



PLANNING AND REGULATORY COMMITTEE MEETING

MINUTES

6 JUNE 2017

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY 6 JUNE 2017 COMMENCING AT 9.04 AM**

1 OPENING

2 PRESENT

Members Present:

Councillor C E Smith (Chairperson)
Councillor N K Fisher
Councillor M D Wickerson

In Attendance:

Mr M Rowe – General Manager Community Services (Executive Officer)
Mr E Pardon – Chief Executive Officer
Mr S Gatt – Manager Planning & Regulatory Services
Ms C Hayes – Coordinator Health and Environment
Ms K Moody – Coordinator Local Laws
Ms T Fitzgibbon – Coordinator Development Assessment
Mr P Harrison – Coordinator Building, Plumbing and Compliance
Ms R Phelan – Supervisor Administration
Ms M Dansie – Supervisor Local Laws
Mr T Gardiner – Senior Planning Officer
Mr B Diplock – Planning Officer
Mr M Mansfield – Supervisor Media and Engagement
Ms T Richardson – Senior Administration Officer
Ms A Johnson – Planning Administrator Officer
Ms C Steinberger – Media Officer
Ms S Friske – Acting Senior Governance Support Officer
Ms K West – Acting Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Margaret Strelow tendered her apology and was not in attendance.
Councillor Cherie Rutherford tendered her apology and was not in attendance.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RECOMMENDATION

THAT the minutes of the Planning and Regulatory Committee held on 16 May 2017 be taken as read and adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

5 DECLARATIONS OF INTEREST IN MATTERS ON THE AGENDA

In accordance with s173(2) of the *Local Government Act 2009*, Councillor Smith disclosed a conflict of interest in respect of Item 8.2 - D/18-2017 - Development Application for a Material Change of Use for Renewable Energy Facility (solar park) due to a relative's ownership of the property.

6 BUSINESS OUTSTANDING

Nil

7 PUBLIC FORUMS/DEPUTATIONS

7.1 D/162-2015 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A SERVICE STATION, SHOP, SHOWROOM AND FOOD AND DRINK OUTLET

File No: D/162-2015
Attachments: Nil
Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Thomas Gardiner - Planning Officer

SUMMARY

Council is in receipt of a development application for a Material Change of Use for a Service Station, Shop, Showroom and Food and Drink Outlet, made by Glenwaye Pty Ltd Trustee under instrument 709957847, on land described as Lot 24 on SP191047, Parish of Murchison, located at 337-341 Yaamba Road, Park Avenue.

The application is to be presented to the Planning and Regulatory Committee meeting on 6 June 2017.

Mercy Health and Aged Care (submitter) has requested the opportunity to have a deputation with the Council at the Planning and Regulatory Committee meeting.

COMMITTEE RECOMMENDATION

THAT the deputation by Mercy Health and Aged Care be 'received'.

Moved by: Councillor Wickerson

Seconded by: Councillor Fisher

MOTION CARRIED

8 OFFICERS' REPORTS

8.1 D/162-2015 - MATERIAL CHANGE OF USE FOR SERVICE STATION, SHOP, SHOWROOM AND FOOD AND DRINK OUTLET

File No: D/162-2015

Attachments:

1. Locality Plan
2. Landscape Concept Plan
3. Site Plan

Authorising Officer: Tarnya Fitzgibbon - Coordinator Development Assessment
Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services

Author: Thomas Gardiner - Planning Officer

SUMMARY

Development Application Number: D/162-2015

Applicant: Glenwaye Pty Ltd trustee under instrument 709957847

Real Property Address: Lot 24 on SP191047, Parish of Murchison

Common Property Address: 337-341 Yaamba Road, Park Avenue

Area of Site: 2.686 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Specialised Centre Zone, Yaamba Road Precinct

Planning Scheme Overlays: Steep Land Overlay – 15-20% slope
Steep Land Overlay – 20-25% slope
Steep Land Overlay – 25%+ slope

Existing Development: Two (2) Retail Showrooms

Existing Approvals: Development Permit (D-R/971-2005) for Retail Showrooms and Reconfiguring a Lot (Boundary Realignment)
Development Permit (D-R/163-2009) for Reconfiguring a Lot (one lot into three lots including an access easement) (Lapsed)

Approval Sought: Development Permit for a Material Change of Use for Service Station, Shop, Showroom, and Food and Drink Outlet

Level of Assessment: Impact Assessable

Submissions: Three (3) properly made submissions

Referral Agency(s): Department of Infrastructure, Local Government and Planning

Infrastructure Charges Area: Charge Area 1

Application Progress:

<i>Application Lodged:</i>	<i>2 December 2015</i>
<i>Acknowledgment Notice issued:</i>	<i>15 December 2015</i>
<i>Request for Further Information sent:</i>	<i>22 December 2015</i>
<i>Request for Further Information responded to:</i>	<i>14 June 2016</i>
<i>Submission period commenced:</i>	<i>1 July 2016</i>
<i>Submission period end:</i>	<i>22 July 2016</i>
<i>Council request for additional time:</i>	<i>20 April 2017</i>
<i>Government Agency Response:</i>	<i>4 April 2017</i>
<i>Last receipt of information from applicant:</i>	<i>2 April 2017</i>
<i>Statutory due determination date:</i>	<i>20 June 2017</i>

COMMITTEE RECOMMENDATION

That pursuant to s7.6 and s40 *Council Meeting Procedures* the matter be referred to Council on 13 June 2017 for consideration.

Moved by: Councillor Smith

Seconded by: Councillor Fisher

MOTION CARRIED

8.2 D/18-2017 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR RENEWABLE ENERGY FACILITY (SOLAR PARK)

File No: D/18-2017

Attachments:

1. Locality Plan
2. Development Plan
3. Landscape Plan

Authorising Officer: Amanda O'Mara - Senior Planning Officer
Michael Rowe - General Manager Community Services

Author: Brandon Diplock - Planning Officer

SUMMARY

Development Application Number: D/18-2017

Applicant: Eco Energy World Australia Pty Ltd on behalf of Maranbah Solar Pty Ltd C/- RPS Australia East Pty Ltd

Real Property Address: Lot 742 Cherryfield Road, Gracemere

Common Property Address: Lot 742, 770 and 778 on LIV40192, Lot 1009 on LIV40267, Lot 2 on RP613051 and Lot 13 on LN424, Parish of Bouldercombe

Area of Site: 706.22 hectares

Planning Scheme: Rockhampton Region Planning Scheme 2015

Planning Scheme Zone: Rural Zone

Planning Scheme Overlays: Agricultural Land Classification Overlay
Biodiversity Waterways Overlay
Bushfire Hazard Overlay
Infrastructure Corridors (Elec Transmission)
Mining Leases Overlay
Steep Land Overlay
Transport Noise Corridor

Existing Development: Not Applicable

Existing Approvals: Not Applicable

Approval Sought: Development Permit for a Material Change of Use for Renewable Energy Facility (solar park)

Level of Assessment: Impact Assessable

Submissions: One (1) properly made

Referral Agency(s): Department of Infrastructure, Local Government and Planning, and Powerlink Queensland

Infrastructure Charges Area: Charge Area 3

Application Progress:

<i>Application Lodged:</i>	21 February 2017
<i>Acknowledgment Notice issued:</i>	6 March 2017
<i>Submission period commenced:</i>	23 March 2017

<i>Submission period end:</i>	<i>13 April 2017</i>
<i>Council request for additional time:</i>	<i>12 May 2017</i>
<i>Government Agency Response:</i>	<i>21 March 2017</i>
<i>Last receipt of information from applicant:</i>	<i>19 April 2017</i>
<i>Statutory due determination date:</i>	<i>16 June 2017</i>

COMMITTEE RECOMMENDATION

That pursuant to s7.6 and s40 *Council Meeting Procedures* the matter be referred to Council on 13 June 2017 for consideration.

Moved by: Councillor Wickerson

Seconded by: Councillor Fisher

MOTION CARRIED

8.3 COMMITTEE REPORT DELEGATIONS - APRIL 2017

File No: 7028
Attachments: Nil
Authorising Officer: Steven Gatt - Manager Planning & Regulatory Services
Michael Rowe - General Manager Community Services
Author: Tarnya Fitzgibbon - Coordinator Development Assessment

SUMMARY

This report outlines the development applications received in April 2017 and whether they will be decided under delegation or decided by Council.

COMMITTEE RECOMMENDATION

THAT this report be received.

Moved by: Councillor Fisher
Seconded by: Councillor Wickerson

MOTION CARRIED

8.4 SOLE SOURCE SUPPLIER APPROVAL

File No: 10323
Attachments: Nil
Authorising Officer: Steven Gatt - Manager Planning & Regulatory Services
Author: Catherine Hayes - Coordinator Health and Environment

SUMMARY

This report seeks Council approval for sole source suppliers for specific vector control chemicals.

COMMITTEE RECOMMENDATION

THAT Council approve the sole source supplies in accordance with s235(a) of the *Local Government Regulation 2012*.

Moved by: Councillor Smith
Seconded by: Councillor Fisher

MOTION CARRIED

8.5 NEW DOG BREEDER LEGISLATION UNDER THE ANIMAL MANAGEMENT (CATS AND DOGS) ACT 2008

File No: 7896
Attachments: Nil
Authorising Officer: Michael Rowe - General Manager Community Services
Author: Steven Gatt - Manager Planning & Regulatory Services

SUMMARY

The Queensland Government has introduced new laws that will promote the responsible breeding of dogs through the Animal Management (Protecting Puppies) and Other Legislation Amendment Act.

This impacts Local government regulatory functions that are responsible for managing cats and dogs within their local area under the Animal Management (Cats and Dogs) Act 2008 (the Act).

The new amendment targets dog breeders and suppliers through registration laws which are an extension of the animal management laws under the Act.

9:49AM Chief Executive Officer left the meeting
9:57AM Chief Executive Officer returned to the meeting
9:58AM Chief Executive Officer left the meeting

COMMITTEE RECOMMENDATION

THAT Council approve the commencement of enforcement activities on the amendments to the Animal Management (Cats and Dogs) Act incorporating the *Animal Management (Protecting Puppies) and Other Legislation Amendment Act 2008* from 31 July 2017.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS\QUESTIONS

11 CLOSURE OF MEETING

There being no further business the meeting closed at 10:11am.

SIGNATURE

CHAIRPERSON

DATE