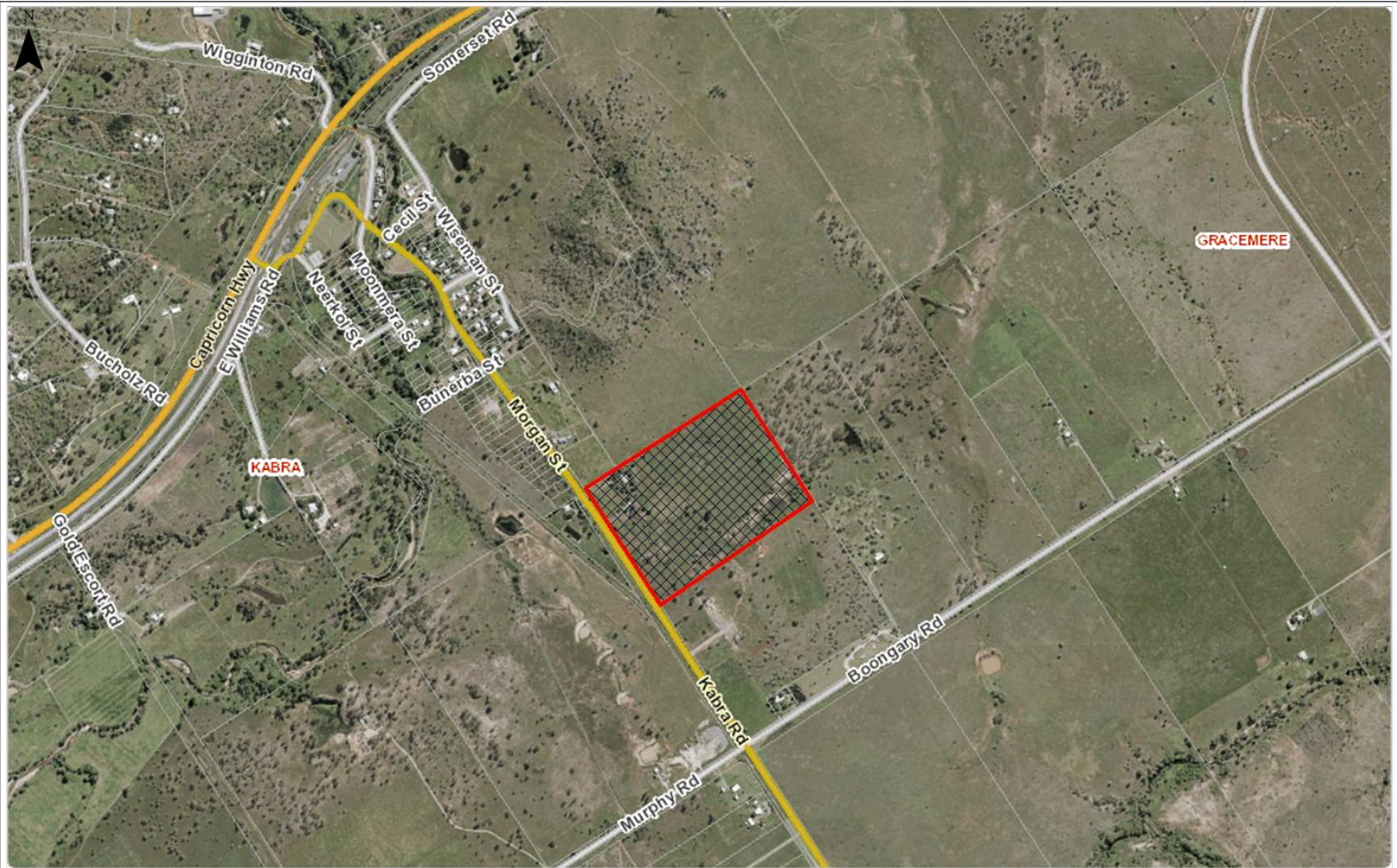
It is acknowledged that the proposed development has the same charges as other similar types of developments located within Charge Area 1 that are eligible to receive incentives. However, in accordance with the current Development Incentives Policy, all qualifying criteria must be complied with in order to receive any incentives. In this instance, the development does not meet all the requirements prescribed under the Development Incentives Policy and therefore, the subject development is not eligible to receive any incentives.

**D/285-2014 - CLARIFICATION TO AN
APPLICATION UNDER THE
DEVELOPMENT INCENTIVES POLICY
FOR DEVELOPMENT PERMIT FOR A
MATERIAL CHANGE OF USE FOR
VEHICLE DEPOT, MEDIUM IMPACT
INDUSTRY, BULK STORE AND
CARETAKER'S RESIDENCE**

Locality Plan

Meeting Date: 25 August 2015

Attachment No: 1



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Locality Plan

0 0.075 0.15 0.3 Km

1:13,295 at A4.

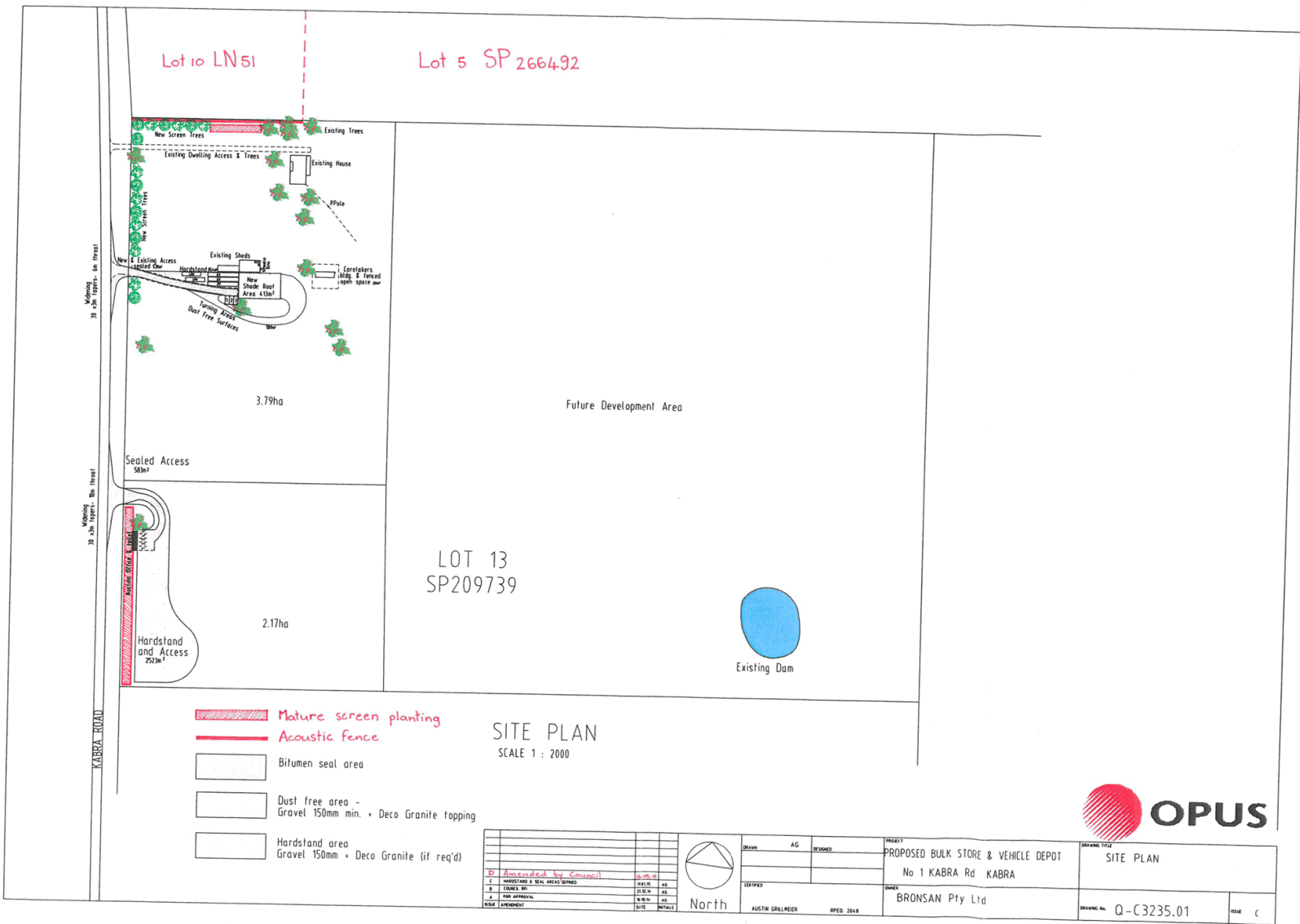


**D/285-2014 - CLARIFICATION TO AN
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MATERIAL CHANGE OF USE FOR
VEHICLE DEPOT, MEDIUM IMPACT
INDUSTRY, BULK STORE AND
CARETAKER'S RESIDENCE**

Site Plan (amended by Council)

Meeting Date: 25 August 2015

Attachment No: 2

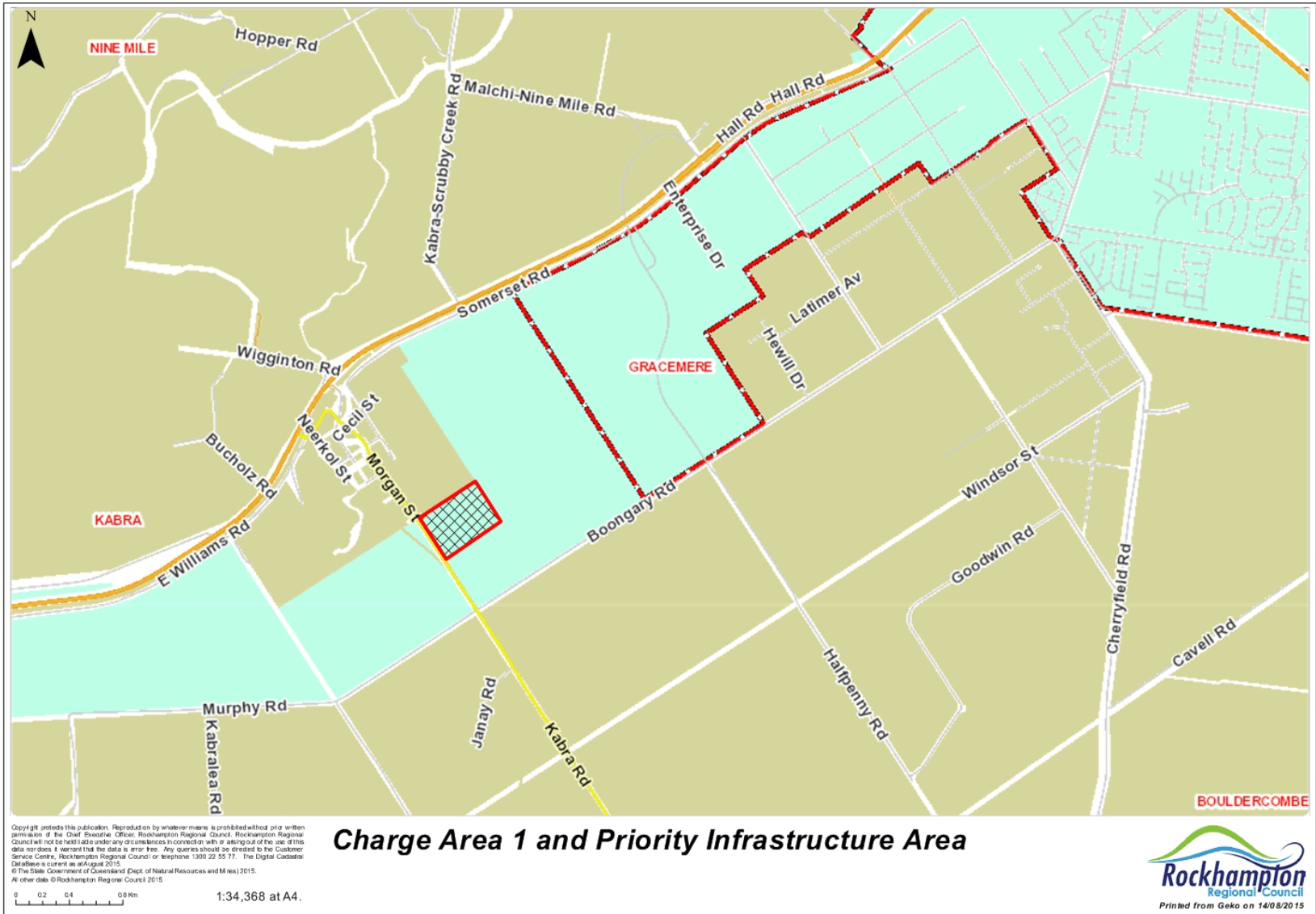


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VEHICLE DEPOT, MEDIUM IMPACT
INDUSTRY, BULK STORE AND
CARETAKER'S RESIDENCE**

**Charge Area 1 and Priority
Infrastructure Area**

Meeting Date: 25 August 2015

Attachment No: 3



9 STRATEGIC REPORTS

9.1 DEVELOPMENT AND BUILDING SECTION - JULY OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report - July 2015
Authorising Officer: Martin Crow - Acting General Manager Regional Services
Author: Tarnya Fitzgibbon - Manager Development and Building

SUMMARY

The monthly operations report for the Development and Building Section as at 31 July 2015 is presented for Councillors information.

OFFICER'S RECOMMENDATION

THAT the Development and Building Section report for July be received.

COMMENTARY

The monthly operations report for the Development and Building Section is attached for Council's consideration. The performance contained within the attached report relates directly to the adopted 2015/16 Operational Plan Key Performance Indicators.

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

Development Assessment

The Development Assessment team has met all targets with all decisions being made and Decision Notices being issued within the statutory timeframes. Approvals have been consistent with previous months. New applications for the month were low.

Building Compliance

Building and Plumbing approvals have been steady.

The disparity of received vs. approved is due to legislative time frames not syncing with monthly report cycles and the cyclical nature of the industry.

Customer enquiries for building and plumbing advice has been somewhat quiet. Complaints received via the customer request service are about the same as the usual activity.

Queensland Development Code concurrence agency approvals have remained steady with a focus being on maximising existing residential yields as well as maximising residential yields on new lots.

CONCLUSION

It is recommended that the monthly operations report for the Development and Building Section be received.

DEVELOPMENT AND BUILDING SECTION - JULY OPERATIONS REPORT

Monthly Report - July 2015

Meeting Date: 25 August 2015

Attachment No: 1

MONTHLY OPERATIONS REPORT
PLANNING SECTION
Period Ended JULY 2015

VARIATIONS, ISSUES AND INNOVATIONS

Innovations

Nil

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 July 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)
			Received	Completed							
Building Enquiry - General Info/Admin etc	59	11	42	35	55	0	5	● 2.60	● 5.57	● 8.85	4.01
Other Building Compliant Issue	73	1	6	2	76	1	1	● 4.50	● 19.65	● 16.87	23.58
Planning Compliance Request/Enquiry	95	8	11	4	94	0	45	● 3.75	● 22.10	● 22.59	17.85
Duty Planner (New Enquiry)	9	5	165	161	8	2	1	● 0.35	● 0.44	● 0.36	0.34
Telephone Enquiry (Existing Application/Call Back)	4	3	33	32	2	0	1	● 0.63	● 0.61	● 0.90	0.72
Plumbing Issues General	35	20	13	8	20	0	5	● 2.88	● 8.28	● 11.35	3.79
Strategic Planning Development Certificates	0	0	37	37	0	0	3	● 2.16	● 3.92	● 4.39	4.27

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		
	May	Jun	Jul
Number of Lost Time Injuries	1	0	0
Number of Days Lost Due to Injury	2	0	0
Total Number of Incidents Reported	0	0	0
Number of Incomplete Hazard Inspections	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	96%	
Outdated legislative compliance mandatory training and/or qualifications	Various	91%	

Legislative Compliance Matter	Due Date	% Completed	Comments
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>	N/A	N/A	N/A	<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
Development Assessment		
Applications received: 7		
Applications decided: 23		
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%	100%
Decision notices are issued within 5 business days of the decision being made	100%	100%
Building		
Applications received: 25		
Applications decided: 37		
Building Approvals - Decisions are made within 20 business day timeframe	100%	70%
Plumbing		
Applications received: 10		
Applications decided: 30		
Compliance request are decided within 20 business day timeframe	100%	90%

FINANCIAL MATTERS

	Adopted Budget \$	Adopted Budget (Pro Rata YTD) \$	YTD Actual \$	YTD Commit + Actual \$	Variance %	On target #REF!
DEVELOPMENT & BUILDING						
Not Applicable						
Total Unit: Not Applicable	0	0	0	0	0%	✓
Development Assessment						
1 - Revenues	(146,292)	(12,191)	(105,592)	(105,592)	72%	✓
2 - Expenses	135,047	11,254	87,719	203,752	151%	x
3 - Transfer / Overhead Allocation	2,917	243	1,753	1,753	60%	x
Total Unit: Development Assessment	(8,328)	(694)	(16,120)	99,913	-1200%	✍
Building Compliance						
1 - Revenues	(68,750)	(5,729)	(61,056)	(61,056)	89%	✓
2 - Expenses	77,531	6,461	68,473	100,727	130%	x
3 - Transfer / Overhead Allocation	(8,529)	(711)	(9,300)	(9,300)	109%	✓
Total Unit: Building Compliance	252	21	(1,883)	30,371	12043%	✍
Development & Building Management						
2 - Expenses	32,104	2,675	23,290	31,432	98%	x
Total Unit: Development & Building Management	32,104	2,675	23,290	31,432	98%	✍
Grand Total:	24,027	2,002	5,286	161,716	673%	✍

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 Development Impacts on Council's Hunter Street Property

This report is considered confidential in accordance with section 275(1)(g) (h), 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; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

13 CONFIDENTIAL REPORTS

13.1 DEVELOPMENT IMPACTS ON COUNCIL'S HUNTER STREET PROPERTY

File No: D579-2013

Attachments: 1. Location Plan

Authorising Officer: Evan Pardon - Chief Executive Officer

Author: Martin Crow - Acting General Manager Regional Services

This report is considered confidential in accordance with section 275(1)(g) (h), 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; AND other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

SUMMARY

Council Officers have undertaken an assessment of flood modelling submitted for an earthworks development application on Hunter Street which may impact on a Council owned property.

14 CLOSURE OF MEETING