



PLANNING & DEVELOPMENT COMMITTEE MEETING

MINUTES

28 APRIL 2015

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**REPORT OF THE PLANNING & DEVELOPMENT COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY 28 APRIL 2015 COMMENCING AT 1.35PM**

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
Ms T Fitzgibbon – Manager Development and Building
Mr P Barry – Senior Planning Officer
Ms J Noland – Development Compliance Officer
Mr T Gardiner – Planning Officer
Ms L Price – Community Awareness Officer
Ms I Taylor – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Planning & Development Committee held on 14 April 2015 be taken as read and adopted as a correct record.

Moved by: Councillor Smith
Seconded by: Councillor Swadling

MOTION CARRIED

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

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

1.48pm Councillor Fisher attended the meeting.

COMMITTEE RESOLUTION

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 \$9,000.00 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).

Moved by: Councillor Williams

Seconded by: Councillor Smith

MOTION CARRIED

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

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.

- 1.54pm In accordance with s173(2) of the *Local Government Act 2009*, Mayor Strelow disclosed a conflict of interest in respect of Item 9.1 – Planning Section – March Operations Report due to owning property nearby to the Quest building, that Mayor Strelow considered her position, did not take part in the debate and left the meeting.
- 1.54pm Mayor Strelow left the meeting and Deputy Mayor, Councillor Williams assumed the chair.
- 2.01pm Acting Chief Executive Officer left the meeting.
- 2.02pm Acting Chief Executive Officer returned to the meeting.
- 2.02pm Mayor Strelow returned to the meeting and resumed the chair.

COMMITTEE RESOLUTION

THAT the Planning Section report for March be received.

Moved by: Councillor Williams
Seconded by: Councillor Swadling
MOTION CARRIED

10 NOTICES OF MOTION

Nil

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.

COMMITTEE RESOLUTION

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.

13.2 Ellida (Parkhurst) Residential Community - Update

This report is considered confidential in accordance with section 275(1)(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.

Moved by: Councillor Smith
Seconded by: Councillor Williams

MOTION CARRIED

COMMITTEE RESOLUTION

2.04PM

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Fisher
Seconded by: Councillor Schwarten

MOTION CARRIED

COMMITTEE RESOLUTION

2.22PM

THAT pursuant to s34(1)(k) and s44 *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Swadling
Seconded by: Councillor Smith

MOTION CARRIED

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.

SUMMARY

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

COMMITTEE RESOLUTION

THAT Council resolve to invite the owners of the property to a Planning and Development Committee meeting to discuss their development.

Moved by: Mayor Strelow
Seconded by: Councillor Smith

MOTION CARRIED

13.2 ELLIDA (PARKHURST) RESIDENTIAL COMMUNITY – UPDATE**File No: 8037****Responsible Officer: Robert Holmes – Acting Chief Executive Officer**

COMMITTEE RESOLUTION

THAT the information be noted.

Moved by: Councillor Swadling**Seconded by: Councillor Fisher****MOTION CARRIED**

11 URGENT BUSINESS\QUESTIONS

11.1 MONTGOMERIE STREET

File No: D/1603-2005, D/1553-2009

Responsible Officer: Robert Holmes – Acting Chief Executive Officer

COMMITTEE RESOLUTION

THAT the previous report regarding Montgomerie Street be presented to the next Planning and Development Committee meeting for Councillors information.

Moved by: Mayor Strelow

Seconded by: Councillor Williams

MOTION CARRIED

14 CLOSURE OF MEETING

There being no further business the meeting closed at 2.28pm.

SIGNATURE

CHAIRPERSON

DATE