



# **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

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#### 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

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#### 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

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**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

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**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**

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**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

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**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.

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SIGNATURE

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CHAIRPERSON

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DATE