



PLANNING AND REGULATORY COMMITTEE MEETING

AGENDA

13 MARCH 2018

Your attendance is required at a meeting of the Planning and Regulatory Committee to be held in the Council Chambers, 232 Bolsover Street, Rockhampton on 13 March 2018 commencing at 9:00am for transaction of the enclosed business.

A handwritten signature in black ink, appearing to be the initials "CR" followed by a long horizontal stroke.

CHIEF EXECUTIVE OFFICER
6 March 2018

Next Meeting Date: 03.04.18

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:

Councillor C E Smith (Chairperson)
The Mayor, Councillor M F Strelow
Councillor N K Fisher
Councillor C R Rutherford
Councillor M D Wickerson

In Attendance:

Ms C Worthy – General Manager Community Services (Executive Officer)
Mr E Pardon – Chief Executive Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES

Minutes of the Planning and Regulatory Committee held 27 February 2018

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 D/33-2014/A - DEVELOPMENT APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/33-2014 FOR A MATERIAL CHANGE OF USE FOR INDOOR SPORTS AND RECREATION

File No: D/33-2014/A

Attachments: 1. [Locality Plan](#)

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/33-2014

Applicant: The Crazy Joker

Real Property Address: Lot 1 on RP604280 and Lot 2 on RP604280, Parish of Rockhampton

Common Property Address: 100 Bolsover Street, Rockhampton City

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

Type of Approval: Development Permit for a Material Change of Use for Indoor Sports and Recreation

Date of Decision: 19 March 2014

Application Lodgement Fee: \$2,980.00

Infrastructure Charges: \$64,080.00

Infrastructure charges incentive: Central Business District Precinct 2 – 100%

Incentives sought: Refund of Development Application Fees

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for Development Permit D/33-2014 for a Material Change of Use for Indoor Sports and Recreation, on Lot 1 on RP604280 and Lot 2 on RP604280, Parish of Rockhampton, located at 100 Bolsover Street, Rockhampton City, Council resolves to Approve the following incentives upon compliance with the conditions of approval:

- a) A 100% per cent reduction of infrastructure charges to the amount of \$64,080.00;
- b) Refund of the development application fee to the amount of \$2,980.00; and
- c) That Council enter into an agreement with the applicant in relation to (a) and (b).

BACKGROUND

This application for Development Incentives was received by Council on 20 April 2014 and has been assessed under the previous Development Incentives Policy. The request was put on hold while the applicant requested an amendment to the application to address outstanding compliance issues. The amendment has been approved, however there are still

conditions of approval that have yet to be complied with. To allow Council to move forward with the request the Development Incentives Agreement as per the below recommendation will state that all conditions of approval must be complied with prior to the incentives being processed.

Project outcomes anticipated by applicant:

The applicant has relocated an indoor playground facility and cafe from Robinson Street, Frenchville, to an existing warehouse building at 100 Bolsover Street, Rockhampton City. The location preserved the Crazy Joker as a Rockhampton Region business and resulted in a niche market that is generating an economic benefit for the Rockhampton Region.

New jobs and investment:

The applicant has indicated that the facility will continue to employ five (5) full time employees for the coming three (3) years. This is the same number of full time staff that were employed at the former site. At the time the application was made, five (5) part time staff were also employed. Additional part time staff are expected to be employed as follows:

- Three (3) additional staff in year 1 (total of eight (8) part time staff)
- Seven (7) additional staff in year 2 (total of twelve (12) part time staff)
- Ten (10) additional staff in year 3 (total of fifteen (15) part time staff)

Benefits of project for applicant's business:

The project has enabled the applicant to successfully relocate the indoor playground business from North Rockhampton to a 1,012 square metre warehouse at 100 Bolsover Street, Rockhampton City. The new location is centrally located and according to the applicant "offers easy access and convenience to users of the facility".

Benefits of project to Rockhampton Regional economy:

The indoor playground and associated cafe have been well utilized by the Rockhampton community in the past and it is a useful addition to the regions social infrastructure. In the new location, the applicants claim that the indoor playground "compliments existing and desired development in the area. The facility is co-located in the precinct with a variety of land uses for retail, commercial and community purposes." Additional traffic in Bolsover Street generated by the Crazy Joker may bring extra business to other nearby shops and businesses.

Rockhampton CBD activation:

The indoor playground fills an important niche in the regions social fabric and provides young children and infants with activity, exercise, fun and socialisation. The relocated business brings additional people to the northern Central Business District precinct which may increase surrounding business activity.

Economic Development Comments:

The project has made a limited contribution to the region's construction sector. Its contribution to the regional workforce is difficult to estimate, as the applicants concede that there is no increase in the number of full time staff. The contribution from the part time employment is problematic - while the applicants expect the part time employment to increase from five (5) to fifteen (15) staff over three (3) years, they have also established that the relocated business will operate at a smaller scale. Consequently, a 300 per cent increase in part time staff in a three (3) year period following relocation, is questionable. Nevertheless, the contribution this business makes to the niche economic market for indoor playgrounds is adequate.

PLANNING ASSESSMENT**COMMENTS FROM RELEVANT UNITS****Infrastructure Operations Unit's Comments – 21 August 2014**

No Objection.

Economic Development Unit's Comments – 2 December 2014

Support, comments provided.

CONCLUSION

The development generally meets the eligibility criteria under the Development Incentives Policy and the applicant has demonstrated some economic benefits arising from the development. Therefore, in accordance with the policy, a 100% discount will be applied to the infrastructure charges and a refund of the development application fee upon compliance with the conditions of approval.

**D/33-2014/A - DEVELOPMENT
APPLICATION UNDER THE
DEVELOPMENT INCENTIVES POLICY
FOR DEVELOPMENT PERMIT D/33-
2014 FOR A MATERIAL CHANGE OF
USE FOR INDOOR SPORTS AND
RECREATION**

Locality Plan

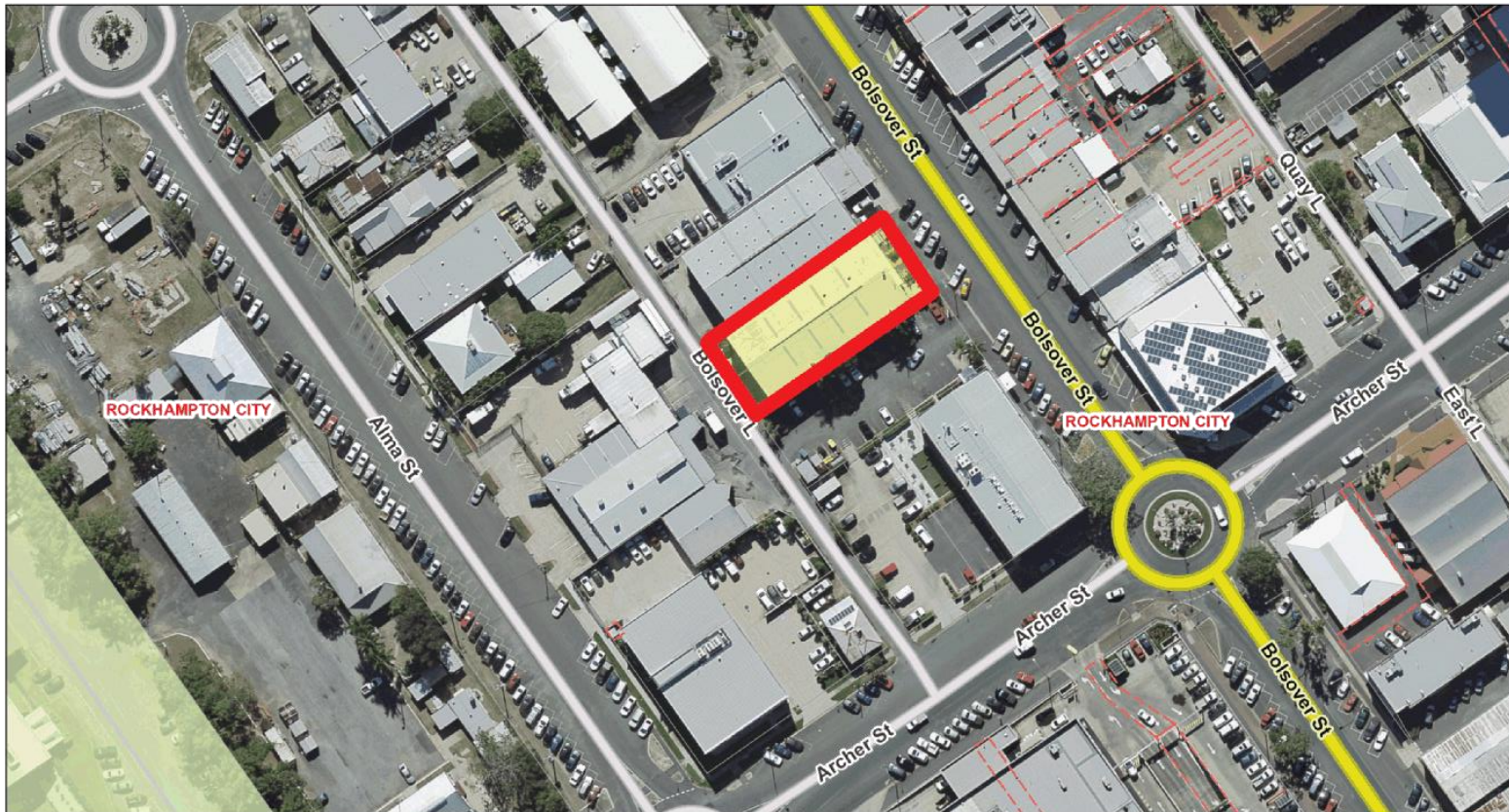
Meeting Date: 13 March 2018

Attachment No: 1

D/33-2014/A - Locality Plan



A4 Page scale at 1: 1,269.45
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8.2 D/162-2014/A - APPLICATION UNDER THE DEVELOPMENT INCENTIVES POLICY FOR DEVELOPMENT PERMIT D/162-2014 FOR A MATERIAL CHANGE OF USE FOR A MULTI UNIT DWELLING (TWELVE UNITS)

File No: 162-2014/A

Attachments: 1. [Locality Plan](#)
2. [Email](#) from Applicant

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning and Regulatory Services
Colleen Worthy - General Manager Community Services

Author: Amanda O'Mara - Senior Planning Officer

SUMMARY

Development Application Number: D/162-2014

Applicant: Statewide Financial Investments Pty Ltd

Real Property Address: Lot 2 on RP607592, Parish of Rockhampton

Common Property Address: 24 Victoria Parade, Rockhampton City

Rockhampton City Plan Area: Inner City North Residential Consolidation Area (Precinct 1 – Special Use Precinct – Inner City North Cultural)

Type of Approval: Development Permit for a Material Change of Use for a Multi Unit Dwelling (twelve units)

Date of Decision: 21 August 2014

Application Lodgement Fee: \$6,325.00

Infrastructure Charges: \$90,000.00

Infrastructure charges incentive: Inner City North Cultural Special Use Precinct – Residential Development – 50%

Incentives sought: Infrastructure Charges Concession of 50%
Refund of Development Application Fee
Refund of Service and Connection Fee

OFFICER'S RECOMMENDATION

THAT in relation to the application under the Development Incentives Policy for Development Permit D/162-2014 for a Material Change of Use for a Multi Unit Dwelling (twelve units), on Lot 2 on RP607592, Parish of Rockhampton, located at 24 Victoria Parade, Rockhampton City, Council resolves to Approve the following incentives if the use commences prior to 21 August 2019:

- a) A fifty percent (50%) reduction of infrastructure charges to the amount of \$45,000.00;
- b) A refund of the development application fee of \$6,325.00 and service and connection fee on commencement of the use; and
- c) That Council enter into an agreement with the applicant in relation to (a) and (b)

BACKGROUND**Project outcomes anticipated by applicant:**

The proposal is to build a multi-unit residential complex containing 12 two-bedroom apartments at Victoria Parade, Rockhampton.

Construction of the units commenced at the end of 2017 and is expected to be completed in October 2018.

New jobs and investment:

The applicant expects to spend \$5.5 million on the project which will add another quality development to the line of high rises in Victoria Parade.

The builder, Mikasa Developments, has now established its work base in Rockhampton and will mostly use Rockhampton-based sub-contractors to undertake the project. The applicant has estimated 80 per cent of the project supplies will be sourced from within the Rockhampton Region and that this will be valued at \$3.5 million.

Benefits of project for applicant's business:

The project will enable the applicant, which is one of the Rockhampton Region's active developers, to continue its line of projects in Rockhampton and elsewhere.

Benefits of project to Rockhampton Regional economy:

This project will continue to expand the multi unit residential precinct to the north of Rockhampton CBD, principally along Victoria Parade and will add to the number of people living close to the CBD and using its services.

Construction will take place over a year and result in 50 positions of varying skill types. It will provide an important stimulus to the Rockhampton Regional economy during 2018.

PLANNING ASSESSMENT**COMMENTS FROM RELEVANT UNITS****Economic Development Unit's Comments – 30 January 2018**

Support, subject to conditions.

Other Staff Technical Comments

Not applicable as the application was not referred to any other technical staff.

CONCLUSION

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

Therefore, in accordance with the policy, a 50% discount can be applied. In addition, a refund of the development application fee and the service and connection fee will be provided.

Furthermore, due to the scale of the development, construction delays and issues in securing development funding it is recommended that a period of five (5) years from the date of approval is provided to the applicant to commence the use rather than three (3) years stipulated in the policy.

**D/162-2014/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/162-2014 FOR A MATERIAL CHANGE
OF USE FOR A MULTI UNIT DWELLING
(TWELVE UNITS)**

Locality Plan

Meeting Date: 13 March 2018

Attachment No: 1

D/162-2014 - Locality Plan



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**D/162-2014/A - APPLICATION UNDER
THE DEVELOPMENT INCENTIVES
POLICY FOR DEVELOPMENT PERMIT
D/162-2014 FOR A MATERIAL CHANGE
OF USE FOR A MULTI UNIT DWELLING
(TWELVE UNITS)**

Email from Applicant

Meeting Date: 13 March 2018

Attachment No: 2

Amanda OMara

From: Stephen Schravemade <stephen@statewidepropertygroup.com.au>
Sent: Monday, 12 February 2018 10:26 AM
To: Amanda OMara
Subject: re 24 Victoria Parade, Development Incentives Policy

Importance: High

Hi Amanda,

The following are the main reasons we failed to meet the 'commenced use within 3 years of DA' part of the development incentives policy.

We originally achieved development approval in July 2014, the next 18-24 months were spent trying to get the development out of the ground. As council would understand, the climate for property development over this period had been severely impacted by the downturn in the mining industry and associated issues. This also partnered with an extreme clamp down in the property development financing space made developments very difficult to get out of the ground. During this period alone, we had one of the major Australian banks change their lending requirements several times.

We reached a period around late 2016 where we decided we needed to scale the project down slightly and modify the design to meet the market at that time. We also needed to meet the new requirements being put on us by financial institutions which was considered in this modified design. This culminated in the lodging of a 'modification to Development Approval' in February 2017 which was approved in July 2017. The process of getting this new design to market was quite involved and required substantial time in the drawing up of new plans and specifications.

We finally met funding criteria for the project to proceed around September 2017 however the bank decided to again change lending requirements at the eleventh hour and again delay the commencement of the project. Around November 2017 we finally were issued with formal finance approval with a new major lending institution and commenced ground works December 2017.

It is anticipated construction will be complete around October this year and we have requested an extension to our current development approval timeframe to make sure we comply with this approval. We have invested a significant amount of time and resources into this project and although we have been operating in a very difficult economic environment it has been very satisfying for ourselves to finally get the project out of the ground. We also strongly believe that projects such as this are crucial to the local economy and are proud to be engaging the local construction industry throughout this project.

While the anticipated infrastructure concessions are not the major reason we carried out the development, they have been instrumental in helping meet financial requirements to make the project a bankable project for funders. I look forward to working with council in the future on projects like Skyview and greatly appreciate the assistance provided by council.

Regards

Stephen Schravemade

8.3 LAND USE ANALYSIS - 10 NORMANBY STREET, THE RANGE

File No:	1680
Attachments:	1. Site Photos 2. Infrastructure Plan 3. Contour Map 4. Locality Map
Authorising Officer:	Tarnya Fitzgibbon - Coordinator Development Assessment Steven Gatt - Manager Planning and Regulatory Services Colleen Worthy - General Manager Community Services
Author:	Brandon Diplock - Planning Officer

SUMMARY

Following on from Council's Parks, Recreation and Sport Committee meeting on 19 July 2017, a report has been prepared to identify options surrounding Council's freehold land in Normanby Street. The report details a number of constraints surrounding the land and potential options Council may consider moving forward.

OFFICER'S RECOMMENDATION

THAT no further action is taken and the subject land remains under the ownership of Rockhampton Regional Council as eight (8) separate allotments.

BACKGROUND

The subject site consists of eight (8) parcels of land located at 10 Normanby Street, The Range, formally described as Lots 163 – 169 on RP600994 and Lot 1 on RP612259. The site is zoned Sport and Recreation as per the *Rockhampton Region Planning Scheme 2015* and is impacted by a number of overlays, primarily the Steep Land Overlay (15-25%+) and the Fitzroy River Flood Overlay (Low – High Hazard).

The site currently fronts both Normanby and Macgregor Streets, however, is accessed via an unformed access road from Macgregor Street which leads to Rugby Park. It is noted that this section of Normanby Street has not been formalised and therefore, Lots 167-169 do not currently have the potential to construct a lawful access. In addition, it is noted that the three allotments at the northern end of the site are subject to a large easement (approximately 13 metres wide) for the purpose of sewer and stormwater infrastructure.

Discussions with Parks who currently manage the subject site has revealed that they have no future intentions to utilise the site, however, at some point in the past, irrigation has been installed to service an area on the southern end of the site whereby recently the plantings have been considered to be an over-embellishment. Parks have therefore, advised that if the land is disposed of by Council, it is recommended that any irrigation infrastructure is removed.

COMMENTARY

Based on a detailed investigation into the subject land, three (3) options have been investigated and are further outlined below.

1. Dispose of the Land

The first option would involve disposing of the eight (8) allotments for a monetary value agreed by Council. Whilst this option may seem to be the logical option, it should be noted that from a planning perspective, any future development over the site would be significantly restricted due to the number of constraints over the land. Given the site is located within the Sport and Recreation Zone and impacted by overlays including flooding and steep land,

almost any proposed development would trigger an impact assessable application and be considered inconsistent with the intent of the *Rockhampton Region Planning Scheme 2015*.

If Council were to agree to this option and sell the allotments, there is the potential that any potential purchaser would be left with land which is considered 'undevelopable'.

2. Amalgamate the Allotments

The second option to amalgamate the eight (8) lots into one (1) lot was investigated to uncover any potential benefits for Council. In order to amalgamate the allotments, Council would be required to outlay money to cover the costs associated with amalgamating and registering the allotment with the Titles Office. It is noted that an investigation into this option revealed that there are no apparent benefits to Council.

3. No further action

The final option is to leave the subject land as is. There are no evident impacts on Council associated with this option, nor will it include any additional costs to Council.

CONCLUSION

The subject land is impacted by a number of constraints which would significantly restrict any future development. In addition, there are no evident benefits to Council in amalgamating the parcel. Therefore, the subject site should remain in its current form and no further action should be undertaken.

LAND USE ANALYSIS 10 NORMANBY STREET, THE RANGE

Site Photos

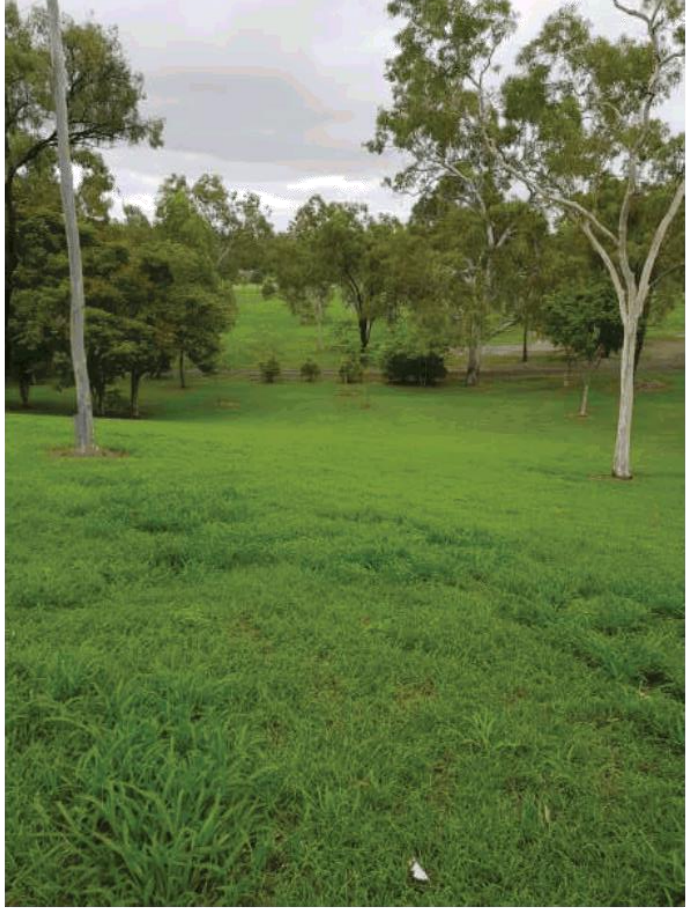
Meeting Date: 13 March 2018

Attachment No: 1

Site Photos – 10 Normanby Street, The Range



Site Photos – 10 Normanby Street, The Range



Site Photos – 10 Normanby Street, The Range



Site Photos – 10 Normanby Street, The Range



LAND USE ANALYSIS – 10 NORMANBY STREET, THE RANGE

Infrastructure Plan

Meeting Date: 13 March 2018

Attachment No: 2

10 Normanby Street - Contour Map



A4 scale at 1: 967.35
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LAND USE ANALYSIS – 10 NORMANBY STREET, THE RANGE

Contour Map

Meeting Date: 13 March 2018

Attachment No: 3

10 Normanby Street - Contour Map



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LAND USE ANALYSIS – 10 NORMANBY STREET, THE RANGE

Locality Map

Meeting Date: 13 March 2018

Attachment No: 4



9 NOTICES OF MOTION

Nil

10 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.

11 CLOSURE OF MEETING