



# **PLANNING AND REGULATORY COMMITTEE MEETING**

## **MINUTES**

**26 MARCH 2019**

The Committee Recommendations contained within these Minutes are due to be adopted at the next Council meeting on 2 April 2019.

These Minutes are due to be confirmed at the next Planning and Regulatory Committee meeting on 9 April 2019.

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING  
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON  
ON TUESDAY, 26 MARCH 2019 COMMENCING AT 9.01AM**

**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  
Mr T Cullen – General Manager Advance Rockhampton  
Mr S Gatt – Manager Planning and Regulatory Services  
Ms K Moody – Coordinator Health and Environment  
Mr T Gardiner – Senior Planning Officer  
Mr J Trevett-Lyall – Planning Officer  
Mr P MacCallum – Supervisor Pest Management  
Mr B Gall – Property Pest Management Officer  
Ms G Dwyer – Media Officer  
Ms L Leeder – Senior Committee Support Officer  
Ms K Walsh – Committee Support Officer

**3 APOLOGIES AND LEAVE OF ABSENCE****4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING****COMMITTEE RESOLUTION**

THAT the minutes of the Planning and Regulatory Committee held on 26 February 2019 be taken as read and adopted as a correct record.

**Moved by:** Councillor Wickerson

**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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

**6 BUSINESS OUTSTANDING**

Nil

UNCONFIRMED

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## 7 PUBLIC FORUMS/DEPUTATIONS

### 7.1 DEPUTATION - D/120-2018 - APPLICATION FOR A MATERIAL CHANGE OF USE FOR A TELECOMMUNICATIONS FACILITY

**File No:** D/120-2018  
**Attachments:** Nil  
**Authorising Officer:** Evan Pardon - Chief Executive Officer  
**Author:** Evan Pardon - Chief Executive Officer

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#### SUMMARY

*Council has received four deputation requests from residents in Mount Morgan regarding this application.*

9:03AM The deputation by Natasha Filer and Sue Pollock commenced  
9:12AM Councillor Fisher attended the meeting  
9:14AM The deputation concluded

#### COMMITTEE RECOMMENDATION

THAT the deputation be received.

**Moved by:** Councillor Smith  
**Seconded by:** Councillor Rutherford  
**MOTION CARRIED**

## 8 OFFICERS' REPORTS

### 8.1 D/120-2018 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A TELECOMMUNICATIONS FACILITY

**File No:** D/120-2018

**Attachments:**

1. Locality Plan
2. Site Plan
3. Floor Plan
4. Elevation Plan
5. EME Report

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

**Author:** Jonathon Trevett-Lyall - Planning Officer

#### SUMMARY

*Development Application Number:* D/120-2018

*Applicant:* Telstra c/- Visionstream

*Real Property Address:* Lot 16 on SP208184, Parish of Calliungal

*Common Property Address:* 346A Archer Road, Mount Morgan

*Area of Site:* 8.1 hectares

*Planning Scheme:* Rockhampton Region Planning Scheme 2015

*Planning Scheme Zone:* Rural Zone

*Planning Scheme Overlays:* Biodiversity Overlay  
Bushfire Hazard Overlay

*Existing Development:* Dwelling House

*Existing Approvals:* Nil

*Approval Sought:* Development Permit for a Material Change of Use for a Telecommunications Facility

*Level of Assessment:* Impact Assessable

*Submissions:* Six (6)

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

*Infrastructure Charges Area:* Charge Area 3

*Application Progress:*

<i>Application Lodged:</i>	8 November 2018
<i>Acknowledgment Notice issued:</i>	22 November 2018
<i>Submission period commenced:</i>	18 January 2019
<i>Submission period end:</i>	12 February 2019
<i>Government Agency Response:</i>	18 January 2019
<i>Last receipt of information from applicant:</i>	8 March 2019

Statutory due determination date:	5 April 2019
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9:32AM Chief Executive Officer left the meeting  
 9:44AM Chief Executive Officer returned to the meeting

**COMMITTEE RECOMMENDATION**

THAT in relation to the application for a Development Permit for a Material Change of Use for Telecommunications Facility, made by Telstra c/- Visionstream, on land located at 346A Archer Road, Mount Morgan, described as Lot 16 on SP208184, Parish of Calliungal, Council resolves to Refuse the application for the following reason:

Rural Zone Code		
Performance Outcome/s		Response
PO1	Development does not adversely impact on the rural character of the locality, having regard to the scale and visibility of buildings.	<p>The proposed Telecommunications Facility will be in excess of 52m high and exceed the height of the existing tree canopy by 25m. The Telecommunications Facility will be visible to the adjoining landowners to the north, east and west, the majority of the dwellings are located within 500m of the tower.</p> <p>Most of the residences are elevated above the tree canopy positioning the tower directly in their line of sight.</p> <p>The tower will become the dominant feature in the landscape and out of character with the natural beauty of the rural environment.</p> <p>Based on the above, the proposed Telecommunications Facility is considered to adversely impact on the rural character of the locality.</p>
PO16	<p>Ecological values, habitat corridors and soil and water quality are protected, having regard to:</p> <ul style="list-style-type: none"> <li>(a) maximisation of vegetation retention and protection of vegetation from the impacts of development;</li> <li>(b) avoidance of potential for erosion and minimisation of earthworks;</li> <li>(c) retention and protection of natural drainage lines and hydrological regimes; and</li> <li>(d) avoidance of leeching by nutrients, pesticides or other contaminants, or potential for salinity.</li> </ul>	<p>The proposed Telecommunications Facility is located in an area recognised as high significance in the Biodiversity Overlay for Matters of Local Significance and requires the removal of a portion of the existing vegetation as part of the access track, development area and bushfire buffer area.</p>

<p>PO31</p>	<p>Development does not unduly impact on the existing amenity and character of the locality having regard to:</p> <ul style="list-style-type: none"> <li>(a) the scale, siting and design of buildings and structures;</li> <li>(b) visibility of buildings and structures when viewed from roads and other public view points; and</li> <li>(c) any heritage places.</li> </ul>	<p>The proposed Telecommunications Facility will be in excess of 52m high and exceed the height of the existing tree canopy by 25m. The Telecommunications Facility will be visible to the adjoining landowners to the north, east and west, the majority of the dwellings are located within 500m of the tower.</p> <p>Most of the residences are elevated above the tree canopy positioning the tower directly in their line of sight.</p> <p>The tower will become the dominant feature in the landscape and out of character with the natural beauty of the rural environment.</p> <p>Based on the above, the proposed Telecommunications Facility is considered to adversely impact on the amenity and rural character of the locality.</p>
<p>PO32</p>	<p>Development responds sensitively to on-site and surrounding topography, drainage patterns, utility services, access, vegetation and adjoining land uses, such that:</p> <ul style="list-style-type: none"> <li>(a) any hazards to people or property are avoided;</li> <li>(b) any earthworks are minimised;</li> <li>(c) the retention of natural drainage lines is maximised;</li> <li>(d) the retention of existing vegetation is maximised;</li> <li>(e) leeching by nutrients, pesticides or other contaminants, or potential for salinity is minimised;</li> <li>(f) damage or disruption to sewer, stormwater and water infrastructure is avoided; and</li> <li>(g) there is adequate buffering, screening or separation to adjoining development.</li> </ul>	<p>The proposed Telecommunications Facility is in a location that requires clearing of vegetation.</p>
<p><b>Telecommunications Facilities and Utilities Code</b></p>		
<p><b>Performance Outcome/s</b></p>		<p><b>Officer's Response</b></p>
<p>PO2</p>	<p>Development is visually integrated with the surrounding area to ensure it does not visually dominate and is not visually obtrusive, having regard to:</p> <ul style="list-style-type: none"> <li>(a) scale;</li> <li>(b) height;</li> </ul>	<p>The proposed Telecommunications Facility will be in excess of 52m high and exceed the height of the existing tree canopy by 25m. The Telecommunications Facility will be visible to the adjoining landowners to the north, east and west, the majority of the dwellings are located within 500m of the tower.</p>



	<ul style="list-style-type: none"> <li>(c) bulk;</li> <li>(d) materials and colour; and</li> <li>(e) aesthetic appearance.</li> </ul>	<p>Most of the residences are elevated above the tree canopy positioning the tower directly in their line of sight.</p> <p>The tower will become the dominant feature in the landscape and out of character with the natural beauty of the rural environment.</p> <p>Based on the above, the proposed Telecommunications Facility is considered to visually dominate the landscape and be intrusive.</p>
PO3	<p>Development:</p> <ul style="list-style-type: none"> <li>(a) is camouflaged through use of colours and materials which blend into the visual landscape (earth tones); and</li> <li>(b) incorporates a range of non-reflective materials, textures and finishes that reflect the character of the surrounding area.</li> </ul>	<p>Due to the mostly pristine environment and the height of the tower above tree line camouflage of the structure would be very hard to achieve. The tower would always look out of place in this natural landscape.</p>

Furthermore it is felt the report fails to recognise the uniqueness of this locality and the loss of amenity for the small community who reside within 600metres of the proposed tower. Council is currently investing considerable funds and effort in developing economic opportunities for Mount Morgan. The report does not acknowledge or address impacts on existing businesses operating in the area or consider the future importance of this area for eco-tourism opportunities.

**Moved by: Councillor Rutherford**

**Seconded by: Mayor Strelow**

**MOTION CARRIED UNANIMOUSLY**

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**8.2 FERAL PIG PLAN 2019 - 2023**

**File No:** 2557  
**Attachments:** 1. Draft Feral Pig Management Plan 2019 - 2023  
**Authorising Officer:** Steven Gatt - Acting General Manager Community Services  
**Author:** Karen Moody - Coordinator Health and Environment

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**SUMMARY**

*This report presents the Rockhampton Regional Council Draft Feral Pig Management Plan 2019-2023 (The Plan) for Council's consideration and adoption. The Plan forms a sub plan under Council's Biosecurity Plan 2017-2021 and was a key objective of the Biosecurity Plan. This plan was designed to build on current activities and provides an adopted proactive, strategic approach for feral pig management for the next 4 years.*

**COMMITTEE RECOMMENDATION**

1. THAT Council adopts the Feral Pig Management Plan 2019-2023.
2. THAT Council work collaboratively with the State Government to develop a program of works to control invasive animals at Mount Archer and seek funding for that project.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Wickerson

**MOTION CARRIED**

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**8.3 DECISION UNDER DELEGATION - FEBRUARY 2019**

**File No:** 7028  
**Attachments:** Nil  
**Authorising Officer:** Steven Gatt - Acting General Manager Community Services  
Colleen Worthy - General Manager Community Services  
**Author:** Tarnya Fitzgibbon - Coordinator Development Assessment

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**SUMMARY**

*This report outlines the properly made development applications received in February 2019 and whether they will be decided under delegation or decided by Council.*

**COMMITTEE RECOMMENDATION**

THAT this report into the applications lodged in February 2019 be received.

**Moved by:** Mayor Strelow  
**Seconded by:** Councillor Rutherford

**MOTION CARRIED**

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**8.4 MONTHLY OPERATIONS REPORT FOR PLANNING & REGULATORY SERVICES - FEBRUARY 2019**

**File No:** 1464  
**Attachments:** 1. Monthly Operations Report for Planning & Regulatory Services - February 2019  
**Authorising Officer:** Colleen Worthy - General Manager Community Services  
**Author:** Steven Gatt - Manager Planning and Regulatory Services

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**SUMMARY**

*The Monthly Operations Report for the Planning & Regulatory Services Section for February 2019 is presented for Councillor's information.*

**COMMITTEE RECOMMENDATION**

THAT the Planning & Regulatory Services Monthly Operations Report for February 2019 be 'received'.

**Moved by:** Councillor Fisher

**Seconded by:** Mayor Strelow

**MOTION CARRIED**

**9 NOTICES OF MOTION**

Nil

UNCONFIRMED

**10 URGENT BUSINESS QUESTIONS**

UNCONFIRMED

**11 CLOSURE OF MEETING**

There being no further business the meeting closed at 10:25am.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
CHAIRPERSON

\_\_\_\_\_  
DATE

UNCONFIRMED