



PLANNING AND REGULATORY COMMITTEE MEETING

MINUTES

21 JUNE 2016

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**REPORT OF THE PLANNING AND REGULATORY COMMITTEE MEETING
HELD AT COUNCIL CHAMBERS, 232 BOLSOVER STREET, ROCKHAMPTON
ON TUESDAY, 21 JUNE 2016 COMMENCING AT 9.05AM**

1 OPENING

2 PRESENT

Members Present:

Councillor C E Smith (Chairperson)
Councillor C R Rutherford
Councillor M D Wickerson

In Attendance:

Mr R Holmes – General Manager Regional Services (Executive Officer)
Ms T Fitzgibbon – Manager Development and Building
Ms J Noland – Development Compliance Officer
Mr A de Klerk – Planning Officer
Mr A Wratten – Communication and Marketing Supervisor
Ms F McRae – Marketing and Media Officer
Ms L Leeder – Senior Governance Support Officer
Ms S Friske – Governance Support Officer

3 APOLOGIES AND LEAVE OF ABSENCE

The Mayor, Councillor Margaret Strelow has tendered her apology and will not be in attendance as she is representing Council at the Darumbal People's Native Title Determination.

Councillor Neil Fisher has tendered his apology and will not be in attendance as he is representing Council at the Developing Northern Australia Conference in Darwin.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COMMITTEE RESOLUTION

THAT the minutes of the Planning and Regulatory Committee held on 7 June 2016 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

6.1 BUSINESS OUTSTANDING TABLE FOR PLANNING AND REGULATORY COMMITTEE

File No: 10097
Attachments: 1. Business Outstanding Table
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 Regulatory Committee is presented for Councillors' information.

COMMITTEE RECOMMENDATION

THAT the Business Outstanding Table for the Planning and Regulatory Committee be received.

Moved by: Councillor Wickerson
Seconded by: Councillor Rutherford

MOTION CARRIED

7 PUBLIC FORUMS/DEPUTATIONS

Nil

8 OFFICERS' REPORTS

8.1 DEVELOPMENT AND BUILDING - APRIL OPERATIONS REPORT

File No: 7028

Attachments: 1. Monthly Report - April 2016

Authorising Officer: Robert Holmes - General Manager Regional Services

Author: Tarnya Fitzgibbon - Manager Development and Building

SUMMARY

The monthly operations report for the Development and Building Section as at 30 April 2016 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Development and Building Section Report for April be received.

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

8.2 DEVELOPMENT AND BUILDING - MAY OPERATIONS REPORT

File No: 7028
Attachments: 1. Monthly Report - May 2016
Authorising Officer: Robert Holmes - 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 May 2016 is presented for Councillors information.

COMMITTEE RECOMMENDATION

THAT the Development and Building Section Report for May be received.

Moved by: Councillor Rutherford

Seconded by: Councillor Wickerson

MOTION CARRIED

8.3 REEF GUARDIAN COUNCIL - GREAT BARRIER REEF MARINE PARK AUTHORITY**File No:** 10928**Attachments:**
1. MoU for Reef Guardian Council
2. Reef Guardian Action Plan 2016/2017**Authorising Officer:** Evan Pardon - Chief Executive Officer**Author:** Robert Holmes - General Manager Regional Services

SUMMARY

The Reef Guardian Councils' Programme promotes Great Barrier Reef protection through education, information sharing and involvement in on-ground actions. Rockhampton Regional Council has been a member of the Reef Guardian Councils since 2010 and has previously developed and implemented Action Plans, since being a member. The Action Plan for 2016/2017 has been developed and will incorporate a number of existing activities from the previous year plus a number of new activities. Approval is sought from Council to continue membership of the Reef Guardian Councils' Programme and also for the Reef Guardian Councils' Action Plan 2012/2017.

COMMITTEE RECOMMENDATION

1. THAT Council enter the Memorandum of Understanding to continue with the Reef Guardian Councils' Programme; and
2. THAT the Reef Guardian Councils' Action Plan for the 2016/2017 year be endorsed.

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

8.4 D/80-2016 - REQUEST FOR APPLICATION OF SUPERSEDED PLANNING SCHEME FOR A STORAGE SHED

File No: D/80-2016

Attachments: 1. Locality Plan
2. Proposal Plan

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services

Author: Anton de Klerk - Planning Officer

SUMMARY

Application Number: D/80-2016

Applicant: Narelle Adams

Real Property Address: Lot 54 on RP601383, Parish of Gavial

Common Property Address: Lot 54 Bowlin Road, Port Curtis

Area of site: 5,974 square metres

Superseded Planning Scheme: Fitzroy Shire Planning Scheme 2005

Superseded Zone: Rural Zone – Historically Subdivided Area

Superseded Overlays: Nil

Existing Development: Vacant

Existing Approval: Nil

Nature of Request: To accept a development application for development that is prohibited development under the planning scheme and was assessable development under a superseded planning scheme; and assess and decide the application under the superseded planning scheme.

Application Progress:

<i>Application Lodged:</i>	31 May 2016
<i>Planning and Regulatory Committee Meeting:</i>	21 June 2016
<i>Council Meeting:</i>	28 June 2016
<i>Statutory due determination date:</i>	13 July 2016

COMMITTEE RECOMMENDATION

1. THAT in relation to the Request for Application of a Superseded Planning Scheme, made by Narelle Adams on Lot 54 on RP601383, Parish of Gavial, located at Lot 54 Bowlin Road, Port Curtis, Council resolves to accept the request and assess the application under the Superseded Planning Scheme.
2. THAT a report be presented to the next Planning & Regulatory Committee Meeting identifying the balance of the sites in that area that may be subject to similar building applications.

Moved by: Councillor Smith

Seconded by: Councillor Wickerson

MOTION CARRIED

9 NOTICES OF MOTION

Nil

10 URGENT BUSINESS\QUESTIONS

11 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.

12.1 Enforcement Proceedings for Development Offences

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

12.2 Enforcement Directions 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.

Moved by: Councillor Rutherford

Seconded by: Councillor Wickerson

MOTION CARRIED

COMMITTEE RESOLUTION

9.23AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves into Closed Session and be closed to the public.

Moved by: Councillor Rutherford

Seconded by: Councillor Smith

MOTION CARRIED

COMMITTEE RESOLUTION

9.57AM

THAT pursuant to s7(11) *Council Meeting Procedures* the meeting moves out of Closed Session and be opened to the public.

Moved by: Councillor Smith

Seconded by: Councillor Rutherford

MOTION CARRIED

12 CONFIDENTIAL REPORTS

12.1 ENFORCEMENT PROCEEDINGS FOR DEVELOPMENT OFFENCES

File No: 8038/4781/8431

Attachments:

1. Locality Plan
2. Court Order and Map
3. Site Photos (1) at 8 June 2016
4. Site Photos (2) at 8 June 2016
5. Instructions to Bailiff

Authorising Officer: Tarnya Fitzgibbon - Manager Development and Building
Robert Holmes - General Manager Regional Services

Author: Judith Noland - Development Compliance Officer

This report is considered confidential in accordance with section 275(1)(f), of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving the local government.

SUMMARY

This report discusses the progress of enforcement action for a premises in North Rockhampton.

COMMITTEE RECOMMENDATION

THAT the Enforcement Proceedings for Development Offences report be received.

Moved by: Councillor Smith
Seconded by: Councillor Wickerson

MOTION CARRIED

12.2 ENFORCEMENT DIRECTIONS FOR DEVELOPMENT OFFENCES**File No:** 8038 / 4781 / 8431**Attachments:**
1. Locality Plan
2. Site Photos**Authorising Officer:** Tarnya Fitzgibbon - Manager Development and Building
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 discusses an unapproved use of a property at Kabra.

COMMITTEE RECOMMENDATION

THAT Council resolve to adopt Option Two conditional upon there being no expansion to the current level of use of the Kabra Road property and that the matter be reviewed 31 August 2016.

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

13 CLOSURE OF MEETING

There being no further business the meeting closed at 9.58am.

SIGNATURE

CHAIRPERSON

DATE